

Dartmouth, N. S.

December 4/84.

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

Present - Mayor Brownlow

Ald. Sarto	Romkey
Beeler	Peters
Crawford	Levandier
Stubbs	Greenwood
Hawley	Greenough
Bregante	Hetherington
Withers	
City Solicitor, M. Moreash	
City Administrator, C. A. Moir	
Deputy City Clerk, G. D. Brady	

The Mayor welcomed to the meeting, the First
Dartmouth Girl Guide troop, with their leader.

Council agreed to add two items to the agenda:
(1) Special Constable Res. 84-64 and a Video license
application for 31 Albro Lake Road.

MINUTES

On motion of Ald. Hetherington and Sarto,
Council adopted the minutes of meetings held on
Nov. 7th, 13th and 27th.

RECONSIDERATION:
DELL HOLDINGS

At the November 27th Council meeting, Ald.
Crawford gave notice of reconsideration with regard
to the action taken by Council on a motion that directed
staff not to proceed with processing of a request from
Dell Holdings for an amendment to the Municipal Planning
Strategy and Land Use By-law.

In a subsequent report from the City Solicitor,
Council has been advised that the defeated motion
concerned cannot be revived by the process of reconsider-
ation, due to the fact that it is a motion resolved in
the negative. The report goes on to explain that the
matter has not been resolved in any event, since Mr.
Lukan's request for direction from Council on how to
deal with the application, has not been answered by
Council.

The Mayor began by explaining the basis for his
deciding vote on the motion placed before Council at
the November 27th meeting. He indicated that in casting
his vote, he was not in fact voting in favour of the
development proposal or of having it go to a public

hearing, but rather, was basing his decision on a principle included in the rules of order on which the procedural by-law is followed, known as procedural convention. In this way, the Chairman undertakes to vote in such a way as to provide further opportunity for consideration of the question on which he or she is voting.

Since the developer indicated, through the letter from his Solicitor, a willingness to discuss with Council and Planning staff, modifications to the development that would allow it to proceed ultimately, the opinion of the Mayor was that Council could only find out what these modifications may be by allowing the developer and staff and the residents to try to come up with an acceptable plan. Such discussions would not be able to take place if the application had been completely rejected at the point proposed. If the way were to be opened for discussion and dialogue between the parties in the Dell Holdings issue, it may be possible to find a solution rather than continuing to have the matter back before Council in the present state of confrontation that surrounds it. The Mayor said it was for this reason that he made the decision to vote as he did on the November 27th motion.

He referred to the advice from the Solicitor that a motion decided in the negative cannot be reconsidered. He also noted that members of Council have received copies of a letter from the legal firm of Green/Spencer, acting on behalf of the Downtown Dartmouth Residents' Assn., requesting deferral of the Dell Holdings item, in view of the fact that Mr. Spencer is unable to attend this Council meeting due to a prior commitment.

Rising on a point of privilege, Ald. Crawford presented information on the ruling given by Justice Nathanson on Sept. 23/84, with respect to what he considered to be a similar case in Halifax, where a

second public hearing was denied in the case of the re-application by United Equities for the development of lands across from the Halifax Public Gardens. He quoted from page 21 of the judgement, where Section 42 (1) of the Planning Act was cited as making no provision for a second public hearing, and likened the reference to the paragraph in the letter from Mr. Pugsley (representing Dell Holdings) which states '. . . it is appropriate for this Council to consider anew the application by Dell Holdings Ltd. to amend the M.P.S. and Land Use By0law to allow for the construction of this beneficial project'. He said this paragraph shows that Dell Holdings intend to submit exactly the same proposal as the one already rejected by Council.

He therefore took the position, based on the ruling given by Justice Nathanson in the Halifax case, that Council cannot legally deal with a second application from Dell Holdings for the same proposal, through a second public hearing.

The City Solicitor gave the opinion that the United Equities case does not prevent Council from dealing with this present request. He said that in the Halifax case, there were a number of defects in the procedure, which resulted in the decision of Halifax Council being quashed. In that instance, there was a second public hearing on one application, but if the Dell Holdings application were to come before Council, it would be a fresh application that Council is free to process in the ordinary way. He noted that no one has a right to be heard on the question of whether or not Council is to direct staff to process such an application or not. He said he considered it his duty to caution Council that there are certain dangers involved in hearing from opponents or proponents at this stage in the process, and also, certain dangers in debating the merits or demerits of the proposed development at this stage. If members of the public are heard at

this point, there could be allegations that the rules of natural justice were violated. If Council gets into a debate on the merits or demerits of the development or the M.P.S. amendment, the way can be opened for possible allegations that members of Council are prejudging the matter prior to a public hearing.

In summary, the Solicitor advised that the best way to deal with the matter is without debate. If there is to be debate permitted (and/or public input), it should be limited to the question of whether an application previously rejected should now be considered again; debate should be avoided on the merits of the development or the demerits of it. If Council gets into a hearing at this point, it could result in legal problems later.

Ald. Crawford said he could not see how a member can prejudice himself when a decision has already been rendered once by Council and members have indicated at that time whether they were for or against the development and the application. He said he voted against the application before and would do so now, even if it means that he can be considered to be prejudicing himself on the matter. He made reference to the letter from the Solicitors representing the area residents and said that if his notice of reconsideration cannot stand, he would be prepared to move deferral as the letter requests.

Ald. Greenough raised a point of information about the advice being given Council by the City Solicitor, and Mr. Moreash again indicated that the safest course of action under the circumstances, would be to deal with the matter summarily without getting into any kind of quasi-hearing situation at this time.

Ald. Greenough questioned whether deferral is advisable if it means that the Solicitor for the Residents' Assn. is wanting to be heard and Mr. Moreash is recommending that Council not get into a hearing format. Ald. Crawford suggested that the Solicitor for the residents could just want to be present in order to hear any debate taking place and make note of it.

Ald. Crawford proceeded to move deferral on the basis of the request from Mr. Peter Spencer, recognizing that a similar request was acceded to in Mr. Pugsley's case; the motion did not receive a seconder.

Ald. Greenough said it is important for Council to take a cautious approach, as the City Solicitor has advised; otherwise, the City could become involved in a costly appeal process. He said that if there is any chance for dialogue between the parties in this issue, every effort should be made to provide it. With this in mind, Council should at least let the planning process go ahead to the point where representatives of the developer and the residents have an opportunity for discussion and to find out if sufficient good will exists to bring about some ultimate resolution of the issue. Mr. Moreash said there is nothing to prevent the developer and the residents from having any discussions they wish, and to have Planning staff participate in those discussions also if they wish.

Ald. Greenough therefore moved that the Planning staff be directed to proceed with preliminary discussions with the parties concerned, to determine if there is sufficient good will and grounds for consideration of an acceptable proposal, to the point where it can be determined by Council whether or not to proceed to a public hearing. The motion was seconded by Ald. Hawley.

