

Dartmouth, N. S.

Jan. 7/86.

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

Present - Mayor Savage

Ald. Sarto	Thompson
Billard	MacFarlane
Connors	Levandier
Withers	McCluskey
Hawley	Greenough
Bregante	Hetherington
Pye	
City Solicitor, M. Moreash	
City Administrator, C. A. Moir	
City Clerk-Treasurer, B. Smith.	

MINUTES

On motion of Ald. Sarto and Bregante, Council approved the minutes of the meetings held on Dec. 3rd, 10th, and 17th (1985).

Under Business Arising, Ald. McCluskey made reference to page 4 of the Dec. 3rd minutes and the Housing Crisis Committee item reported on that page. The Mayor noted that a report has already come back to Council from the Committee and the item is therefore not included in this first January agenda.

MONTHLY REPORTS

The regular monthly reports, recommended from Committee, were approved as follows:

- 1) Social Services (Nov/85): approved on motion of Ald. Hetherington and Hawley.
- 2) Development Officer (Nov/85): approved on motion of Ald. Hetherington and Sarto.
- 3) Building Inspection (Nov/85): approved on motion of Ald. MacFarlane and Thompson.
- 4) Minimum Standards (Nov/85): approved on motion of Ald. Sarto and Withers.
- 5) Fire Chief (Nov/85): approved on motion of Ald. Bregante and McCluskey.
- 6) Dog Control (Oct/85): approved on motion of Ald. Hetherington and MacFarlane.
- 7) Tourism Director (1985 Tour Bus Statistics): approved on motion of Ald. Greenough and Thompson.
- 8) Summary of Revenue & Expenditures, Nov. 30/85: received and filed, on motion of Ald. Hetherington and Thompson.

Ald. Levandier was concerned about the Nov. figure for interest income (\$1.2 million dollars) and the fact that it is considerably short of the \$2.7 million budget projection. He asked if the City can expect to end up anywhere near the budget projection, and wanted to have an

updated financial statement, with clarification of this point, before agreeing to receive and file the November summary.

Mr. Smith provided information on the preparation of the monthly financial summaries, noting that audited year-end financial statements will give Council an updated picture as of Dec. 31/85. Ald. Levandier and Billard requested an updated summary, such as the November one, for the month of December, with information on the difference in figures between the two months. They were willing to support the motion to receive and file, on the understanding that this additional information will be forthcoming.

Mr. Smith also responded to questions from Ald. McCluskey about possible adjustments in the Federal grants-in-lieu-of-taxes, and any information that may have been received to date on their decision.

MOTIONS: To approve the monthly reports, as recommended from Committee; detailed above and one page 1 of these minutes.

STRAY CAT
PROBLEMS

Ald. Greenough and Thompson then moved the adoption of a recommendation from Committee on the report from Mr. Moir, dealing with the subject of stray cat problems. The recommendation adopted is to the effect that no further action be taken to include provision for stray cats in the City of Dartmouth Animal Control By-law.

At the request of Ald. Sarto and on his motion, seconded by Ald. Withers, Council agreed to defer this item until the next Committee meeting, and to have circulated, a letter received by Ald. Sarto in this connection.

MOTION: Moved by Ald. Sarto and Withers that the item on stray cat problems be deferred until the next Committee meeting, when a letter on the subject will be circulated for consideration.

PETITION:
TOWN CRIER

A letter of petition has been received from the Town Crier for Dartmouth, Mr. Rod Collyer, seeking to remain in his position as Town Crier, with accompanying information on his activities on behalf of the City since his appointment in 1984, and outlining the events in which he proposes to participate in 1986.

Mr. Collyer addressed Council and made his presentation, based on the information circulated. Ald. Greenough and MacFarlane then moved that Mr. Collyer be granted his petition with Council's thanks and

appreciation for his willingness to serve as Town Crier, and as well, to congratulate him on the manner in which he has carried out his duties for the City. The motion carried.

MOTION: Moved by Ald. Greenough and MacFarlane that Mr. Rod Collyer be granted his petition with Council's thanks and appreciation for his willingness to serve as Town Crier, and as well, to congratulate him on the manner in which he has carried out his duties for the City.

RESOLUTION:
TOWN OF VAUGHAN

Council has been asked to indicate support for a resolution adopted by the Town of Vaughan, Ontario, calling for an immediate review of the Federal Railway Act to be undertaken, with a view to eliminating the overriding provisions of the Act with respect to expropriation for railway purposes, and to allow affected municipalities recognized status before the Canadian Transport Commission on matters affecting their jurisdiction as local governments.

The resolution was endorsed by Dartmouth City Council, as requested, on motion of Ald. Levandier and Withers.

MOTION: Moved by Ald. Levandier and Withers that City Council endorse the resolution adopted by the Town of Vaughan, Ont., as noted above.

TAKE-OVER OF
CORRECTIONAL
FACILITIES

A memo from Mayor Savage was before Council on the take-over of correctional facilities by the Province, recommending that Council endorse the take-over of these institutions on the basis proposed, as per an accompanying letter, dated Oct. 18/85, from the Attorney General for the Province.

Ald. Hawley asked a number of questions about any cost-saving to the City, anticipated when it was requested that the Province take over these facilities. Mr. Moir advised that the Province will assume all capital costs, and it is not expected that the City's contribution to operating costs will exceed our 1985 contribution (just over one million dollars). The cost-sharing formula being suggested, however, could result in increased cost in

accordance with a growth in residential units, for subsequent years.

Ald. Hawley and Greenough were concerned that the original intent of a complete take-over by the Province of operating costs, has not been achieved. Ald. Greenough felt this financial burden should be removed from municipal taxpayers, since the responsibility for correctional institutions is not a municipal one in the first place. He wanted to have this concern communicated to the Province, and to request that they assume complete financial responsibility as the municipalities expected they would. He moved the adoption of the recommendation from Mayor Savage, while at the same time, indicating through our Metropolitan Authority representatives, the position of the City to the effect that municipal funding should continue to be reduced until all costs are assumed by the Province. The motion was seconded by Ald. Hetherington.

The Mayor noted that the points raised by members of Council have been communicated to the representatives of the Attorney General's Dept., in discussions with them, but it was not possible to obtain any further commitments except for their assurance that costs will not increase for the municipalities. Ald. Levandier confirmed this assessment of the discussions, as one of the City's other representatives on the Metropolitan Authority.

The motion was supported by Council in the form presented and it carried.

MOTION: Moved by Ald. Greenough & Hetherington that the recommendation from Mayor Savage be adopted with respect to the take-over of correctional facilities by the Province, but at the same time, Council indicate through the City's representatives on the Metropolitan Authority, the position of the City to the effect that municipal funding should continue to be reduced until all costs are assumed by the Province.

WALKWAY: FARRELL
ST. TO ALBRO LAKE RD.

A report from Mr. Moir was considered on a walkway which connects Albro Lake Road to Farrell Street, across from St. Anthony's Parish Hall, brought to the attention of staff by Ald. Woods.

In order to improve the pathway, it has been recommended that staff be authorized to negotiate with Maritime Tel & Tel for its use, and that \$800. be provided in the 1986 estimates for the gravel surfacing of it. The recommendation was adopted, on motion of Ald. Hetherington and Sarto.

MOTION: Moved by Ald. Hetherington and Sarto that Council adopt Mr. Moir's recommendation on the subject of the walkway connecting Albro Lake Road to Farrell Street, as noted above.

LEASE: CLIPPER II
RESTAURANT

Mr. Moir has submitted a further report to Council on the lease for the Ferry Terminal Restaurant (Clipper II premises), advising that Host Restaurateurs Ltd. now wish to assign the lease to Edwards Fine Food Ltd., in accordance with correspondence circulated with the report. Mr. Moir has recommended that Council agree to the assignment of the lease, as proposed, and that City staff be authorized to negotiate the terms of a lease between the City and Edwards Fine Food Ltd, with a final report to be submitted to Council.

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

MOTION: Moved by Ald. Sarto and Thompson that Council adopt Mr. Moir's recommendation with respect to the assignment of the lease for the Ferry Terminal Restaurant to Edwards Fine Food Ltd., and that City staff be authorized to negotiate the terms of the lease, with a final report to be submitted to Council.

25TH ANNIVERSARY
CELEBRATION

The Tourist Commission has requested the inclusion of \$30,000. in the 1986 budget for the purpose of funding a 25th Anniversary Celebration in the City, in conjunction with the Natal Day program.

Ald. Withers and Hetherington moved that this amount be included in the budget as requested, but Ald. Hawley was not willing to support the motion without first having some information on the events that would be held and the expenditures involved. He moved deferral pending the receipt of this kind of information; the motion to defer was seconded by Ald. Pye.

Ald. Billard felt that Council should have a priority list of events, with cost estimates, from which a selection would be made, but this approach was not favoured by other members who considered that the committee appointed can make these decisions and keep expenditures within the allocation that Council approves. Ald. Greenough noted that Council has an opportunity at budget time to reject any part of the estimate or all of it, and by then, the committee will have provided information on the plans for events. Ald. MacFarlane informed Council of some of the ideas that were put forward at the Tourist Commission meeting, such as an expanded fireworks program, possibly the RCMP Musical Ride, additional bands for the Natal Day Parade, etc. He noted that the committee appointed by the Mayor will be looking at all these suggestions, plus others the committee members may have.

When the vote was taken on the motion to defer, it was defeated. The main motion carried, with Ald. Pye and Hawley voting against.

MOTION: Moved by Ald. Withers & Hetherington that a \$30,000. amount be included in the budget for 25th Anniversary Celebrations, as requested by the Tourist Commission.

SYMPOSIUM:
DOWNTOWN

The Downtown Revitalization Committee has adopted the following motion for recommendation to Council:

That it be recommended to Council that a symposium be set up to discuss the development possibilities of the land held by the City and private enterprise in the downtown core, with the interests of the residents being taken into consideration.

Ald. Levandier and Connors moved the adoption of the recommendation, with the addition of the words ' . . . this symposium to be held within a two-month period of time.' Both members spoke in strong support of the motion, considering this type of symposium to be an important step toward an impetus in the downtown development process. Ald. Connors referred to recent new developments that have taken place (Belmont House, the new Medical Centre, etc.), pointing out that taxation revenue from them can be expected to amount to about

\$600,000. this year.

Ald. Hawley was in favour of the symposium, but questioned the input from residents whose interests seem to be at cross purposes with the development process in the downtown area. He referred to several instances where development proposals have been rejected in recent years due to citizen objection. Ald. Connors did not feel that the aims of developers and residents cannot be reconciled and favoured resident input; Ald. Levandier expressed a similar opinion. The motion carried, as revised.