Ald. Levandier said he was adamantly opposed to the project and that the developer is really trying to secure the M.P.S. amendment to render his land more valuable for his own benefit. He said the harassment should stop here and now. The residents are not in favour of this development and Council should not process the application any further. He urged Council to vote in the negative against the motion and give the residents the peaceful Christmas they deserve without any further harassment. He said he could not be concerned about whether or not he was prejudicing himself because he wanted to be heard on behalf of the residents he

represents.

Ald. Hawley indicated his support for the motion without speaking further on it. Ald. Stubbs said she did not support the development proposal before and would not do so now. She noted that the zoning on the property in question has been reduced to an R2/TH density and it should be developed accordingly. She said Council should not be talking about anything else. This is a large piece of land affecting a big section of the City and it has to be considered accordingly. She said that if the developer wants to bring in a new proposal, he is free to proceed along those lines, and Council should not be debating at this time whether Dell Holdings is to get any special consideration.

Ald. Crawford asked that Council consider the motion on the floor under the doctrine of reasonable doubt and on this basis, vote to defeat the motion as it stands. He indicated he would be prepared to sit down at a meeting between the developer and the residents to reach an honorable compromise based on less units in the development. His opinion was that the present request from Dell Holdings is a re-submission of the proposal that Council previously rejected and the area residents do not want that.

Ald. Breante also opposed the motion and said he could not see why the land is not developed the way it is presently zoned, and the developer would still make money. Ald. Hetherington also felt the developer should be coming in with something acceptable to the neighborhood, and not trying to 'shove something down the throats of the residents that they do not want'. He said he did not want to be in this predicament again and having the same proposal received over and over; for this reason, he introduced a recent motion that would request an amendment to the Planning Act whereby the same proposal could not be re-submitted within a given twelve-month period.

Ald. Hetherington noted that the property owner does not live in the area and could be classed as an absentee landlord. He said the City has had many experiences with absentee landlords; they develop an area and then leave. The developer must build units that are acceptable to the people already living in the area.

Ald. Greenwood spoke in favour of the motion, suggesting that it is a good idea to at least explore the possibility of a mutually-acceptable proposal being arrived at. Ald. Hawley agreed that it is a positive approach to take and an opportunity for some possible compromise; otherwise, the matter is left completely unresolved and no one has any way of knowing what will come forward from the developer next.

The vote was taken on the motion and it was defeated with Ald. Greenwood, Hawley, Greenough, Beeler, Peters and Withers voting in favour.

Ald. Crawford then indicated to Council that the residents would be prepared to sit down with the developer for discussion at a time and place to be arranged with Mr. Doug Kennedy. He suggested the matter be left with Mr. Kennedy and Mr. Russell to pursue further.

It was pointed out that the request from Mr. Lukan for direction has not yet been addressed by Council with a motion in the positive. Ald. Greenough and Greenwood therefore moved that staff be directed to process the Dell Holdings application. The motion was defeated which meant that none of the motions introduced in connection with this item have carried.

SECOND APPROVAL:
PENSIONS TO FORMER
EMPLOYEES

On motion of Ald. Bregante and Withers, Council gave second approval to an over-expenditure in the amount of \$3,605. for implementation of a 50% increase in the pensions paid to four former City employees, as approved by Council at the November 27th meeting.

MOTION: Moved by Ald. Bregante and Withers that Council give second approval to an over-expenditure of \$3,605. for

implementation of a 50% increase in the pensions paid to four former City employees.

CABOOSELESS
TRAINS

Council has received a letter and information attachments from Mr. J. W. Carmichael of Local 713 of the United Transportation Union, regarding the subject of cabooseless trains and the request being made by CN to the Transportation Commission, which could ultimately lead to the replacement of the caboose with a mechanical box called an 'End of Train Unit'.

Ald. Greenough and Hetherington moved that the letter and information be received and filed. Ald. Bregante and Stubbs commented on the movement of hazardous materials by the railways and the importance of the caboose in this connection for safety and protection purposes.

Council agreed to hear Mr. James MacDonald who spoke in the absence of Mr. Carmichael, on behalf of Local 713 of the United Transportation Union. He explained the CN proposal for the operation of trains without cabooses, and the main thrust of his submission to Council emphasized the safety factors involved, particularly significant in a City like Dartmouth where the rail line passes through the main downtown area and through residential sections of the City. He described the caboose as an important safety device that should not be replaced with E.T.U.'s, and urged Council's support for the retention of safe railroading practices in the Maritimes.

The Mayor and Deputy Mayor have recently attended a CN briefing on the subject of the replacement of cabooses with End of Train Units, and Ald. Sarto suggested that Council might wish to delay a decision on this matter until after a CN representative has had the opportunity to make a presentation to Council with additional information on the subject. Ald. Romkey and other members agreed that both sides should be heard first and Council considered the safety factor involved to be the most important aspect, an opinion also shared

by Mr. MacDonald and the union he represents.

The Mayor suggested that Mr. MacDonald might want to be in attendance when the CN presentation is made and he would be available to respond to any questions that might be raised. Members felt that the motion on the floor is appropriate since it permits Council to bring the item back for further consideration and for the CN presentation at a future meeting, as suggested. When the vote was taken on the motion, it carried.

MOTION: Moved by Ald. Greenough & Hetherington that the letter and material received on the subject of cabooseless trains, be received and filed.

VIDEO LICENSE
APPLICATION:
29 HAWTHORNE ST.

Council has received a copy of an application for a video retail license from Debbie Ayoub, 29 Hawthorne Street. Council has been asked to advise if the City has any objection to issuing this license. Ald. Beeler noted that this store has already been renting video tapes for a couple of months without a license and suggested that this point should be brought to the attention of the Consumer Affairs Dept. Also, some attention should be given to where the video tapes are located in the store, since it is located across from Hawthorne School and children from the school often come into the store.

Ald. Crawford and Greenwood moved that Council indicate no objection to the application, subject to the points raised by Ald. Beeler being communicated to the Dept. of Consumer Affairs. Ald. Romkey said the Department should also be asked to come up with a more informative application form than the one Council has received, and this point should be brought to their attention as well. Ald. Hawley said he was concerned about the rental of video tapes in a grocery store and the possible health implications. He felt they should be located away from food products and this requirement should be spelled out to the applicants. The motion carried.

MOTION: Moved by Ald. Crawford and Greenwood that Council indicate no objection to the video license application for 29 Hawthorne Street, subject to the points raised in debate being communicated to the Consumer Affairs Dept.

VIDEO LICENSE
APPLICATION:
200 WAVERLEY RD.

On motion of Ald. Sarto and Bregante, Council indicated no objection to an application for a video retail outlet license at 200 Waverley Road, submitted by Mr. Jack Bateman.

MOTION: Moved by Ald. Sarto and Bregante that Council indicate no objection to an application for a video retail outlet license at 200 Waverley Road, submitted by Mr. Jack Bateman.

VIDEO LICENSE
APPLICATION:
31 ALBRO LAKE RD.

On motion of Ald. Hetherington and Sarto, Council indicated no objection to an application for a video retail outlet license at 31 Albro Lake Road, submitted by Mr. Sid Chedrawe.