MOTION: Moved by Ald. Levandier and Connors that Council adopt the recommendation of the Downtown Revitalization Committee, with respect to a symposium to discuss development possibilities in the downtown core (text of recommendation on page 6), this symposium to be held within a two-month period of time.

PENSION FUND
INVESTMENT
REVIEW

An item deferred from the Dec. 17th meeting was again before Council, being a recommendation from the Pension Committee that the Wyatt Company be retained to assist in the review of investment manager proposals that have been received in response to an invitation for proposals. Estimated cost of this service is approx. \$4,000.

Ald. Greenough, chairman of the Committee, explained why it is considered that a new investment manager should be engaged for the fund, in view of the poor performance of the fund with the present manager. He moved the adoption of the recommendation, seconded by Ald. Hetherington. The motion carried.

MOTION: Moved by Ald. Greenough & Hetherington that the recommendation of the Pension Committee be adopted, to retain the Wyatt Company to assist in the review of investment manager proposals that have been received.

At this point in the meeting, the Mayor advised Council that the public hearing scheduled under the Nuisance By-law for Jan. 21st, will no longer be required since a meeting has been held with MicMac A.A.C. representatives and area residents, and problems between the two parties have been resolved. This date has therefore been

set for a meeting of Council with Mr. Reid Harrison, the Supt. of Schools, for a general review of the school system and report to Council (in accordance with the quarterly meetings previously requested by Council).

On Jan. 28th, the Council meeting will center around the general finances of the City and relevant information that Council should receive prior to the beginning of budget discussions.

MOTIONS:

ALD. BREGANTE

In keeping with notice of motion previously given, the following motions were introduced at this time for Council's consideration:

1) It was moved by Ald. Bregante, seconded by Ald. Hetherington, that:

WHEREAS we have just gone through a municipal election campaign over the past month;

AND WHEREAS City staff, the candidates, and the workers have received various complaints about: missed names, taxpayers who have lived in the same homes for years, not being on the voters' list;

THEREFORE BE IT RESOLVED that for all further civic elections in Dartmouth, that City staff be instructed to conduct a full enumeration.

In presenting his motion, Ald. Bregante said that \$20,000. (the estimated cost of an enumeration) is a small price to pay, in comparison to the problems experienced during the recent municipal election due to the decision taken to use the Provincial voters' list from the last Provincial election. He elaborated further on some of the problems that came to his attention. Ald. Hetherington agreed there were problems and not just in Ward 7 but all throughout the City.

Ald. Greenough said he was not prepared to support the motion as it presently stands, but could go along with it if there was some provision for an exception to be made if it were warranted. At the suggestion of the Mayor and with agreement by Ald. Bregante and Hetherington, the following words were added to the last line of the resolution: '. . . provided there has not been an enumeration within the previous six months.' The motion was supported in this revised form and it carried.

MOTION: Moved by Ald. Bregante & Hetherington: text on page 7 of these minutes, with the following addition to the last sentence of the last paragraph: '. . . provided there has not been an enumeration with the previous six months'.

2) It was moved by Ald. Bregante, seconded by Ald. Hetherington, that:

ALD. BREGANTE

WHEREAS we have just gone through a municipal election campaign over the past month;
AND WHEREAS we, the candidates, have received complaints as to the way the advance polls went;
THEREFORE BE IT RESOLVED that for all future civic elections, the advance polls be held in the wards and not in one central place;
BE IT FURTHER RESOLVED that we use the two days and not just one day for the advance poll.

Ald. Bregante again described the problems experienced in the 1985 municipal election, as a result of the advance polls all being held at one location and on one day only. He said there was congestion and confusion that resulted in some people giving up and not even bothering to vote. Ald. Billard asked about the additional cost that would be involved if advance polls were held at several locations, and indicated that he would have trouble in supporting the motion without this kind of information. Ald. Connors said the matter of accessibility to a building is very important and should be considered. Ald. Hetherington commented on what he called the 'mass confusion' at the Sportsplex, with people coming and going to other activities in the building while the advance polls were in progress.

Ald. Greenough was in favour of receiving a report from staff, sometime prior to the next election, on the problems experienced in 1985, and what changes can be made to improve the situation for 1988. He therefore moved referral to staff for a report prior to the 1988 municipal election, so that Council has time to consider the report and make plans for improving the advance poll procedures. The motion was seconded by Ald. Thompson and it carried.

MOTION: Moved by Ald. Greenough & Thompson that the motion on advance polls be referred to staff for a report prior to the 1988 municipal election, in time for Council to consider the report and make plans for improving the advance poll procedures.

ALD. BREGANTE

3) Ald. Bregante moved, seconded by Ald. Hetherington

that:

WHEREAS, in light of the two most recent problems at the Nova Scotia Hospital, and the apparent lack of concern by the Provincial Attorney General over the safety of staff and the residents of the nearby homes;

THEREFORE BE IT RESOLVED that the Mayor write to the Premier, the Attorney General, and the M.L.A.'s for Dartmouth, urging that the forensic unit be removed from the Nova Scotia Hospital.

Ald. Bregante provided information on the escapes from this unit of the Nova Scotia Hospital, pointing out that the orderlies and medical staff on duty there are not trained guards and cannot be expected to perform guard duties. He referred to the danger that is created in a heavily-populated residential area when an escapee from the forensic unit is at large in the community. These are people who have been incarcerated in the unit on remands and Lieut-Governor's warrants, and can therefore be considered dangerous if they manage to escape. He noted that the Nova Scotia Hospital is located between two elementary schools in south Dartmouth, another important consideration.

Ald. Hetherington agreed that the facilities presently existing at the Nova Scotia Hospital are not adequate to deal with this type of person, and area residents are not adequately protected at the present time. Ald. Billard felt it would be more satisfactory for the Mayor and the Aldermen representing the area to meet with Provincial and Federal representatives to find a solution, and Ald. Connors agreed with points made by Ald. Billard about the need for help to be provided in some form to the individuals who are placed in the forensic unit. Ald. MacFarlane noted that the emphasis in this unit is on assessment only and it does not act as a treatment facility. The Maritime Provinces do not have such a treatment facility at the present time.

Ald. MacFarlane commented on the difficulties inherent in providing adequate security measures in all institutions where people are incarcerated, including federal penitentiaries. Ald. Hetherington took exception to some of the information provided by Ald. Connors on the number of people remanded to the Nova Scotia Hospital for psychiatric examination and on the number of escapees from the forensic unit. He described conditions in the unit as being like 'hotel accommodations' and out of character with the crimes that people there have committed. He presented a petition signed by several hundred people living not just in Dartmouth, but in other areas of the province, where there is concern about escapees. He noted that one of the escapees got as far as Pictou before being apprehended.

Ald. Hawley suggested that the best approach would be to have the Mayor and the Chief of Police request permission to visit the forensic unit and make an assessment of the security measures in place at present, to determine whether or not they are adequate. After this evaluation, the Mayor could report to Council on the adequacy of the security (or inadequacy of it) and Council could act accordingly. Members of Council preferred this approach to the motion and when the vote was taken, the motion on the floor was defeated.

With Council's concurrence, the Mayor and Chief Trider will therefore request permission to visit the forensic unit, as suggested, to evaluate its security and a report will be given to Council in due course. Ald. MacFarlane asked that inquiry also be made about any plans for a treatment facility to serve the Maritime Provinces.

ALD. CONNORS

4) Ald. Connors moved, seconded by Ald. MacFarlane, that:

WHEREAS By-law C-221, as amended, being a by-law of the City of Dartmouth in regard to the abatement of nuisances, contains a procedure for the hearing of complaints of nuisance, which procedure is authorized by Sub-section 152 (c) of the Dartmouth City Charter Act;

AND WHEREAS the procedure so established is unduly combersome in that the whole Council is required to hear such complaints, and in so doing, spends far more time in consideration of such matters than it ought to in relation to the other and often more important business of Council;

AND WHEREAS Council cannot delegate the power to hear complaints of nuisance to a committee of Council without amendment to the Dartmouth City Charter Act;

AND WHEREAS By-law C-211 is also unsatisfactory in that the definition of nuisance contained therein does not adequately set out objective standards by which citizens may be reasonably certain as to what constitutes a nuisance;

THEREFORE BE IT RESOLVED that the City Solicitor prepare a draft amendment to Sub-section 152 (c) of the Dartmouth City Charter Act, to allow the hearing of complaints of nuisance to be heard and determined by a committee of three members of Council, rather than by the entire Council;

AND BE IT FURTHER RESOLVED that when the draft amendment has been approved by Council that the appropriate steps be taken to have the proposal placed before the Legislature of the Province of Nova Scotia for enactment.

AND BE IT FURTHER RESOLVED that the City Solicitor be directed to examine the present definition of nuisance in By-law C-211, and with reference, in part, to the Nuisance By-laws of other North American municipalities, to prepare a report to Council on how the definition of nuisance in By-law C-211 may be improved by setting forth objective standards as to what constitutes a nuisance;

AND BE IT FURTHER RESOLVED that upon the presentation of the report of the City Solicitor, that Council take such steps as to decide the action which should be taken with respect to the report.

The Mayor noted that Council would be likely to have the same discussion twice if there is debate on both the present motion and the report being requested from the Solicitor. Ald. Connors agreed that it would be more effective to refer the motion directly to the Solicitor at this time, and he proceeded to move this. The motion was seconded by Ald. Hawley who also favoured this approach. Ald. Levandier did not agree with it, suggesting that Council should first decide whether or not they even want a report in the first place. Ald. McCluskey said she agreed that there is a need for a better definition of nuisance for purposes of the by-law, and other members tended to feel the by-law is not satisfactory in its present form. When the vote was taken on the motion to refer, it carried with Ald. Billard

and Levandier voting against.

The Mayor noted that the Solicitor will also be asked to give consideration to mediation procedures that can be followed in nuisance complaint situations, a point also raised by Ald. Connors during debate.

MOTION: Moved by Ald. Connors and Hawley that the motion be referred directly to the Solicitor at this time for report.

ALD. WITHERS

5) Ald. Withers moved, seconded by Ald. Hetherington, that:

WHEREAS the City has passed a by-law pursuant to Retail Business Uniform Closing Day Act, allowing only certain businesses to remain open on Sundays;

AND WHEREAS other businesses are operating on Sundays, contrary to that by-law;

BE IT RESOLVED that City staff take whatever steps are necessary to enforce the by-law and to prosecute businesses operating on Sundays in violation of the Act and the by-law.