MOTION: Moved by Ald. Hetherington & Sarto that Council indicate no objection to an application for a video retail outlet license at 31 Albro Lake Road, submitted by Mr. Sid Chedrawe.

LETTER: CDN.
PARAPLEGIC ASSN.

On motion of Ald. Hetherington and Levandier, Council referred to the Transit Advisory Board, a letter received from the Nova Scotia Division of the Canadian Paraplegic Assn., about the need and importance of the Access-a-Bus system and to ensure that three additional buses are provided in the Access-a-Bus fleet.

MOTION: Moved by Ald. Hetherington & Levandier that Council refer to the Transit Advisory Board, a letter from the Canadian Paraplegic Association re the Access-a-Bus system and the need for three additional buses in the system.

LETTER: ROCK
CONCERT

Under the heading of Original Communications, Ald. Stubbs had a letter circulated from Mrs. Susan McKenzie, on the subject of the recent rock concert held at the Metro Centre. She referred to other information she has been compiling on costs associated with the operation of ferry service and additional police officers who were on duty for that evening; also, costs provided by M.T.C. associated with repairs to the bus that was damaged at Penhorn. She suggested that once all this information is assembled, a meeting with the

Metro Centre people would be in order to discuss some form of participation in these costs if future rock concerts are planned.

Ald. Stubbs moved that the letter be received and referred to Mr. Moir, along with the other documentation that has been and is being prepared on associated costs (including the time for police officers who came to assist the ones on duty at the ferry), for a complete report on the total costs involved, including those of MTC and the City. The motion was seconded by Ald. Crawford and it carried.

MOTION: Moved by Ald. Stubbs and Crawford that the letter from Ms. Susan McKenzie re the recent rock concert in Halifax, be received and referred to Mr. Moir, along with the other documentation that has been and is being prepared on associated costs, for a complete report on the total costs involved, including those of MTC and the City.

LAND: 733
PLEASANT ST.

A report from Mr. Moir was considered on property at 733 Pleasant Street, required for the reconstruction of this street. The owner, Mr. MacDonald, is willing to grant to the City, the necessary property for \$1., subject to the City constructing a three-foot rock wall with a gate opening, the top of the wall to be embedded with material that will prevent people from sitting on it.

The recommendation is that Council accept the offer and that the Engineering Dept. be authorized to proceed with the construction of a wall as soon as weather conditions permit, as outlined in the agreement of purchase and sale (copy of which has been attached to Mr. Moir's report).

The recommendation was adopted, on motion of Ald. Hetherington and Sarto.

MOTION: Moved by Ald. Hetherington and Sarto that Mr. Moir's recommendation with respect to the property at 733 Pleasant Street, required for street construction purposes, be adopted, as detailed above.

PROPERTY:
88 SLAYTER ST.

A further report was before Council on the property at 88 Slayter Street, proposed by the Museum Board for possible use as an art gallery. The City Engineering Dept. has been requested by Council to provide a report on costs associated with the operation of the building if it were to be rented for this purpose.

One of the property owners, Mr. Bill Young, has since discussed with Mr. Moir, plans the owners have for development of the property, and has suggested an asking price for outright purchase or rental of the property. Subsequently, a letter has been received from him, dated Nov. 29/84, advising that Mount Royal Developments Ltd. are prepared to sell the property to the City for \$150,000. (including lots 'M' and 'R'). Consideration would also be given to a long-term rental (ie. five years), in the range of \$5.50 per sq. ft., with 1985 as a base year.

Taking into account that several City departments now have a space problem, Mr. Moir has recommended to Council that any further negotiations regarding the purchase of 88 Slayter Street be cancelled until such time as the City has an opportunity to review its total requirements and prepare a plan of action to resolve some of these. Ald. Hetherington and Levandier moved the adoption of the recommendation.

Ald. Crawford said he could not go along with the motion and that he was in favour of commencing negotiations for the purchase of the property. Ald. Withers said that while he would like to see an art gallery in Ward 4, the residents there have some concerns about the parking problems that could be associated with it. He raised points about the costs involved and Mr. Moir noted that if the building is acquired for use as an art gallery, this represents an expanded level of service that will involve additional operating costs, as well as the cost of renovations that will be needed, perhaps amounting to approx. \$50,000.

Ald. Beeler said she could not support any thought of purchasing the property until Council has the report back from Engineering on what the projected operating costs would be. Ald. Greenough and Hawley were concerned that any move to acquire the property might jeopardize the plans that have been underway for some time for a new library/cultural centre building. Ald. Greenough said it may be wise to wait for information on other capital projects such as this one and the police headquarters, as recommended by Mr. Moir, before making any such decision to create an art gallery in the Slayter Street building. Ald. Hawley did not consider this to be a good location for an art gallery, situated as it is in a residential area of the City.

Ald. Stubbs requested that Council hear from Mr. Gosley on the subject, and he explained to Council the problems that presently exist at the Heritage Museum due to the lack of adequate space to display artifacts and paintings at present; they now have to be kept in storage and he described the Museum as being at a state of complete stagnation under the present crowded conditions. With the building on Slayter Street, it would not only be possible to relocate the art gallery, but travelling art exhibitions could be accommodated there and the adult education art classes could be held there also, making additional space available at the Museum for other displays.

Mr. Gosley was asked about additional staff that would be required. He said he would need an art curator and assistant, plus a janitor and perhaps a receptionist; these two latter positions could be on a part-time basis. The matter of security was also raised and this would be an additional cost to consider, whether a security guard were on duty or the building was provided with a necessary security system to protect the paintings on exhibit there.

Ald. Stubbs said it is important to establish an art gallery such as this. She noted that there has

never been any over-spending by the City on Library and Museum services; she felt that it is time these services receive the attention they deserve.

Ald. Greenwood asked if it would be possible to relocate the entire museum to the Slayter Street site if enough land could be acquired there to permit expansion of the present building. He felt this possibility should be explored along with the other operating information being compiled by staff. Ald. Withers was again concerned about parking provisions that would be available and discussed the available parking space with Mr. Lukan. With the present land available for acquisition, Mr. Lukan estimated that about 33 vehicles could be accommodated in off-street parking spaces. Ald. Hawley said he would like to have information on the present state of the roof and costs the City may incur to make necessary repairs to it; also, whether windows would have to be replaced and what the cost would be for that work.

On motion of Ald. Greenwood and Crawford, the matter was referred back to staff for information that has already been requested on the operating costs, and for the additional information, based on the points raised during this debate.

MOTION: Moved by Ald. Greenwood and Crawford that the matter be referred back to staff for information that has already been requested on the operating costs, and for additional information, based on the points raised during this debate.

Mr. Slayter, one of the owners involved, indicated to Council that his company would be prepared to wait until the information can come back to Council (ie. in January) for a decision to be made.

On motion of Ald. Greenough and Withers, Council adopted Resolution 84-64, appointing Donna Scaglione as a Special Constable in and for the City of Dartmouth.