Ald. Withers explained his position on the enforcement of By-law C-556, passed in August of 1985, which he said is now being openly ignored and violated. He maintained that as a by-law of the City, it must be enforced as citizens expect to see all by-laws enforced and to abide by them. Retailers who are presently remaining open on Sundays are blatantly violating the by-law and calling Council's bluff to see how far they can go before the City will take action against them.

The Solicitor was asked about the City's ability to proceed with prosecutions under By-law C-556, and he advised that if Council authorizes prosecutions, they can be carried out under this by-law. He pointed out, however, that it is in fact the Provincial statute (Bill #70) that is actually being enforced; this statute gives the municipalities the power to enact a by-law and is enabling legislation which permits each municipality to determine its own regulations with regard to Sunday store operations. Ald. Greenough noted that if there is to be any uniformity in the closing of stores on Sundays, the Province should act to provide that uniformity by enforcing its own statute rather than passing the responsibility on to the individual municipalities.

Ald. MacFarlane objected to stores being open on Sunday from three points of view: religious tradition, economic implications and human considerations. He commented on each of these and Ald. Billard agreed with all three points. Ald. Connors did not share the opinion about religious traditions in the community, pointing out that not all people are of the Christian faith and therefore Sunday does not have the same meaning to them.

Ald. Levandier was concerned about the small store owners and the effect of Sunday opening when it is allowed in supermarkets and these small store owners cannot compete. Ald. McCluskey asked about the operation of flea markets on Sundays and how they would be affected. She also noted that stores with Sunday permits are now open during hours from midnight (Saturday) to 8:00 a.m. on Sunday, in violation of the City By-law. Ald. Hawley made another point along this same line of questioning, with reference to drug stores that are able to be open on Sundays and the fact that many of these carry products in the food line and in fact, some of them are more like department stores than drug stores. It was noted that small stores with Sunday permits also carry drug products, such as Aspirin, cough medicine, etc. and some of them continue to operate take-out services on Sunday, which could be considered to be in violation.

During the debate on the motion, Council agreed to continue meeting beyond the hour of 11:00 p.m. to complete the agenda, on motion of Ald. Levandier and Thompson.

Members of Council were generally in agreement that the City's by-law should be enforced, but it was recognized that there is some difficulty in proceeding with prosecutions as a municipality in an area where stores are also open in bordering municipalities and a uniform approach is not being taken to Provincial statute. Also, in view of court decisions handed down in other parts of Canada and still pending before the Supreme Court.

Ald. Greenough asked if it would be in order to request clarification from the Attorney General's Dept. as to why the Province has not taken action to this point against violations of its own statute, and why there is no attempt to enforce the statute uniformly throughout the Province. Questions raised by Ald. Thompson pertained to enforcement costs the City will face and also, costs associated with prosecutions if these are undertaken. The Solicitor noted that it would not be just legal costs involved, but there will be costs associated with other staff members such as the Police Dept., Building Inspection, etc. Ald. Hawley said he thought it was time for the licensing officer to start checking on stores that have Sunday licenses to see if some violations exist there; also, the stores that should have licenses and do not at present.

The vote was taken on the motion and it carried unanimously.

MOTION: Moved by Ald. Withers and Hetherington: text on page 12 of these minutes.

ALD. THOMPSON

6) Ald. Thompson moved, seconded by Ald. Sarto, that the Engineering Dept. look into the cost of installing gabion walls for the brook, from Mount Edward Road to Tobin Drive, and report to Council for consideration for the 1986 capital budget.

The motion carried.

MOTION: Moved by Ald. Thompson and Sarto: text above.

ALD. MCCLUSKEY

7) Ald. McCluskey moved, seconded by Ald. Connors, that:

WHEREAS Aldermen are required to sit on many Boards and Committees;

AND WHEREAS meetings of these various Boards and Committees require a great deal of time;

AND WHEREAS it is important for Aldermen to have time to attend to business within their wards;

THEREFORE BE IT RESOLVED that a review of all Boards and Committees be carried out to see if the number of Aldermen sitting on the various Boards and Committees could be reduced;

AND BE IT FURTHER RESOLVED that if it is found that the numbers can be reduced, that the respective committee structures be changed accordingly.

Ald. McCluskey outlined the reasons for her motion, suggesting that it should be possible for some of the existing committees to function without the present number of Aldermen on them, thereby reducing some of the committee work that members now face. Ald. Bregante and Hawley noted that such a review of the committees was undertaken about a year ago and did not result in any reduction in the committee workload. Even though a few committees were dropped, several new ones were added during the year and Council still ended up with more committees than ever before.

Ald. Billard suggested that Ald. McCluskey contact the committee chairmen to get their opinions on the matter. Ald. Pye noted that members are not compelled or required to serve on more committees than they want to and therefore, it should not be a problem for individual members. Ald. Connors was in favour of the motion and agreed to serve with Ald. McCluskey in carrying out a review of the committees. The motion carried with Ald. Pye voting against.

MOTION: Moved by Ald. McCluskey and Connors:
text on page 14 of these minutes.

ALD. SARTO

8) Ald. Sarto moved, seconded by Ald. Hawley, that the Solicitor be asked to draft and present to Council, a by-law to amend the Uniform Retail Business Closing Day By-law, to provide that Tourist Area Permits shall not apply to Boxing Day, and that businesses in the Tourist Area, other than those permitted by the statute to operate, shall not be permitted to operate on Boxing Day.

Ald. Sarto said he was presenting his motion on behalf of many people who have to work on Boxing Day and are afraid of losing their jobs if they do not agree to work. In some instances, where people travel for Christmas, this means they have to come back for work on Christmas night and they are not given the time off they should have. He considered this work requirement to be unfair to employees placed in this position.

The motion received the support of Council and it carried.

MOTION: Moved by Ald. Sarto and Hawley: text on page 15 of these minutes.

NOTICES OF MOTION:
ALD. HETHERINGTON

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

1) Ald. Hetherington (Presented by Mayor Savage)

WHEREAS there seems to be a great deal of unnecessary congestion and traffic tie-up in the downtown area at suppertime on week days, due to the number of cars being parked between Albert Street and Maitland Street;

THEREFORE BE IT RESOLVED that the T.M.G. investigate the possibility of installing No Parking signs from the corner of Albert Street (at Five Corners) to Maitland Street at Portland Street, to be in effect between the hours of 4:00 to 6:00 p.m., Monday to Friday.

ALD. MACFARLANE

2) Ald. MacFarlane

WHEREAS real estate advertisements in local news media have indicated that lakefront lots in Portland Estates are being sold;

AND WHEREAS unserviced lots in Phase II of Portland Estates are being offered for sale prior to approval of the City of Dartmouth's Planning & Development Department;

AND WHEREAS no building permits for specified lots can be granted prior to this approach;

AND WHEREAS the present agreement between the City of Dartmouth and Portland Estates Ltd. stipulates that there will be no additional connections until a trunk sewer to south Dartmouth is installed by the City, at the expense of Portland Estates, which will not be completed before the end of October, 1986;

AND WHEREAS the Dartmouth School Board has no immediate plans for construction of a school in Portland Estates;

BE IT THEREFORE RESOLVED that Dartmouth City Council request that the Federal Dept. of Consumer & Corporate Affairs, conduct an inquiry into the marketing practices of Portland Estates Ltd., to determine the acceptability of these practices under present consumer protection legislation.

ALD. LEVANDIER

3) Ald. Levandier

(a) WHEREAS it has not been the policy of the City of Dartmouth to call for public tenders for the accounting and auditing services provided to the City;

AND WHEREAS all other services are provided to the City are reviewed and put to public tender from time to time;

THEREFORE BE IT RESOLVED that the auditing service provided to the City be awarded by public tender in future, and that the term of the contract be not less than three years.

ALD. LEVANDIER

(b) WHEREAS the Federation of Canadian Municipalities is the national voice for municipal units across the country;

AND WHEREAS the City of Dartmouth is a member in good standing, and whereas the annual convention will be held in June of 1986;

THEREFORE BE IT RESOLVED that Council endorse and forward the following resolution to the F.C.M. for debate at the national level:

'WHEREAS liability insurance rates have escalated to all-time highs, forcing some municipal units to cancel insurance policies;

THEREFORE BE IT RESOLVED that the F.C.M. ask the Federal Government to establish maximum liability guidelines for municipal units, to help them overcome the serious problem.'

ALD. MCCLUSKEY

4) Ald. McCluskey

A motion will be introduced to instruct the Legal Dept. to draft an amendment to the City Charter, to give Council authority to regulate business hours in the City, and to bring it back to Council for consideration.

INQUIRIES:

Ald. Bregante advised that he has not yet

ALD. BREGANTE

received a response from Mr. Connors to his inquiry about traffic control at Johnstone Ave. and Blink Bonnie Terrace; the possibility of a Stop sign there has been suggested.

ALD. LEVANDIER

Ald. Levandier noted that a cost estimate has been provided for rehabilitating the Park School site, and he proceeded to move that an amount of \$11,000. be included in the 1986 budget for consideration, to cover the cost of this project. The motion was seconded by Ald. Greenough and it carried.

MOTION: Moved by Ald. Levandier & Greenough that \$11,000. be included in the 1986 budget for consideration, to provide for rehabilitation of the Park School site.

ALD. PYE

Ald. Pye discussed with Mr. Fougere, snow clearing and ice control problems in Ward 5, particularly in the Courtney Road area. He was concerned about the amount of pedestrian traffic on this street and the danger to pedestrians when hazardous driving conditions exist and there is nowhere for them to walk safely.

Ald. Pye also asked if a centimetre of snow is being left on the street surfaces to prevent frost upheaval of the asphalt. Mr. Fougere advised that such

ALD. LEVANDIER

(b) WHEREAS the Federation of Canadian Municipalities is the national voice for municipal units across the country;

AND WHEREAS the City of Dartmouth is a member in good standing, and whereas the annual convention will be held in June of 1986;

THEREFORE BE IT RESOLVED that Council endorse and forward the following resolution to the F.C.M. for debate at the national level:

'WHEREAS liability insurance rates have escalated to all-time highs, forcing some municipal units to cancel insurance policies;

THEREFORE BE IT RESOLVED that the F.C.M. ask the Federal Government to establish maximum liability guidelines for municipal units, to help them overcome the serious problem.'

ALD. MCCLUSKEY

4) Ald. McCluskey

A motion will be introduced to instruct the Legal Dept. to draft an amendment to the City Charter, to give Council authority to regulate business hours in the City, and to bring it back to Council for consideration.

INQUIRIES:

Ald. Bregante advised that he has not yet

ALD. BREGANTE

received a response from Mr. Connors to his inquiry about traffic control at Johnstone Ave. and Blink Bonnie Terrace; the possibility of a Stop sign there has been suggested.

ALD. LEVANDIER

Ald. Levandier noted that a cost estimate has been provided for rehabilitating the Park School site, and he proceeded to move that an amount of \$11,000. be included in the 1986 budget for consideration, to cover the cost of this project. The motion was seconded by Ald. Greenough and it carried.

MOTION: Moved by Ald. Levandier & Greenough that \$11,000. be included in the 1986 budget for consideration, to provide for rehabilitation of the Park School site.

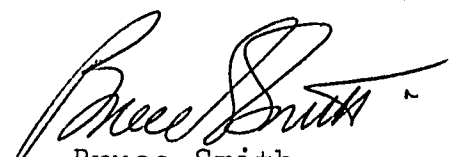
ALD. PYE

Ald. Pye discussed with Mr. Fougere, snow clearing and ice control problems in Ward 5, particularly in the Courtney Road area. He was concerned about the amount of pedestrian traffic on this street and the danger to pedestrians when hazardous driving conditions exist and there is nowhere for them to walk safely.

Ald. Pye also asked if a centimetre of snow is being left on the street surfaces to prevent frost upheaval of the asphalt. Mr. Fougere advised that such

a policy is not being followed, and basically, snow clearing operations are the same as in other years. Problems being experienced this winter have resulted from the type of weather systems where there is a combination of snow, rain, and freezing rain on the streets, creating ice control difficulties.

Meeting adjourned.


Bruce Smith,
City Clerk-Treasurer.

City Council, Jan. 7/86.

ITEMS:

- 1) Monthly reports, page 1 & 2.
- 2) Stray cat problems, page 2.
- 3) Petition: Town Crier, page 2.
- 4) Resolution: Town of Vaughan, page 3.
- 5) Take-over of Correctional Facilities, pg. 3 & 4.
- 6) Walkway: Farrell St. to Albro Lake Rd., page 4.
- 7) Lease: Clipper II restaurant, page 5.
- 8) 25th Anniversary Celebration, page 5 & 6.
- 9) Symposium: Downtown, page 6.
- 10) Pension Fund Investment Review, page 7
- 11) Motions: Ald. Bregante, page 7 to 10 incl.
Connors, page 10 & 11.
Withers, page 12 to 14 incl.
Thompson, page 14.
McCluskey, page 14.
Sarto, page 15.
- 12) Notices of motion: Ald. Hetherington, page 16.
MacFarlane, page 16
Levandier, page 16 & 17.
McCluskey, page 17.
- 13) Inquiries, page 17 & 18.

Dartmouth, N.S.

January 8, 1986

Minutes of a Public Meeting held this date at 6:30 p.m.
re the Transportation Study prepared by J. Phillip Vaughan Engineering
Associates Limited.

Present - Mayor Savage

Ald. Sarto	Greenough
Thompson	Levandier
MacFarlane	Billard
Hetherington	Bregante
Withers	Pye
Connors	Hawley
McCluskey	
C.A. Moir, City Administrator	
G. Brady, Deputy City Clerk	

Prior to the Public Meeting held on this date, members of Council were given a brief presentation by Mr. McLean of an interim short-term plan for improvements to the Mic Mac Rotary and to Main Street. These plans, if implemented, would provide some immediate relief to existing traffic conditions until the long-range improvements to the Rotary and Main Street can proceed.

Interim improvements to the Rotary involve minor road widening at points on the Rotary, overhead signs for the designation of traffic lanes and a series of traffic signals that would help to correct the problems with distance between the access points on the Rotary. The cost of the interim improvements would be \$750,000.

Mr. McLean also presented two proposals for long term & ultimate Rotary improvements, one of which would cost \$20,000,000 and a variation of the first plan, costing \$11,000,000.

Interim improvements to Main Street, as outlined by Mr. McLean, would place one-way west-bound traffic on Lakecrest Drive and one-way east-bound traffic on Main Street. Estimated cost of this improvement is \$350,000. This interim measure would be seen as necessary for a year to 15 months, while the permanent improvements could be carried out on Main Street itself. The long term Main Street improvements would cost \$2.5 million dollars excluding land acquisition costs.

The Public Meeting commenced with the Mayor introducing Mr. Ralston MacDonnell, Project Manager and Mr. Keith McLean, Chief Transportation Engineer.

Mr. MacDonnell noted that there are thirteen chapters in the Report. One to eight will be briefly discussed this evening, with more concentration on chapters nine to thirteen. Mr. MacDonnell reviewed

Chapter I, Introduction, noting the objectives of the Study reflect the Terms of Reference. He stressed that the recommendations try to maximize the existing infrastructure.

Mr. McLean proceeded with the balance of the presentation. He stressed that the recommendations being made are technical recommendations and very realistic. He commenced his presentation by discussing briefly the terminology used when referring to various types of streets (Chapter 4).

Referring to Table 2.1, Halifax/Dartmouth Region Populations Projections, he stressed the need to know projected population increases in order to develop a system to cope with the additional traffic flow. The improvement program developed in this study is associated with the high growth pattern in Dartmouth and the transportation network proposed would be adequate until 1991. Should growth patterns be consistent with low growth, the transportation network will be adequate well into the 1991-2001 period.

A flow chart outlining the Travel Forecasting Procedure as illustrated in Exhibit 6.1 was reviewed.

While reviewing Exhibit 3.4, Existing P.M. Traffic Conditions, Mr. McLean noted that these volumes were counted in 1984 and the difficulty in measuring true traffic demand on the road system, ^{is} due to the amount of shortcutting being used.

Mr. McLean proceeded to Exhibit 6.2, 1991 Forecast Peak Hour Traffic Volumes, High Growth Scenario. He noted that the effect of the 107 Bypass and new South Woodside Ferry were taken in account, when doing the estimates contained in Exhibit 7.1. It is not anticipated that Main and Portland will have significant growths in traffic volume.

In classifying existing roadways as illustrated in Exhibit 3.1, Mr. McLean emphasized that functional classification was used. Similarly functional classification was used to develop the network improvements. The proposed roadway network is illustrated in Exhibit 8.1. The proposed major changes were addressed individually at a later point in the meeting.

Chapter I, Introduction, noting the objectives of the Study reflect the Terms of Reference. He stressed that the recommendations try to maximize the existing infrastructure.

Mr. McLean proceeded with the balance of the presentation. He stressed that the recommendations being made are technical recommendations and very realistic. He commenced his presentation by discussing briefly the terminology used when referring to various types of streets (Chapter 4).

Referring to Table 2.1, Halifax/Dartmouth Region Populations Projections, he stressed the need to know projected population increases in order to develop a system to cope with the additional traffic flow. The improvement program developed in this study is associated with the high growth pattern in Dartmouth and the transportation network proposed would be adequate until 1991. Should growth patterns be consistent with low growth, the transportation network will be adequate well into the 1991-2001 period.

A flow chart outlining the Travel Forecasting Procedure as illustrated in Exhibit 6.1 was reviewed.

While reviewing Exhibit 3.4, Existing P.M. Traffic Conditions, Mr. McLean noted that these volumes were counted in 1984 and the difficulty in measuring true traffic demand on the road system, ^{is} due to the amount of shortcutting being used.

Mr. McLean proceeded to Exhibit 6.2, 1991 Forecast Peak Hour Traffic Volumes, High Growth Scenario. He noted that the effect of the 107 Bypass and new South Woodside Ferry were taken in account, when doing the estimates contained in Exhibit 7.1. It is not anticipated that Main and Portland will have significant growths in traffic volume.

In classifying existing roadways as illustrated in Exhibit 3.1, Mr. McLean emphasized that functional classification was used. Similarly functional classification was used to develop the network improvements. The proposed roadway network is illustrated in Exhibit 8.1. The proposed major changes were addressed individually at a later point in the meeting.

The Exhibit also refers to a future collector and arterial in the vicinity of Portland Estates and a future arterial from Burnside Industrial Park to Bedford/Sackville.

Mr. McLean dealt for sometime on the definition of Level of Service to describe the quality of traffic flow and referred to the various levels as defined on pages 4-10 and 4-11. He noted that when Level D service is reached at an intersection, something should be done to correct the situation.

Traffic Patterns and Analysis are dealt with in Chapter 5 and Exhibit 5 - 1 identifies deficiencies and problem areas associated with the Rotary, Main Street, sections of Portland Street, Victoria Road and MacDonald Bridge approach. Residential streets carrying excess amounts of traffic due to shortcutting are also identified in this exhibit. Mr. McLean stressed that problems associated with the Rotary cannot be isolated from Main Street problems. A considerable number of system improvements are necessary. All the system improvements hang together by virtue of the network and all require implementation, stressed Mr. McLean.

Mr. McLean then proceeded to discuss the proposed improvements to the Rotary, as described in the first page of the minutes. Interim improvements to the Rotary, teamed with improvements to Main Street would increase its capacity for at least five years.

Ald. Levandier posed a question to Mr. McLean at this point regarding whether or not consideration was given to the residential climate of areas where changes are proposed. Mr. McLean replied that they were concerned with the environmental impact of any road. He noted that no major road widenings within the area bounded by the Circumferential Highway are proposed, with the exception of the network change from Pleasant to Maple Street.

In reply to a question from Ald. Sarto, Mr. McLean predicted the long term improvement for 15 years, while the ultimate improvement could provide capacity for 20 years or more.

Ald. Hawley expressed concern re the effect on the environment of the lakes if the Long Term or Ultimate Proposals were adopted. Mr. McLean agreed that environmental impact studies would be required.

Ald. Levandier commented that the the City can look at all the proposed schemes, but it is up to the Province, under whose jurisdiction the Rotary falls to make the decision. The Mayor replied that their responsibility has to tie in to suggested improvements and the key factor is that every segment of transportation is effected by the Rotary.

Mr. McLean then addressed proposed changes to Main Street and the interim use of Lakecrest Drive while these improvements are being carried out. Refer page 1 of the minutes. Ald. Greenough desired clarification of the term short term when referring to Lakecrest Drive. Mr. McLean advised that if design and property acquisition was completed this year, it is anticipated that Lakecrest would be needed for one year or 15 months, while improvements were made to Main Street. In response to a question from Ald. Withers as to whether the use of Lakecrest was absolutely necessary, Mr. McLean indicated it was.

Ald. Hetherington questioned whether any expropriation would be necessary. Apparently no property has been identified for expropriation, but easements may be required.

Ald. Hawley suggested that perhaps the work could be completed in one construction season, but Mr. McLean explained why this was not feasible.

The ultimate improvement to Main Street would cost \$2,500,000, subject to 50% cost sharing with the Province, as is the interim improvement of \$350,000. See Exhibit 9.4 and 9.5.