MOTION: Moved by Ald. Greenough & Withers that Council adopt Res. 84-64, appointing Donna Scaglione a Special Constable in and for the City of Dartmouth.

SPECIAL CONSTABLE:
RESOLUTION 84-64

PUBLIC PARTICIPATION
PROGRAM: MPS REVIEW

Council has received copies of the proposed Public Participation Program approved by the M.P.S. Review Committee, and in his accompanying report, Mr. Lukan has recommended that Council approve Resolution 84-63, which would adopt the Program for the Dartmouth Municipal Planning Strategy Review; and further, that Council allocate \$35,000. in the 1985 Planning & Development Dept. operating budget for the Program.

Ald. Greenwood and Hetherington moved the adoption of Resolution 84-63 and the allocation of funds as recommended. Ald. Levandier was opposed to the motion, expressing concern about the cost involved and what he referred to as another example of empire-building. Ald. Beeler did not agree, explaining to Council as a member of the M.P.S. Committee that a public participation program is required as part of the MPS review process, and the program recommended has been carefully planned and thought out so as to provide for the widest possible degree of input from citizens. Funding is required, however, to carry out such a program. Ald. Hetherington also spoke in support of the program and the motion carried with Ald. Levandier voting against.

MOTION: Moved by Ald. Greenwood & Hetherington that Resolution 84-63 be adopted and that funds for the Public Participation Program be allocated, as recommended in Mr. Lukan's report of Nov. 27/84.

APPOINTMENT:
MPS REVIEW
COMMITTEE

Council has been informed of the resignation of Mr. Ralph Greenough from the MPS Review Committee, and has been asked to make a replacement appointment. On the nomination of Ald. Sarto and Romkey, Council appointed Mr. Roger Albright to serve on the Committee, in Mr. Greenough's place.

NOMINATION: Mr. Roger Albright nominated to serve on the MPS Review Committee, replacing Mr. Ralph Greenough who has submitted a letter of resignation.

APPOINTMENTS:
COMMITTEE TO
STUDY HOUSING
CRISIS

Council has been requested to appoint one citizen-at-large and one developer, to serve on the Committee that is to study the Housing Crisis in Dartmouth.

The names of Mrs. Joanne Lamey and Mrs. Sally

Faught were placed in nomination as the citizen appointment by Ald. Crawford and Beeler respectively. Following a vote by secret ballot, Mrs. Faught was declared to be appointed by Council to the Committee as the citizen representative.

On the nomination of Ald. Stubbs and Greenough, Council named Mr. Joseph Zatzman to serve as the developer representative on the Committee, if he is willing to accept the appointment.

NOMINATIONS: Mrs. Sally Faught nominated to serve on the Housing Crisis Committee as a citizen representative, and Mr. Joseph Zatzman nominated to serve as a developer representative, if he is willing to accept the appointment.

APPOINTMENT:
TOURIST COMMISSION

On motion of Ald. Sarto and Bregante, Council approved the appointment of Mr. Peter Randall for a two-year term on the Tourist Commission, representing the Nova Scotia Restaurant & Foodservices Assn.

MOTION: Moved by Ald. Sarto & Bregante that Council approve the appointment of Mr. Peter Randall for a two-year term on the Tourist Commission.

MOTIONS:
ALD. PETERS

Notice of motion having been duly given, the following motions were introduced at this time for Council's consideration:

1) It was moved by Ald. Peters and Levandier that:

WHEREAS the courts have determined that a Dartmouth resident, the late Mr. Earle Hollett, lost his life because of the actions of one of the City Police Dept. members, it is my view that the City has a moral obligation to negotiate compensation with his family;

THEREFORE, BE IT RESOLVED that the City Council appoint a committee to negotiate compensation with the Hollett family;

FURTHER, I requested, at City Council on Oct. 2/84 that we be told the expenditure to date on the Hollett case, and the status of any negotiations; and since City staff have not answered these questions;

THEREFORE, BE IT RESOLVED that City staff answer these questions to this new committee and subsequently, City Council.

Ald. Peters said he would not speak at any length on his motion, since Council is familiar with the circumstances pertaining to it. He said his main argument is the point about Council's obligation to

Mrs. Hollett and her children, from a moral point of view, regardless of the legal implications in the case.

There were no other speakers on the motion and when the vote was taken, the motion was defeated.

ALD. GREENOUGH

2) Ald. Greenough moved, seconded by Ald. Hawley that:

WHEREAS during the past Provincial election campaign, it was reported that the Province will provide approx. nine million dollars in additional funds toward improvements to alleviate the serious traffic problems at the MicMac Rotary and throughout the City of Dartmouth;

AND WHEREAS it is incumbent on us to move as quickly as possible in order to ensure that an appropriate plan of action is adopted which will provide for these improvements at the earliest possible time.

THEREFORE, BE IT RESOLVED that a committee made up of members of City Council and City staff be appointed to work with the Dept. of Transportation and the Provincial Government in order to initiate an appropriate plan of action to bring these improvements about as quickly as possible.

Ald. Greenough encouraged Council to take the initiative to bring about a plan for improvements to the Rotary, so that it can be put into place as quickly as possible upon completion of the 107 By-pass highway. He noted that at present, no such identifiable plan for these improvements exists, and the public continues to be inconvenienced day after day by the congestion at the Rotary.

The Mayor referred to a letter recently received from the Transportation Minister on the subject of the Rotary, advising that copies of it will be sent out to all members of Council.

Ald. Crawford said he could support the motion if it refers only to the Rotary itself and not to Main Street or the properties along that street that would have to be taken if Main Street were widened to four lanes. Ald. Greenough noted that the Provincial jurisdiction is only with the Rotary and Main Street is the responsibility of the City. The motion is applicable only to Rotary improvements, he said.

The vote was taken on the motion and it carried.

MOTION: Moved by Ald. Greenough and Hawley:
text on page 17 of these minutes.

3) Ald. Greenough moved, seconded by Ald. Crawford,

that:

WHEREAS the Province of Nova Scotia has approved funds for municipal capital works programs under the Municipal Capital Assistance Program;

AND WHEREAS, over the years and more acutely during this past summer, during construction of the 107 By-pass, residents along the Waverley Road have experienced problems with dry wells and adequate water supply;

THEREFORE, BE IT RESOLVED that Council be asked to approve an application for funding through the Provincial Municipal Capital Assistance Program, to have City water extended along the Waverley Road, to the City limits.

This motion received the support of Council and it carried.

MOTION: Moved by Ald. Greenough and Crawford:
text of motion as above.

NOTICES OF MOTION:

ALD. WITHERS

Notices of motion were given for a Council meeting to be held on Tues., December 11th, as follows:

1) Ald. Withers:

WHEREAS the Halifax-Dartmouth Bridge Commission, with the assistance of the Dept. of Development, has made changes at the Agus L. MacDonald Bridge plaza, previously considered a prerequisite by the City Planning Dept. for traffic flow changes at that location;

THEREFORE, BE IT RESOLVED that the City undertake to carry out the necessary modifications to the traffic signals and controller, an adjustment to the traffic island if necessary, thereby permitting left-hand turns from the bridge plaza proceeding north on Wyse Road.

ALD. HETHERINGTON

2) Ald. Hetherington:

WHEREAS the City of Dartmouth lies on the major truck and railroad lines, and

WHEREAS a large number of companies are moving into the City of Dartmouth and handling dangerous products, which could endanger the citizens of this City;

BE IT SO RESOLVED that the Dartmouth City Council authorize the Dartmouth Fire Dept. to conduct a study of the companies in the City that handle explosive or poisonous substances, and what steps the Fire Dept. have taken, or could take, in the event of some type of disaster.

ALD. ROMKEY

3) Ald. Romkey :

(a) BE IT RESOLVED that sufficient funds be allocated in the 1985 Recreation Budget to plan and develop, playgrounds for Phases 5 and 6 of Forest Hills, for the year 1985.

- (b) That City staff investigate the advisability of requiring developers to rough-grade areas designated for playgrounds, before final subdivision approval is given.

NEXT MEETING
OF COUNCIL

At the suggestion of the Mayor, Council agreed to forego meetings in December after the one on Dec. 10th (which will be Council and not Committee), and to hold the next regular meeting on Jan. 8/85.

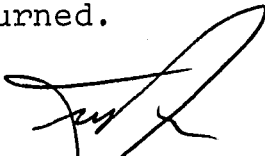
A motion to this effect, moved by Ald. Greenough and seconded by Ald. Crawford, was adopted.

MOTION: Moved by Ald. Greenough and Crawford that the next regular meeting of Council be held on Jan. 8/85. Council will meet on Dec. 10th instead of meeting in Committee and at that time, will deal with the notices of motion given at this meeting and with the Inquiries & Answers item, still outstanding from this agenda.

On motion of Ald. Crawford and Sarto, Council agreed to go into Committee and then went in camera to deal with one additional item of Business.

Having later reconvened in open meeting, the action taken in camera was ratified by Council, on motion of Ald. Sarto and Crawford.

The meeting then adjourned.


G. D. Brady,
Deputy City Clerk.

City Council, Dec. 4/84

ITEMS:

- 1) Reconsideration: Dell Holdings, page 1 to 7 incl.
- 2) Cabooseless trains, pages 8 & 9.
- 3) Video License application: 29 Hawthorne St., pg. 9.
- 4) " " " : 200 Waverley Rd., pg. 10.
- 5) " " " : 31 Albro Lake Rd., pg. 10.
- 6) Letter: Cdn. Paraplegic Assn., page 10.
- 7) Letter: Rock concert, page 10.
- 8) Land: 733 Pleasant St., page 11.
- 9) Property: 88 Slayter St., page 12 to 14 incl.
- 10) Special Constable: Res. 84-64, page 14.
- 11) Public Participation Program: MPS Review, pg. 15.
- 12) Appointment: MPS Review Committee, page 15.
- 13) Appointments: Committee on Housing, page 15.
- 14) Appointment: Tourist Commission, page 16.
- 15) Motions: Ald. Peters, page 16.
Ald. Greenough, page 17 & 18.
- 16) Notices of Motion: Ald. Withers
Hetherington)page 18.
Romkey
- 17) Next Council meeting, page 19

Dartmouth, N. S.

December 11/84.

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

Present - Mayor Brownlow

Ald. Romkey	Withers
Crawford	Levandier
Stubbs	Greenwood
Hawley	Greenough
Bregante	Hetherington
Beeler	
City Solicitor, S. Hood	
City Administrator, C. A. Moir	
City Clerk-Treasurer, B. Smith.	

Council agreed to add two items to the agenda:

(1) a video retail license application for 360 Portland Street, and (2) a letter of request on behalf of the Dartmouth Highland National Road Performance Rally organizers.

MONTHLY REPORTS

The regular monthly reports were approved by Council as follows:

- 1) Social Services (Nov.): adopted on motion of Ald. Greenough and Greenwood.
- 2) Development Officer (Nov.): adopted on motion of Ald. Hetherington and Hawley.

Ald. Hawley raised a point about item #8 in the report (Keystone Village: Blue Chip Development Ltd.). He said he felt it was Council's understanding that development would not take place on these lands until after the water and sewer services had been in the ground for a complete winter season. He discussed this point further with Mr. Purdy and said he would be in contact with Mr. Fougere for clarification of the understanding referred to about the water and sewer requirement.

Ald. Stubbs asked about item F. under the heading of Rezonings, and Mr. L'Esperance advised that a public hearing will be required in connection with this application to rezone from R-1 Zone to S Zone (Institutional).

- 3) Building Inspection (Nov.): adopted on motion of Ald. Bregante and Hetherington.
- 4) Minimum Standards (Nov.): adopted on motion of Ald. Hetherington and Withers.

Ald. Withers asked that the Dept. of Transportation be contacted and requested to clean up the mess on the ramp coming off Highway 111 onto Woodland Ave.

He also requested a clean-up of the City property at the south-east corner of Symonds Street and Wyse Road.

- 5) Dog Control (Nov.): adopted on motion of Ald. Greenough and Hetherington.

- 6) Fire Chief (Nov.): adopted on motion of Ald. Bregante and Withers.
- 7) Summary of Revenue & Expenditures (Dec.4/84): received and filed, on motion of Ald. Hetherington and Bregante.

MOTIONS: To adopt the monthly reports as recorded on page 1 of these minutes and above.

APPLICATIONS:
VIDEO RETAIL
LICENSES:

100 MAIN ST.

Council dealt with three applications for video retail licenses, the first being from Geomor Ltd. for premises at 100 Main Street (Westphal Shopping Plaza). Ald. Bregante and Greenwood moved that Council indicate no objection to this application.

Ald. Stubbs requested additional information on the operation of video retail outlets, and Council heard from Mr. Morash, one of the principals for the Geomor application. He explained the classification requirements placed on the distribution of video cassetts by the Dept. of Consumer Affairs, and pointed out that I.D. is required from any person wishing to rent cassetts. This requirement on the part of National Video insures that people under the age of eighteen are not able to rent them. He said that National Video outlets are basically family-unit rental businesses and do not deal in pornographic videos, although they have a few 'soft-porn' movies available in their outlets.

Ald. Stubbs stated her concerns about the distribution of pornographic films and videos, and the lack of control that has come with the showing of such material on television. Ald. Hetherington suggested that any complaints received about pornographic videos could be brought to the attention of the Police Dept. for action. The motion on the floor carried.

MOTION: Moved by Ald. Bregante and Greenwood that Council indicate no objection to the video retail application for 100 Main Street.

135 WYSE ROAD

On motion of Ald. Greenwood and Withers, Council indicated no objection to a video retail application for premises at 135 Wyse Road, submitted by Atlantic Video Stores Ltd. Partnership.

MOTION: Moved by Ald. Greenwood and Withers that Council indicate no objection to the video retail application for premises at 135 Wyse Road.