Ald. Hawley expressed concern that there is no apparent provision for a pedestrian walk over in the vicinity of Helene Avenue. Mr. McLean noted that in order for a pedestrian bridge to be successfull, the area in its vicinity has to be fenced.

It does not seem feasible at this location. Data on pedestrian movements in this area is not presently available. Mayor Savage referred to the number of children going to school in the area. Mr. McLean acknowledged that the problem has to be addressed when more specific information is available and the final design is drafted.

Reference was made by Ald. Hawley and Greenough to the proposed traffic lights at Hartlen and Main Streets. Mr. McLean noted that it was their opinion that traffic lights were inappropriate at this location. He felt that if Main Street was improved and other routes, the need for this light would be eliminated. He again stressed the need to look at all improvements, as a total network.

Ald. Pye questioned whether Public Transit has been taken into account. Mr. McLean confirmed that transit had been taken into account, but very few roads would have lanes extra to facilitate bus movement. An investigation of transit service routes would be a good study, but the terms of reference for this report, did not include this. Even reflecting anticipated increased population, only 10 to 12% of the population takes public transit, versus 40 to 50% in other cities.

Ald. Hawley questioned Mr. McLean on how residents on Helene Avenue could get out, if only a right turn in was allowed. Mr. McLean indicated this was done to eliminate a short cut route and they would have to proceed along to Lakecrest Drive to Major Street to get out. Ideally Helene Avenue and Lakecrest should become local streets, perhaps by means of a cul-du-sac on Lakecrest.

Ald. Levandier questioned what was new in this plan. Mr. McLean confirmed that there was not much new, except for some well thought out locations for median openings.

Ald. Levandier wondered if Main Street could function similar to Herring Cove Road, i.e. two lanes into the city and one out in the a.m. and vice versa in the evening. Mr. McLean indicated that it would not lend itself to this use.

Referring to the fact that there was no opportunity

for questions from the public this evening, Mayor Savage indicated that community and ward meetings will be arranged and advertised for various community schools to receive input from residents and deal with specific areas of concern.

Ald. Billard questioned whether the study presented solutions for the next 25 years. Mr. McLean stated that they have no information past 1991 at this point in time. He referred to the proposed collector and arterial in the vicinity of Russell Lake and its effect on reducing traffic even with development in this area.

Mr. McLean stressed that improvements to Main Street alone would not bring out the desired results. He stressed that the proposals for Rotary improvements and Main Street improvements can be mixed and matched to achieve improvement.

Other cities which have outgrown rotaries, replace them with three level interchanges, Mr. McLean noted in reply to a question from Ald. Billard.

Ald. Pye questioned the effect these changes will have on the merchants of Main Street. Mr. McLean felt that a positive effect will be achieved, due to the increased volume of traffic going past their businesses. It will be important to develop sufficient parking areas, however.

Ald. Levandier was concerned that left hand turns into businesses will be restricted and the proposals will turn Main Street into simply the No. 7 Highway. He could not support the widening of Main Street. In reply Mr. McLean stated that at this level of detail it is not possible to consult each business man. A sound technical solution has been provided and Council will have to make the final decision. This is simply a proposal. Either the needs of the residents and businessmen are going to be satisfied or the needs of the motoring public, or a compromise.

Mr. McLean could not answer Ald. Wither's query about the setup time if it is decided to proceed with the ultimate proposal for the Rotary. He did not know what preliminary design work had been done.

Replying to Ald. McCluskey, Mr. McLean confirmed that work on the Rotary and Main Street would have to be done at the same time, or there would be little benefit.

Mr. McLean then proceeded on to discuss proposed changes to Portland Street, East of the Circumferential Highway. The cost for these changes is estimated to be \$150,000, half payable by the City of Dartmouth.

Referring to the possible closure of Settle Street, Ald. Thompson suggested installation of traffic signals at this location. Mr. McLean noted that traffic signals are the greatest capacity constraining device and thus should be only used when absolutely warranted.

Referring to the proposed median, Ald. Connors expressed concern regarding access to the eleven homes on the north side of Portland Street. Mr. McLean suggested that they would be required to use the road which runs parallel to the north, thus incurring some extra travel distance. There followed some discussion of the benefit and disadvantages of depressing the median opposite the houses. Mr. McLean noted that there are no perfect solutions.

Mr. McLean proceeded to discuss intersection improvements to the intersection of Portland Street and Woodlawn Road, Exhibit 9.16. Estimated cost is \$100,000. Ald. McCluskey questioned whether the land involved is city owned. Mr. McLean felt it was. Ald. Hetherington questioned the purpose of putting in an additional set of traffic lights. Mr. McLean referred to the frequency of collisions at this location. Mayor Savage questioned whether these measures would not slow down traffic, but Mr. McLean indicated the provision of two lanes should offset this. This is a matter which can be discussed in more detail at community meetings.

Exhibit 9.15, intersection improvements at Portland Street and Highway 111, costing \$40,000 was reviewed next. This cost would be the responsibility of the developer.

Exhibit 9.17, intersection improvements at Portland Street and Gaston Road, costing \$25,000 are planned to help

Replying to Ald. McCluskey, Mr. McLean confirmed that work on the Rotary and Main Street would have to be done at the same time, or there would be little benefit.

Mr. McLean then proceeded on to discuss proposed changes to Portland Street, East of the Circumferential Highway. The cost for these changes is estimated to be \$150,000, half payable by the City of Dartmouth.

Referring to the possible closure of Settle Street, Ald. Thompson suggested installation of traffic signals at this location. Mr. McLean noted that traffic signals are the greatest capacity constraining device and thus should be only used when absolutely warranted.

Referring to the proposed median, Ald. Connors expressed concern regarding access to the eleven homes on the north side of Portland Street. Mr. McLean suggested that they would be required to use the road which runs parallel to the north, thus incurring some extra travel distance. There followed some discussion of the benefit and disadvantages of depressing the median opposite the houses. Mr. McLean noted that there are no perfect solutions.

Mr. McLean proceeded to discuss intersection improvements to the intersection of Portland Street and Woodlawn Road, Exhibit 9.16. Estimated cost is \$100,000. Ald. McCluskey questioned whether the land involved is city owned. Mr. McLean felt it was. Ald. Hetherington questioned the purpose of putting in an additional set of traffic lights. Mr. McLean referred to the frequency of collisions at this location. Mayor Savage questioned whether these measures would not slow down traffic, but Mr. McLean indicated the provision of two lanes should offset this. This is a matter which can be discussed in more detail at community meetings.

Exhibit 9.15, intersection improvements at Portland Street and Highway 111, costing \$40,000 was reviewed next. This cost would be the responsibility of the developer.

Exhibit 9.17, intersection improvements at Portland Street and Gaston Road, costing \$25,000 are planned to help

eliminate shortcutting. Ald. Hawley expressed concern regarding the effect this would have on Chestnut Lane. Ald. Hetherington was concerned regarding the effect this change would have on pedestrian traffic and did not feel a crosswalk alone would be adequate.

Exhibit 9.7 illustrated proposed improvements to Portland Street, west of the Circumferential Highway, estimated to cost \$900,000. Some pavement widening is required. Ald. Levandier referred to a property at Five Corners, which will require expropriation for these plans to proceed. Replying to a query from Ald. Hetherington re Old Ferry Road, Rodney and Prince Arthur, Mr. McLean confirmed that no change is planned for these streets. Referring to the pedestrian traffic, particularly students, in the vicinity of Maynard and existing overhead cross walk signs, Ald. Hetherington was concerned that adequate measures be taken to protect pedestrians. When final plans are drafted pedestrian crosswalk will be taken into consideration. Adequate data on pedestrians is not presently available. Mr. McLean stressed the need to develop uniform criteria for the placement and marking of crosswalks.

Ald. Levandier maintained that how can this be considered a transportation study, if public transportation and pedestrian traffic is not being taken into account. Mayor Savage noted that there is not enough public transit to have a large impact and Ald. Connors referred to the Terms of Reference, which point out that public transit is not a key element. Ald. Billard maintained that pedestrian traffic should be taking precedence.

Ald. Hetherington noted that bus bays have not been indicated in this plan. Mr. McLean indicated these could be added at the functional stage of planning. Once the plan is adopted in principle, planning can proceed to the next level.

The next Exhibit to be discussed was No. 9.8A, Pleasant Street, Maple Street, Victoria Road and Portland Street improvements costing \$2,000,000. Property will be required

to connect Pleasant Street to Maple Street. Maple Street would become two lane in one direction, with Victoria Road being two lanes in the opposite direction.

Ald. Connors questioned why this traffic is not being routed down Alderney Drive, which is under utilized at present, rather than proceeding through a residential area. He questioned the feasibility of funnelling two lanes of traffic from Maple Street into one lane at Thistle. Mr. McLean maintained that in actual fact only one lane of traffic is likely, with the other lane for parking. Ald. Connors maintained that more shortcutting will result from this proposed change. Referring to traffic proposed on Victoria Street, Ald. Connors noted that although no road widening is indicated, the portion of road between Park and Ochterloney is only 18 feet in width. ^{Connors} Ald./referred to various classifications of roads addressed earlier in the meeting and required road widths, but Mr. McLean emphasized that he is talking about functional classifications. Ald. Connors expressed concern that this portion of road will no longer function as a collector but as an arterial, and be deficient in width. Mr. McLean confirmed that he received a copy of the proposal presented by the Austinville Neighbourhood Association to deal with traffic problems in this area by using Alderney Drive. Mr. McLean did not feel that sufficient capacity could be developed on Alderney Drive to make this proposal feasible.

Ald. Levandier indicated that this proposal disturbed him greatly for three reasons. Firstly a highway will be created in a residential neighbourhood, the effect on the Shubenacadie Canal development and the removal of a designated heritage home at Five Corners. Mr. McLean stressed the continuity this system will provide and the fact that they did not believe the residents' proposal would have solved the problems.

Exhibit 9.14 illustrated a close up of Five Corners and proposed improvements which would cost \$85,000.

The improvements for the intersection of Alderney Drive and Ochterloney Street, illustrated in Exhibit 9.20 will cost \$150,000. A realignment of the street is required. In reply to a query from Ald. Hetherington, Mr. McLean confirmed the turn down to City Hall would be eliminated.

Intersection improvements at Prince Albert Road and Hawthorne Street would cost \$50,000.

Exhibit 9.8B, costing \$200,000, are the changes which would have to be done if Thistle Street were closed. Possible changes to the operation of the bridge may have an impact on this plan. Replying to a question from Ald. McCluskey, Mr. McLean indicated that the possible closure of Thistle Street is considered in relation to a review of the Commons. Ald. Connors drew attention to the need to expropriate a house at the corner of Thistle and Victoria Road to facilitate these plans.