360 PORTLAND ST.

On motion of Ald. Crawford and Hetherington, Council indicated no objection to a video retail application for premises at 360 Portland Street, submitted by A. & F. Video City.

MOTION: Moved by Ald. Crawford & Hetherington that Council indicate no objection to the video retail application for premises at 360 Portland Street.

COMPOSITION:
ROTARY COMMITTEE

The composition of the committee approved at the Dec. 4th meeting to work on a plan for the MicMac Rotary, will consist of a Council member from each of the seven wards, with the Mayor acting as Chairman. Mayor Brownlow requested that the members decide which Aldermen are to serve on the committee and indicate this to him. Ald. Greenough indicated that he would like to serve on the committee (ie. representing Ward 6).

INTEREST ON
OVERDUE TAXES:
RESOLUTION 84-65

Council was asked to approve Resolution 84-65, setting the rate of interest charged on overdue taxes at 14.25% per annum, effective as of Dec. 12/84. The resolution was adopted, on motion of Ald. Withers and Bregante.

MOTION: Moved by Ald. Withers and Bregante that Council adopt Resolution 84-65, setting the reate of interest charged on overdue taxes at 14.25% per annum, effective as of Dec. 12/84.

1985 AMENDMENTS
TO CITY CHARTER

The Solicitor has submitted proposed amendments to the City Charter for submission to the 1985 sitting of the Provincial Legislature (Res. 84-66). On motion of Ald. Hetherington and Greenough, Council deferred consideration of the amendments to the January Council meeting.

MOTION: Moved by Ald. Hetherington & Greenough that consideration of the proposed 1985 legislation, be deferred until the Jan. meeting of Council.

LORD'S DAY ACT
ENFORCEMENT

As requested by Council, the Solicitor has determined from the Attorney General whether or not he would be willing to grant leave for prosecutions

in the case of violations of the Lord's Day Act. The Attorney General has indicated by letter that he will continue to grant leave to commence such prosecutions in cases where evidence of a violation exists.

The Solicitor has requested direction from Council as to whether to continue enforcement of this legislation, or to hold prosecutions in abeyance until the Supreme Court of Canada renders its decision in the Big M Drug Mart case, referred to previously in the Solicitor's report of Oct. 18/84.

Ald. Crawford said there does not seem to be any point in going ahead with prosecutions until the outcome of the Supreme Court decision is known. He therefore moved deferral of any further action pending the Supreme Court decision. At the suggestion of Ald. Beeler, the motion was modified to read 'for one month or until the decision is known, whichever comes first'. The motion was seconded and supported by Ald. Greenough.

Ald. Levandier spoke in favour of Sunday store opening, pointing out that many people in society today find Sunday a very convenient time for shopping when they have to work all week. The motion to defer carried.

MOTION: Moved by Ald. Crawford and Greenough that a decision be deferred on any further action to prosecute for violations of the Lord's Day Act, pending a decision by the Supreme Court of Canada on the Big M. Drug Mart case; deferral would be for one month or until the decision is rendered, whichever comes first.

MONTEBELLO ESTATES:
MULTIPLE FAMILY SITE

A report from Mr. L'Esperance was before Council on a request from the Montebello Estates developers to modify the development proposal for the 13.3 acres of R-3 land. Instead of the seven apartment buildings originally planned, containing 262 units, the developers now wish to construct only two apartment buildings, containing 36 units each, along with 56 duplexes, for a total of 184 units in all.

The Planning Dept. does not object to the proposed design change and has recommended that Council endorse the intended action of the developer to reduce the

overall density of the R-3 site. Further, it is the Department's position that it would no longer be necessary to require that the developer enter into a contract for the remaining two apartment buildings.

This recommendation was adopted, on motion of Ald. Bregante and Greenough.

Because there were area residents interested in this modification to the development proposal, the developer and his representatives returned to the Council Chamber at a later point to respond to questions from one of the residents and to explain the modifications in more detail.

Council heard Mr. Jack Osmond and he indicated that the change has come about due to a greater demand for R-2 housing lots than for apartment units. It is felt that the lower density will be beneficial to the development generally, and that residents living in Montebello will find the reduction in apartment buildings more acceptable. An area resident asked if the duplex units will be in the \$70,000. to \$80,000. range and Mr. Osmond said they will be. The plan for the two apartment buildings will be the same as originally proposed. The resident who appeared before Council said he considered this to be a generally positive change due to the reduction in density, and said he was supportive of it.

MOTION: Moved by Ald. Bregante and Greenough that Council adopt the Planning Dept. recommendation on proposed modifications to the development proposal for R-3 lands in the Montebello Estates development, as detailed above and at the bottom of page 4 of these minutes.

REGISTRATION:
CANAL ZONE III

The Heritage Advisory Committee has concurred with a recommendation from the Shubenacadie Canal Commission, to the effect that Zone III of the Canal (the section between Lake MicMac & Lake Charles) be registered as an historic site, under the Special Places Act (Bill 68). Council is requested to approve the registration, as recommended, and to forward a

letter to the Provincial Heritage Committee, requesting designation of this section of the Canal, to be forwarded on to the Minister of Culture, Recreation & Fitness for final approval.

The recommendation was adopted by Council, on motion of Ald. Stubbs and Hetherington.

MOTION: Moved by Ald. Stubbs & Hetherington that the recommendation of the Heritage Advisory Committee, in concurrence with the Shubenacadie Canal Commission, on the proposed registration of Zone III of the Canal, be adopted.

PROVINCIAL
HERITAGE ACT:
SECTION 20

The Heritage Advisory Committee has requested that Council support the enactment of Section 20 of the Provincial Heritage Act, a copy of which has been attached to the report from the Chairman of the Committee. The enactment of Section 20 would provide the enabling legislation to permit City Council to provide financial assistance, with respect to municipal heritage properties and to raise any revenues through general taxes to exercise its authority pursuant to the Act. The section also permits the Minister of Municipal Affairs to provide financial assistance to a municipality, to assist in exercising its authority pursuant to the Act.

Ald. Stubbs explained the intent of the Committee in making this recommendation, in an effort to provide an incentive for heritage property owners, and she responded to questions raised by Ald. Crawford about the intent of the legislation. The request of the Committee was then approved by Council, on motion of Ald. Stubbs and Beeler.

MOTION: Moved by Ald. Stubbs and Beeler that Council approve the request of the Heritage Advisory Committee and support the enactment of Section 20 of the Provincial Heritage Act.

DESIGNATION:
KING ST.

The Heritage Advisory Committee has requested that Council encourage the heritage designation of 34 King Street and retain the designation placed on the City-owned portion of the building at 32 King St.

This building is the former home of Dartmouth historian, Dr. John P. Martin, and as such, is considered

to be an important heritage resource to the City.

Council approved the request of the Committee with respect to 34 King Street, on motion of Ald. Stubbs and Crawford.

MOTION: Moved by Ald. Stubbs and Crawford that Council approve the request of the Heritage Advisory Committee with respect to encouraging the heritage designation of 34 King Street and retaining the designation already placed on 32 King Street.

REQUEST: DART.
HIGHLAND RALLY

A letter has been received from the Dartmouth Highland National Road Performance Rally Society, requesting permission to use the City crest in conjunction with or as part of their logo; prior to finalization of the logo, a sample will be submitted for Council's approval.

On motion of Ald. Crawford and Greenwood, Council authorized the preparation of the logo, to be brought to Council for final approval.

MOTION: Moved by Ald. Crawford and Greenwood that Council authorize the preparation of a logo, using the City crest in conjunction with or as part of it, for use by the Dartmouth Highland Road Performance Rally Society; this design to be brought back to Council for final approval.

MOTIONS:
(RE). WITHERS

Notice of motion having been given at the Dec. 4th meeting, the following motions were presented at this time for Council's consideration:

1) Moved by Ald. Withers and Levandier that:

WHEREAS the Halifax-Dartmouth Bridge Commission, with the assistance of the Dept. of Development, has made changes at the Angus L. MacDonald Bridge plaza, previously considered a prerequisite by the City Planning De., for traffic flow changes at that location;

THEREFORE BE IT RESOLVED that the City undertake to carry out the necessary modifications to the traffic signals and controller, an adjustment to the traffic island if necessary, thereby permitting left-hand turns from the bridge plaza proceeding north on Wyse Road.

Ald. Withers reviewed the motions and reports that have ensued over a period of years in connection with proposed traffic pattern changes that would permit a left-turn at the Angus L. MacDonald bridgehead. He pointed out that the various conditions and funding

provisions (ie. required by the Bridge Commission in the amount of \$35,000.) have now been accomplished to allow for a left-turning traffic movement, in accordance with the T.M.G. requirements noted in the Chairman's report of June 4/82. Modifications required on the part of the City would amount to approx. \$5,000.

The Mayor and Ald. Crawford commented on the several concerns raised at the Metropolitan Authority meeting of this date, in connection with the left-turning traffic proposal. They felt that the various agencies involved, such as M.T.C. and the Operations Planning Group, should be consulted prior to any modifications taking place, in view of the implications for bus traffic at the bridgehead and the routing of buses that leave and enter the Dartmouth Shopping centre. In view of the these implications and the need to address all aspects of traffic at the bridgehead, Ald. Crawford and Greenwood moved referral of the motion to the T.M.G. for consideration and report.

Ald. Greenwood felt that this would be a good time to have M.T.C. look at the Dartmouth Shopping centre bus shelter and some improvement to it, particularly if it has to be relocated in order to have the buses enter from the opposite side to comply with the left-turning traffic changes. Other members tended to agree that a coordination of the various agencies such as M.T.C. is necessary if the intent of the motion is to be carried out, and they therefore supported the motion to refer to the T.M.G., on the understanding that such a coordination would be encompassed within their report.

The motion to refer carried.

MOTION: Moved by Ald. Crawford and Greenwood that the motion introduced by Ald. Withers be referred to the T.M.G. for consideration and report, involving contact and coordination with agencies such as M.T.C. and the Operations Planning Group.

Ald. Withers felt that it should be possible for the City to proceed with modifications to the existing traffic island at the birdgehead and not have to wait

for the T.M.G. report to at least address this traffic hazard. He therefore moved that City staff be instructed to proceed with modifications to the traffic island at the bridgehead, so as to eliminate traffic hazards caused by it. The motion was seconded by Ald. Crawford and it carried.

Ald. Crawford said he would be willing to take the question of the bus shelter at the Dartmouth Shopping centre up at an M.T.C. meeting in order to have its present location evaluated, and to discuss the possibility of another location.

MOTION: Moved by Ald. Withers and Crawford that City staff be instructed to proceed with modifications to the traffic island at the bridgehead, so as to eliminate traffic hazards caused by it.

ALD. HETHERINGTON

2) It was moved by Ald. Hetherington and Stubbs that:

WHEREAS the City of Dartmouth lies on the major truck and railroad lines, and

WHEREAS a large number of companies are moving into the City of Dartmouth and handling dangerous products which could endanger the citizens of this City;

BE IT SO RESOLVED that the Dartmouth City Council authorize the Dartmouth Fire Dept. to conduct a study of the companies in the City that handle explosive or poisonous substances, and what steps the Fire Dept. have taken, or could take, in the event of some type of disaster.

Speaking in support of his motion, Ald. Hetherington explained why he felt it is important for the Fire Dept. to catalogue all companies in the City that handle dangerous materials, and to give an indication of the routes that would be followed into given areas by emergency vehicles in the event of any disaster associated with such materials. He said it is not only the transportation of these substances that has to be considered, but also their storage and location. As the City grows commercially and industrially, the incidence in use of chemicals and potentially explosive products continues to increase correspondingly. Therefore, it is important for the Fire Dept. to have all the information possible compiled and emergency plans in place, in preparation for

any eventuality that could occur.

The Mayor commented on some of the problems involved in attempting to regulate the transportation of dangerous goods, especially when you begin to include oil and gas products which are required throughout the community and have to be transported by tanker trucks on a regular basis. He also pointed out that there are literally hundreds of new chemical products coming on the market and being used for the first time every year, which makes it very difficult to maintain an accurate inventory of such products at any given time.

Ald. Hetherington was also concerned about the permission given by the Environment Dept. for the dumping of waste products from refineries located within City boundaries, and Ald. Stubbs had concerns about the regulations for dumping radioactive waste, when there are three jurisdictions involved. She said she would like to have more information on this aspect than has been provided to her by Mr. Hanlon of the Atlantic Health Unit in his letter on the subject.

Ald. Withers considered that vehicles carrying propane gas and parked for long periods of time on main traffic arteries, present a potential hazard for neighboring residential communities, in case of accidents and explosions that could follow.

The Fire Chief was present for this item and responded to questions throughout the debate about what his department is presently doing in the way of preventative measures and in assembling information on the location and transportation of the kind of materials being discussed. Ald. Greenough said it would be a good idea to first have a preliminary report from the Chief on the information his department has already, with some indication as to how he would proceed and what would be involved to carry through with the kind of study called for in the motion. Other members agreed this would be a good initial approach to take, and the Mayor said that when the

preliminary report is brought to Council, EMO representatives could be invited to make a presentation at the same time. If time required, an evening session of Council could be set aside for the purpose, or a portion of a regular Council meeting sometime during January. Members of Council were willing to proceed on this basis, and the motion carried.

MOTION: Moved by Ald. Hetherington & Stubbs:
text on page 9 of these minutes.

ALD. ROMKEY

3) It was moved by Ald. Romkey and Hetherington that:

(F1)
BE IT RESOLVED that sufficient funds be allocated in the 1985 Recreation Budget to plan and develop playgrounds for Phases 5 and 6 of Forest Hills for the year 1985

Ald. Romkey said he felt that the City has an obligation to provide playgrounds for the taxpayers in this section of the City, where children are playing in the streets at present due to a lack of these facilities.