To implement intersection changes at Windmill Road and Wyse Road, illustrated in Exhibit 9.18, \$70,000 would be expended.

Mr. McLean then proceeded to Exhibit 9.19, intersection of Victoria Road and Woodland Avenue. These improvements would cost \$150,000. Replying to a question from Ald. Thompson at this point, Mr. McLean confirmed that figures are based on expropriation costs in all instances, except in the case of Main Street.

Referring to the intersection improvements at Victoria Road and Primrose Street, Exhibit 9.12, Ald. Pye was concerned about the impact on students travelling to the junior highschool and elementary school in this vicinity. Mr. McLean indicated that if the level of service on the Rotary is improved shortcutting should be reduced. This plan would not proceed until Rotary service was improved. Estimated cost \$180,000 for alternative No. 3, shared 50% with the Province. Alternative No. 1 which simply connects the dividing strip would cost \$10,000, while Alternative No. 2 which closes the median would cost \$20,000. These measures are meant primarily

to reduce shortcutting.

Exhibit 9.10, Intersection Improvements Windmill Road and Wright Avenue would cost \$80,000. Ald. Hetherington questioned the amount of traffic going towards Bedford/Sackville at the intersection of Windmill and Ackerley Boulevard, Exhibit 9.9. Proposed changes would cost \$80,000.

Following discussion of the improvement program Mr. McLean touched upon criteria used when establishing truck routes and pedestrian cross walks.

Mr. McLean then reviewed Chapter 10, Traffic Signal Control. Some questions were raised re Exhibit 10.1, Traffic Signal Controlled Intersections. It was noted by Mr. McLean that the traffic signal at Alderney Drive and King Street is recommended for removal.

Chapter 11 dealt with proposals to reduce or eliminate shortcutting in neighbourhoods. Mr. McLean reviewed the various techniques which could be employed and proposed treatment options for various neighbourhoods. Ald. Sarto noted that shortcutting problems in Bel Ayr Park are not addressed. Mr. MacDonnell reviewed this situation with Ald. Sarto.

Chapter 12 dealt with cost estimates for the improvements and proposed staging. Ald. Withers noted that no reference was made to the connection of the 107 Bypass to Ackerley Blvd. Mr. McLean confirmed this was not considered a priority until beyond 1991.

Chapter 13 recommends the establishment of a Transportation Services Division. A small group to be established in the Planning Department at a cost of \$100,000 yearly. In reply to a question from Ald. Levandier, Mr. McLean indicated the hiring of a traffic engineer will be required or someone be trained in the field.

In conclusion, Mayor Savage referred to the neighbourhood meetings that will be set up in the next month to give the public an opportunity to review the proposals and he anticipates the report coming back to Council in two or three months, together with community input.

Meeting adjourned.



G. Brady,
Deputy City Clerk

Public Meeting, Transportation Study, Jan. 8/86.

Pages 1 to 12.

Dartmouth, N. S.

Jan. 14/86.

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

Present - Deputy Mayor Withers

Ald. Sarto	Thompson
Billard	MacFarlane
Connors	Levandier
Pye	Woods
Hawley	Greenough
Bregante	Hetherington
McCluskey	
City Solicitor, S. Hood	
Acting City Administrator, R. Fougere	
Deputy City Clerk, G. D. Brady.	

SET DATE FOR
HEARING:
STREET CLOSURE

On motion of Ald. Levandier and Bregante, Council set Feb. 18th as the date for public hearing in connection with the proposed closure of Cunard Street and a portion of Prince Street, which are no longer used by the public. This closure is required to enable the City to exchange lands with CNR in the downtown area, and the setting of a public hearing date has been recommended to Council by the City Solicitor.

MOTION: Moved by Ald. Levandier and Bregante that Council set Feb. 18th as the date for public hearing in connection with the proposed closure of Cunard Street and a portion of Prince Street.

PERMIT TO BUILD:
HEALTH SPA
58 OCHTERLONEY ST.

On motion of Ald. Hetherington and Bregante, Council approved an application for permit to build a health spa at 58 Ochterloney Street, subject to compliance with City requirements as set out in the Planning Dept. report of Jan. 8/86. The application is submitted by Anwyll-Fogo Architects and estimated value of construction is \$500,000.

MOTION: Moved by Ald. Hetherington & Bregante that Council approve an application for permit to build a health spa at 58 Ochterloney Street, subject to compliance with City requirements, as set out in the Planning Dept. report of Jan. 8/86.

SET DATE FOR
HEARING:
3 FERGUSON RD.

On motion of Ald. Pye and Sarto, Council set Feb. 18th as the date for public hearing of an application to amend the Land Use By-law by rezoning the property at 3 Ferguson Road from R-2 Zone to C-2 Zone.

In response to questions from Ald. Pye about notification of area residents, Mr. Bayer explained the procedures followed in publicizing the hearing, including

newspaper advertisements for this purpose.

MOTION: Moved by Ald. Pye and Sarto that Council set Feb. 18th as the date for public hearing of an application to amend the Land Use By-law, by rezoning the property at 3 Ferguson Road from R-2 to C-2 Zone.

REGIONALLY
DESIGNATED
PARKLANDS:
LAKE MICMAC

A report has been submitted to Council by Mr. Bayer on a development proposal received from Can-Euro Investments Ltd., for a portion of lands owned by the Estate of Charles MacCulloch, adjacent to Lake MicMac and within the area designated as a Regional Park. The site involved is comprised of thirty acres and the development proposal consists of medium-rise, luxury condominium units (10 acres), an hotel (5 acres), and the remaining fifteen acres would be deeded to the City for use as a public park. With the exception of the parklands, the proposal cannot be considered by staff for the reasons explained in the report.

The land in question is presently zoned Holding or H Zone, which would permit R-1 development, plus the conservation and public park uses outlined on page 4 of the Planning Dept. report. A development proposal along these lines was before the previous Council last year, at which time staff were authorized to proceed further in negotiations with the interested developer who represented the Montebello interests. The report makes reference to the indication by the Province that they would be willing to de-designate a portion of these lands, subject to the approval of City Council, a necessary requirement in view of the Regional Park designation that presently exists.

The Planning Dept. is seeking direction as to whether or not Council wishes staff to maintain the policy presently applicable to these lands, or pursue further alternatives proposed by the developer. While the report does not contain a recommendation from staff, it is noted that staff are still of the opinion that the total 30 acres concerned should be acquired

for public parkland if at all possible (ie. recognizing the cost involved to acquire the land and the City's funding capabilities to proceed with acquisition).

Price, Waterhouse, the agents for the MacCulloch Estate, have placed a value of approx. one million dollars on the land.

The Planning Dept. presentation was made by Mr. Bayer and he elaborated further on the main points contained in the written report circulated. He was available to answer questions from the members about the present zoning on the land, the value of it, how the regional park policies were evolved, land that has already been acquired for park purposes, points of access to these parklands, servicing requirements for the thirty-acre site, and other details.

Ald. Levandier expressed to Council his concerns about the report and the development proposal, which he was opposed to. He preferred to see the land retained in its natural state and to protect Lake MicMac from development pressures such as other lakes in the City have experienced. He moved referral to the City Administrator to meet with the principals of the MacCulloch Estate, to discuss eventual purchase of this property, with the intent that it will eventually become parkland. The motion was seconded by Ald. Hetherington. Ald. Hetherington also spoke of the need to protect the lakes and to preserve the heritage that has come down through the years to Dartmouth citizens.

Ald. Hawley followed a line of questioning to Mr. Bayer about possible development of these lands under the R-1 use that is presently on them under the Holding Zone. Mr. Swanson of Alderney Consultants was asked to provide information about the number of single-family lots the land could produce, and gave an estimate that about 140 lots in total could be developed on the site. Ald. Hawley asked if such an R-1 development would have to come to Council for approval, and Mr. Bayer said he felt that servicing elements required would

need Council's approval, since the lands are presently in an unserviced state. Ald. Hawley did not feel the City would be able to acquire the total thirty acres for one million dollars, if in fact there are 140 lots contained in the parcel of land, especially since about sixty of these lots would be expensive waterfront lots that could be sold for an even higher price in the market.

Mr. Anwyll, Architect for the proposal, was present and made available a concept plan for members of Council to get a general idea of the development. The apartment buildings shown in the plan would be of six and seven storeys in height, and would therefore only come to about three storeys above the existing tree cover. He showed the areas to be retained with trees and vegetation and provided information on the actual distances that buildings would be set back from the shoreline of the lake. Some members of Council did not consider these distances to be adequate in all cases, and felt this should be a point for further negotiation with the developers if staff were authorized to proceed with discussions.

Ald. Bregante said he could not agree with the motion, since there is a possibility that R-1 development could go ahead on the total land holding and that would be less acceptable than the present proposal, under which the City would at least manage to obtain fifteen acres of land for park purposes. With a complete R-1 development, the City would not be in a position to even secure the fifteen acres. Other members opposed to the motion shared similar viewpoints, recognizing that the City has not been able to acquire the land up to this point and may not be able to afford it for several years to come. Those members who favoured the motion were willing to wait indefinitely for the land so long as it is retained in its present natural state and no development is allowed to take place on it.

need Council's approval, since the lands are presently in an unserviced state. Ald. Hawley did not feel the City would be able to acquire the total thirty acres for one million dollars, if in fact there are 140 lots contained in the parcel of land, especially since about sixty of these lots would be expensive waterfront lots that could be sold for an even higher price in the market.

Mr. Anwyll, Architect for the proposal, was present and made available a concept plan for members of Council to get a general idea of the development. The apartment buildings shown in the plan would be of six and seven storeys in height, and would therefore only come to about three storeys above the existing tree cover. He showed the areas to be retained with trees and vegetation and provided information on the actual distances that buildings would be set back from the shoreline of the lake. Some members of Council did not consider these distances to be adequate in all cases, and felt this should be a point for further negotiation with the developers if staff were authorized to proceed with discussions.

Ald. Bregante said he could not agree with the motion, since there is a possibility that R-1 development could go ahead on the total land holding and that would be less acceptable than the present proposal, under which the City would at least manage to obtain fifteen acres of land for park purposes. With a complete R-1 development, the City would not be in a position to even secure the fifteen acres. Other members opposed to the motion shared similar viewpoints, recognizing that the City has not been able to acquire the land up to this point and may not be able to afford it for several years to come. Those members who favoured the motion were willing to wait indefinitely for the land so long as it is retained in its present natural state and no development is allowed to take place on it.