(RE)
Ald. Greenwood and Beeler said they would like to have some idea of the plan and the cost involved before agreeing to any expenditure in the budget at this present time. Mr. Atkinson noted that a projection in the amount of \$45,000. is again included in the 1985 budget, as it was previously in 1984, for the playground. Ald. Crawford said he could support such an expenditure if it were to be considered in the context of the overall budget estimates and considered as such. He moved referral to budget time for consideration then; the motion was seconded by Ald. Hetherington. The general feeling of Council was that this would be the best way to deal with the item and the motion to refer carried.

MOTION: Moved by Ald. Crawford and Hetherington that the playground projection for Phases 5 and 6 of Forest Hills, be referred to budget time for consideration in relation to the overall budget estimates.

4) It was moved by Ald. Romkey and Greenwood that City staff investigate the advisability of requiring developers to rough-grade areas designated

for playgrounds before final subdivision approval is given. The motion carried.

MOTION: Moved by Ald. Romkey & Greenwood that City staff investigate the advisability of requiring developers to rough-grade areas designated for playgrounds before final subdivision approval is given.

INQUIRIES:

ALD. STUBBS

Ald. Stubbs asked about the initial meeting of the new committee to be formed to deal with housing needs in the City. Mr. Moir said that all of the appointments have not yet been made, but once they are, a meeting will be called as soon as possible.

ALD. BREGANTE

(F1

Ald. Bregante asked to have the overhead crosswalk light replaced at Crawford and Shirley Street, a request he made previously.

He also asked to have the bus shelter replaced at the foot of Everette Street.

ALD. GREENWOOD

Ald. Greenwood requested an inspection of the house at 3 Ferguson Road, where windows are broken out and the doors are off the building.

Ald. Greenwood inquired about a question he raised some time ago about CN curtailing the blowing of horns after the hour of 11:00 p.m. The Mayor noted that if the horns are not blown after than hour, the City would be expected to assume the liability for any accidents that were caused.

(RE

Ald. Greenwood requested that the attention of the dog pound operator be directed to the problem with dogs on Amber Crescent.

ALD. HETHERINGTON

Ald. Hetherington asked the Engineering (Works) Dept. to look at the possibility of locating a fire hydrant about half-way down Old Ferry Road, and make provision for this in the 1985 works program.

ALD. LEVANDIER

Inquiries made by Ald. Levandier were as follows:

- 1) asked about the sidewalk program for the downtown area, for which a \$200,000. allocation was approved in the budget. Mr. Fougere said there was not time to get the program done to date, but it will be done next spring.
- 2) asked about the status of the land assembly report requested for downtown locations; Mr. Moir said that staff are working on the report.

for playgrounds before final subdivision approval is given. The motion carried.

MOTION: Moved by Ald. Romkey & Greenwood that City staff investigate the advisability of requiring developers to rough-grade areas designated for playgrounds before final subdivision approval is given.

INQUIRIES:

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- 2) asked about the status of the land assembly report requested for downtown locations; Mr. Moir said that staff are working on the report.

- 3) asked if Council is still on record as being opposed to the smelting operation on Lyle St. Mr. Moir said our letters are on file, but as long as the owners meet Environment Dept. requirements, they are given permission to operate.
- 4) Ald. Levandier requested information about the proposed expansion of the Tourist Bureau, and asked why this item did not come back to Council after being approved in the budget. He said the citizens who made a presentation with respect to the retention of Commons land have not had their report brought back to Council yet and they do not want to see any encroachment on the Commons. Mr. Moir noted that tenders for the Tourist Bureau renovations have closed and the item will come to -the first Council meeting in January.

ALD. ROMKEY

(F1

Ald. Romkey asked the City Engineer to check on the work that is again being done over land that was backfilled and sodded in the area of the cement culvert at the Spring Ave. brook location.

ALD. WITHERS

Ald. Withers asked if the lighting could be improved around the Crichton Park School to discourage vandalism and loitering there. Mr. Fougere said this would be the responsibility of School Maintenance and the District School Board for the school grounds.

Ald. Withers requested a comment from the T.M.G. on the crosshatch lines being painted on the roadway for crosswalks in areas outside the City limits. Mr. Fougere said he thought this was an experimental project, based on the type of zebra crossings found in England.

ALD. BEELER

(RE

Ald. Beeler asked to have something done about the grafitti on a cement wall opposite the residence at 5 Harris Road. She asked Mr. Fougere to follow up on the inquiry.

Ald. Beeler's second inquiry concerned a family who have received notice to quit the building recently purchased by the City next to the Graham's Grove park. She asked if something could be done for them through Social Services, in view of the difficulty they are having to find accommodation.

On motion of Ald. Crawford and Bregante, Council adjourned to meet in camera. Having later reconvened

in open meeting, the action taken in camera was ratified, on motion of Ald. Hawley and Bregante.

Meeting adjourned.

Bruce Smith,
City Clerk-Treasurer.

City Council, Dec. 11/84

ITEMS:

- 1) Monthly reports, page 1.
- 2) Applications: Video retail licenses:
 - 100 Main St., page 2.
 - 135 Wyse Road, page 2.
 - 360 Portland St., page 3.
- 3) Composition: Rotary Committee, page 3.
- 4) Interest on overdue taxes: Res. 84-65, pg. 3.
- 5) 1985 Amendments to City Charter, page 3.
- 6) Lord's Day Act enforcement, page 3.
- 7) Montebello Estates: Multiple family site, pg. 4.
- 8) Registration: Canal Zone III, page 5.
- 9) Provincial Heritage Act: Section 20, page 6.
- 10) Designation: 34 King St., page 6.
- 11) Request: Dartmouth Highland Rally, page 7.
- 12) Motions: Ald. Withers, page 7 & 8.
- 13) Ald. Hetherington, page 9 & 10.
Ald. Romkey, page 11.
- 14) Inquiries & Answers: page 12 & 13.

F1

RE

Dartmouth, N. S.

December 17/84.

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

Present - Mayor Brownlow

Ald. Beeler	Peters
Crawford	Levandier
DeMont	Withers
Stubbs	Greenwood
Hawley	Greenough
Bregante	Hetherington
Sarto.	

City Solicitor, M. Moreash
Personnel & Labour Relations Officer,
G. Hoganson

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

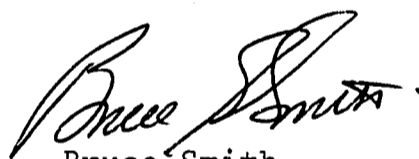
NEGOTIATIONS:
FIRE FIGHTERS

Council met to deal with Mr. Moir's report on negotiations carried out on December 16th with representatives of the Dartmouth Fire Fighters Assn. Local 1398.

Council agreed to meet in camera as Committee-of the-Whole, on motion of Ald. Bregante and Withers.

After having reconvened in open meeting, the action taken in camera was ratified, on motion of Ald. Crawford and Hetherington.

Meeting adjourned.


Bruce Smith,
City Clerk-Treasurer.

RE.

City Council, Dec. 17/84

ITEMS:

- 1) Negotiations: Fire Fighters, page 1.
-