Ald. Greenough said he would be more concerned about the development if it were in the middle of the regional park, but since it is at one end of it, the continuity of the park designation would not be interrupted. He felt that options should be kept open as far as negotiations with the developers are concerned, and it should be determined whether or not the Province would assist financially in acquiring the land for park purposes (ie. if the development were not allowed to proceed). Ald. Connors and McCluskey were concerned that if this development is allowed to go ahead, the owners of other private lands further down the lake will come with similar development requests. They were opposed to any negotiation with the developers, and Ald. Connors suggested that the loss in taxation revenue is still worth the benefit that citizens will receive from having the land left in its natural state. Ald. Billard pointed out that land in a wild state is not park land and does not provide much incentive for citizens to make use of it, especially in this case with such a limited access. Responding to questions about the access point involved, Mr. Bayer stressed that it is crucial to the park system and the integrity of this entrance-way must be protected, since it represents the only point of access from the Circumferential Highway interchange.

During the course of the debate, Council agreed to hear from Mr. Swanson of Alderney Consultants. He commented on the significance of the access point, already referred to, noting that it would give a major point of entry to the entire park system. He also indicated that there would be public walkways through the development, leading into the parklands beyond, and it is proposed that these walkways would tie in with a crossing to the YY/YWCA building across the highway. He suggested the hotel planned for the development would be complimentary to the park as

well and would not intrude on the park uses on lands next to it. He said that items of concern, such as building set-backs, etc. are flexible and could be discussed further. He agreed with opinions expressed in the debate that the development proposal would be more desirable than R-1 development which would require the building of roads and give additional access in this way to the ^{private} lands beyond.

Ald. MacFarlane said it would be premature to close the door at this time on further consideration of the development proposal; he considered this to be a restrictive approach. He felt there is no reason why public and private enterprise cannot work cooperatively to achieve something that can turn out to be in the best interests of the citizens. Ald. Woods, Connors, McCluskey Hetherington and Levandier remained opposed to any development on the lands and considered this approach to be in the best interests of citizens. When the vote was taken on the motion, it was defeated by a vote of 7 to 6 with the above members, plus Ald. Pye voting in favour.

Ald. Levandier and Connors then moved that staff be directed to take no further action with the principals for the MacCulloch Estate. This motion was also defeated.

Ald. Hawley and Bregante moved referral to staff for further negotiation with the developers, and to come back with a more definite plan; also, to address questions raised by Ald. Greenough as to the possible availability of Provincial assistance, and the actual asking price of the land if the City were to move to acquire it for park purposes. Ald. Levandier questioned whether in fact, Council is not entering into a pre-arranged agreement with the developers, through this motion. The Solicitor said that in her opinion, all Council is doing is authorizing staff to negotiate further with the developers and no guarantees are being given to the developers at all. Council is not in a position to be giving any guarantee at this point and from the intent of the motion, is not doing so.

Ald. Connors asked what is intended in the direction to staff to proceed with negotiations. Ald. Greenough said he would interpret the word to mean 'explore further'. The Solicitor said she would have to ask Mr. Bayer if he understands what to do, in order to comply with the motion. Mr. Bayer said his staff would sit down with the developers, take their concept and turn it into factual data. Staff would also address the questions raised by Ald. Greenough and such others as: (1) the access and entrance-way details; (2) the establishment of linkage through the development to the parklands and the walkway system referred to by Mr. Swanson in this connection; (3) what would be the maximum number of units in the development, what would be the traffic volumes; (4) what would be the phasing; (5) what environmental considerations are involved. Following these points of clarification, the vote was taken on the motion and it carried by a vote of 8 to 5 with Ald. Woods, Levandier, Pye, Connors and McCluskey voting against.

NOTICE OF
RECONSIDERATION

Ald. Hetherington and Connors gave notice of reconsideration.

MOTION: Moved by Ald. Hawley & Bregante that the proposal be referred to staff for further negotiation with the developers, and to come back with a more definite plan; also, to address questions raised by Ald. Greenough as to possible funding assistance from the Province, if the lands were to be acquired, and the actual asking price of the land in that event.

NOTICE OF RECONSIDERATION: Given by Ald. Hetherington and Connors.

REQUEST FROM
LIBRARY BOARD

The Regional Library Board has adopted the following motion, forwarded to Council with an accompanying letter from the Chairman of the Board:

That a letter be drafted, to be forwarded to City Council, recommending the dissolution of the Library/Cultural Steering Committee, in order to enable the Board to form a committee that would deal solely with a new library facility. This letter to Council would acknowledge the action already taken by Council in committing one million dollars and a site for the new building.

Ald. Bregante and Sarto moved the adoption of the recommendation from the Board, but Ald. Levandier was in favour of deferring any decision on this matter until after the symposium that will be held to discuss downtown development potential. He moved deferral until after the symposium has taken place, and for discussion in conjunction with the symposium; the motion to defer was seconded by Ald. Pye.

Ald. Bregante and Hawley stressed the urgency of getting on with plans for a new library, in view of the severe over-crowding that exists in the present library facility. They were not in favour of deferral and Ald. Hawley noted that this badly-needed project has already been delayed for a period of years from the time when it was first recommended. He felt that the joint approach taken in attempting to secure a library in conjunction with a cultural centre, has contributed to this delay, and the time has now come to give priority to the library as a single unit.

Ald. Levandier felt that not enough consideration has been given to the Chairman of the Steering Committee or the work of the Committee, in arriving at the Board's decision. His opinion was that there should have been some consultation with the original Committee before such a recommendation came to Council. Ald. Connors described the over-crowded conditions at the library as a 'shocking situation' and in need of attention as soon as possible. Council agreed to hear from the Chairman of the Steering Committee, Lauchie Fredericks, who was present for this item.

(Ald. MacFarlane left the Council meeting at this point.)

Mr. Fredericks was in agreement with a two or three-month deferral before giving up completely on the concept of a library and cultural centre in combination. Mrs. Carol Gallant, Chairman of the Library Board, also addressed Council, explaining why

the Board has initiated action to press for a library facility, taking into consideration the over-crowded working conditions that presently exist at the main library and the fact that services to library users are being affected by the lack of space. She noted that a priority list of City projects is about to be prepared and the library wishes to be included in a favourable position on that list. She acknowledged the hard work of the Steering Committee, but pointed out that the Committee has not met since last March and a three-month deadline was set by the Library Board last year for a response from the Committee; that three-month period was up some time ago and still no response has been forthcoming.

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

Ald. Pye asked about the status of the one million dollars and the site committed by the City for a library/cultural centre. Mrs. Gallant said it would be her hope that this commitment would continue to be applicable to a library project as a separate undertaking. Ald. Pye was in favour of deferral and felt the Steering Committee should have been consulted before the Library Board proceeded with their recommendation to Council.

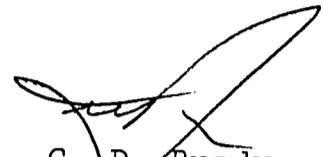
Ald. Greenough said a two-week deferral would be in order until Council has an opportunity to hear back from Mayor Savage on the results of his approach in seeking Provincial funding. The motion on the floor was defeated in favour of a motion presented by Ald. Greenough to defer the matter for two weeks (first Feb. meeting) to hear from Mayor Savage. The motion was seconded by Ald. Thompson and it carried.

MOTION: Moved by Ald. Greenough & Thompson that the matter of the Library Board recommendation be deferred for two weeks, in order for Council to hear from Mayor Savage on any possible funding from the Province.

Ald. Levandier asked if a Council meeting is planned for Jan. 16th to deal with the Sunday store closing issue. The Deputy Mayor advised Ald. Levandier that this matter will be discussed with him by Mayor Savage who has contacted all members of Council.

Ald. Levandier said he would be opposed to an in camera meeting and the public should be involved.

Meeting adjourned.



G. D. Brady,
Deputy City Clerk.

City Council, Jan. 14/86.

ITEMS:

- 1) Set date for hearing: Street closure, page 1.
 - 2) Permit to build: Health spa, 58 Ochterloney St., pg.1.
 - 3) Set date for hearing: 3 Ferguson Rd., page 1.
 - 4) Regionally designated parklands: Lake MicMac, page 2
7 incl.
- Notice of reconsideration, page 7.
- 5) Request from Library Board, page 7 to 9 incl.

Dartmouth, N. S.

January 16/86.

Regularly called meeting of City Council held this date at 9:15 p.m., following the Police Commission meeting of this date.

Present - Mayor Savage

Ald. Sarto	Thompson
Billard	MacFarlane
Connors	Levandier
Withers	McCluskey
Pye	Woods
Hawley	Greenough
Bregante	Hetherington
City Solicitor, M. Moreash	
Acting City Administrator, B. Smith.	

PROVISIONS OF
BY-LAW C-556:
SUNDAY CLOSING

Mayor Savage explained the purpose of this meeting which was to consider developments that have occurred subsequent to the Jan. 7th decision taken by Council to enforce By-law C-556, which respect to Sunday store closing. It has been requested that the Solicitor have an opportunity to brief Council on this matter in camera, after which discussion and any decisions would be made in open meeting.

Ald. Greenough and Connors made a motion to go in camera, but Ald. Levandier felt that any information from the Solicitor should be received in an open forum. Other members of Council speaking on the motion felt it is in order to receive a legal opinion from Mr. Moreash in camera, since he is the City's legal counsel and any court case that might ensue from the enforcement of By-law C-556 could be jeopardized if Council were to be briefed in public.

The vote was taken on the motion and it carried with Ald. Billard, McCluskey, Hetherington and Levandier voting against.

MOTION: Moved by Ald. Greenough & Connors that Council go in camera to be briefed by the Solicitor.

Having reconvened in open meeting, Mayor Savage proceeded to read a letter received from Mr. Moreash on the indication from Capitol Stores of their intent to challenge By-law C-556 in the courts if the City proceeds with its enforcement.

Mr. Moreash has further reviewed the by-law and has agreed that Section 1 (a) (floor area clause) is defective and it is therefore unlikely that the City could prosecute successfully under By-law C-556 in its present form. It is the opinion and recommendation of the Solicitor that until this matter is resolved, the City not initiate any prosecutions under By-law C-556. Mayor Savage pointed out that while Council has acted in good faith in July of 1985 and in January of 1986, the action was based on a legal mistake and therefore invalid.

Ald. Connors proceeded to introduce the following motion, which was seconded by Ald. Greenough:

That Council rescind its motion to enforce By-law C-556, and that staff be instructed to prepare a draft by-law to replace By-law C-556 and allow for:

- (a) the opening of specific businesses without reference to size.
- (b) to deal with hours of opening, without reference to size.
- (c) to provide for issuance of permits to open on holidays, as opposed to Sundays.

And further, that the City of Dartmouth institute no prosecutions under the existing by-law or of Section 4 of the Provincial statute (Bill 70) until such time as Council receives and deals with a new draft by-law.

The necessary two-thirds majority vote of Council was received to proceed with debate on this motion.

In explaining his motion to Council, Ald. Connors commented on the Provincial legislation on which the Dartmouth by-law is based, pointing out that in Section 2, the definition of "holiday" applies to Sunday, as well as other holidays such as Boxing Day, Good Friday, etc. Municipalities have to decide whether stores in the categories listed (grocery store, retail fish store, etc.) are to be allowed to remain open or whether they are to be closed on "holidays". Power is not given to municipalities to decide what size store can be open or closed, but there is authority to specify

hours of operation. The intent of his motion, he said, relates to those aspects of Provincial legislation with which the City can deal. He noted that there are some problems with the Provincial legislation itself that will probably have to be addressed in due course.

Ald. Levandier was in favour of the part of the motion which calls for Council to rescind the action taken to enforce By-law C-556, but did not agree with the idea of drafting another by-law. He said that citizens are concerned about the violation of their rights as individuals, and he felt the Sunday closing issue should go to a referendum, to let the public express their opinion and guide Council in the next course of action to follow.

Ald. MacFarlane indicated that residents of Ward 2 tend to favour the closing of stores on Sunday. He stated his concerns about the social and economic implications of allowing stores to be open on Sunday, and indicated he was prepared to support the motion. Ald. McCluskey pointed out that people living in Ward 4 are adversely affected by 24-hour store operations; she objected particularly to 24-hour operations being allowed to continue where they are disturbing local neighborhoods.

Ald. Hawley questioned the kind of public reaction that Council has seen to Sunday store closing and its authenticity. He felt it is important for Council to find out what the public really feels about this issue. There was some discussion as to how a true determination of public opinion could be gathered, one suggestion being that the question be included with water billings, as one means of insuring a response from citizens.

Ald. Hetherington said that perhaps the best approach would be to face a challenge to the legislation and let the matter go to court for a decision once and for all. He asked about permits that have been issued to video outlets, and Mr. Moreash advised that these

were issued in error and the owners will have to be reimbursed accordingly. Mr. Smith advised that refunds will be made to the owners.

Ald. Withers supported the motion as presented, acknowledging that some of the confusion over this issue may have come about as a result of pressure from the business community to accommodate store openings on specific holidays, following enactment of Bill 70 by the Province. Ald. Sarto said he would favour a public plebiscite in order to give the public a chance to decide what they really want in the way of freedom to shop or not.

On motion of Ald. Thompson and Hetherington, Council agreed to continue meeting beyond the hour of 11:00 p.m. to complete the debate on the motion.

Ald. Pye was concerned about Section 6 of the Provincial legislation, with reference to fines that can be levied against shoppers and employees who are in contravention of the provisions of Bill 70. He said this section should be looked at and considered further. Ald. Hawley raised a question about grocery store owners who have paid for permits to remain open on Sundays, if the by-law is now going to be redrafted. Mr. Moreash said he would want to brief this question further before giving an opinion.

Ald. Levandier asked if the motion could be divided into two separate parts for voting purposes. On the advice of the Solicitor, Mayor Savage advised that it is in order to vote separately on each of the propositions within a motion and the vote would be taken on this basis. The vote was first taken on the first portion of the motion, moved by Ald. Connors and Greenough, with reference to rescinding the action previously taken by Council with respect to the enforcement of By-law C-556. This motion carried.

Ald. Connors and Sarto then presented the second half of the motion, calling for the preparation

of a draft by-law to replace C-556, and for Council to initiate no prosecutions during this interim period. The vote was taken on this motion and it also carried with Ald. Levandier and McCluskey voting against.

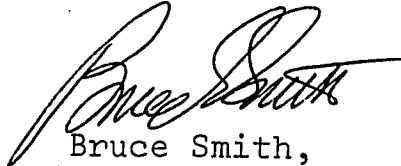
MOTIONS: Moved by Ald. Connors & Greenough: portion of the original motion introduced by Ald. Connors, as per the text on page 2 of these minutes. (Motion to rescind the previous action of Council.)

Moved by Ald. Connors and Sarto: portion of the original motion with reference to a draft by-law to replace C-556, and directing that no prosecutions be initiated during this interim period, as per the text on page 2 of these minutes.

Ald. Hawley and Levandier then moved that a committee be formed to decide on the best means by which Council could make a fair assessment of the attitude of the public to the Sunday closing issue. The recommendation of this committee to come back to Council for final decision. Drafting of a revised by-law would not proceed without taking into account the results of public opinion on the issue. The motion carried.

MOTION: Moved by Ald. Hawley & Levandier that a committee be formed to decide on the best means by which Council could make a fair assessment of the attitude of the public to the Sunday closing issue. The recommendation of this committee to come back to Council for final decision.

Meeting adjourned.


Bruce Smith,
Acting City Administrator.

City Council, Jan. 16/86

- 1) Provisions of By-law C-556: Sunday closing, page 1 to 5 incl.

Dartmouth, N. S.

January 21/86.

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

Present - Mayor Savage

Ald. Billard	MacFarlane
Connors	Levandier
Withers	McCluskey
Pye	Woods
Hawley	Greenough
Bregante	Hetherington
Sarto	

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

Mayor Savage advised Council that an expression of sympathy has been extended, on Council's behalf, to Ald. Thompson, in the death of his mother.

Council set this date for public hearing in connection with a request from the owners of 15 Pine Street, to have their property deregistered from its designation as a heritage property. The owners, Mr. & Mrs. Maynard Misener, were represented by Mr. Floyd Horne. A letter from Mr. Horne has also been circulated to all members of Council.

Speaking on behalf of his clients, Mr. Horne explained the reason for their request as being one of misunderstanding, in that they did not realize the legal implications of registration of their home under the Heritage Property Act. Deregistration is therefore being requested on this basis.

Mr. John MacLeod, representing the Heritage Advisory Board, did not oppose the deregistration of the two properties included for hearing in this agenda, the other property being 24 Tulip Street. He acknowledged the misunderstanding that has occurred in these two situations, and noted that the Board does not wish to have properties registered without the knowledge and consent of the owners. Mayor Savage stated that he has met with Mr. & Mrs. Misener and explained the registration process to them.

Ald. Greenough and Sarto moved that the property at 15 Pine Street be deregistered, as requested by the owners.

PUBLIC HEARING:
REGISTRATION
15 PINE STREET

Ald. Connors commented on the approach that has been taken in Dartmouth, in attempting to designate and preserve heritage properties, but to do so without creating any issues that would divide the community. He said it is important to note in this instance that the properties in question are being deregistered due to a misunderstanding on the part of the owners. The forms used for notification purposes, in registering properties, are being examined to see if they can be put into a basic language that can be more easily understood by people receiving them.

The vote was taken on the motion and it carried.

MOTION: Moved by Ald. Greenough and Sarto that the property at 15 Pine Street be deregistered, as requested by the owners, Mr. & Mrs. M. Misener.

PUBLIC HEARING:
DEREGISTRATION
24 TULIP STREET

This date was also set by Council for public hearing of a second request for deregistration, this one being from the owners of 24 Tulip Street, Mr. & Mrs. Edward Weeks. Mrs. Marjorie Weeks addressed Council, describing her family as fifth-generation Dartmouthians. She said that she and her husband were not aware their property could be designated and registered without their consent, and they consider this process to be unconstitutional and undemocratic.

Mr. MacLeod indicated that the position of the Heritage Advisory Board is the same with respect to 24 Tulip Street, as in the case of 15 Pine Street (ie. the Board would not wish to have properties registered without the knowledge and consent of the owners).

Ald. Hetherington and Levandier moved that the property at 24 Tulip Street be deregistered, as requested by the owners, Mr. & Mrs. E. Weeks. The motion carried.

MOTION: Moved by Ald. Hetherington & Levandier that the property at 24 Tulip St. be deregistered, as requested by the owners, Mr. & Mrs. E. Weeks.

QUARTERLY REPORT:
SUPT. HARRISON

Members of Council have received copies of a quarterly report prepared by the Supt. of Schools, Mr. Harrison, and he was present at this meeting to review

the report with Council and to respond to questions with further information.

The report deals specifically with the following areas:

- 1) Enrollment, 1985/86
- 2) Special Education services
- 3) Professional development of staff
- 4) Personnel changes

Mr. Harrison commented on this year's decline in enrollment, a decrease of 396 students over the previous year, and also brought to Council's attention, those schools where the impact of new development is being felt, such as Mount Edward, Bel Ayr, Brookhouse, Eric Graves, and Ellenvale Jr. High. It was pointed out that there are fewer families with children in school and the size of families is smaller than in the past.

Many of the questions from members of Council pertained to the effects of declining enrollments, both from the point of view of schools being closed, and from the point of view of reduced Provincial funding with associated financial difficulties for the City's education system. Ald. Withers asked when this trend can be expected to 'bottom out'; Supt. Harrison said that projections indicate it could be within the next three or four years. It is difficult to determine exactly when because of the many factors that are involved, such as the rate of new residential development, etc.

Ald. Withers also asked about the possible closure of Northbrook and/or the John MacNeil schools. Supt. Harrison explained the policy being looked at by the School Board in monitoring and assessing schools before decisions are taken to close them. He noted that the two schools in question tend to have enrollment figures that remain fairly constant and this fact would be taken into account in applying the new policy.

Ald. Hetherington asked about the statement made by the Minister of Education, indicating no budget increases for 1986. Supt. Harrison said it is not clear at this point whether the Minister's reference

was only to universities or not. The School Board is not likely to make any decisions on this year's budget until word is received from the Province on funding that can be expected.

Ald. Hetherington asked that when the School Board budget is prepared and finalized, all members of Council be provided with copies of it and not just those members who serve on the Board.

Ald. Billard commended the report that Council has received; he said he appreciated having this kind of background material on the school system. His question pertained to the transportation of students from one side of the MicMac Rotary to and from their schools at a future point in time when major construction could be going on at the Rotary. Supt. Harrison explained the transportation arrangements that have been made in other similar situations where street construction projects caused travelling difficulties for students. Busing arrangements were made in those situations and probably some similar transportation details could be worked out while the Rotary is under construction.

Ald. Greenough continued the line of questioning about the impact of Provincial funding being maintained at the 1985 level, plus a reduction in the City's student population, resulting in a further funding reduction. Supt. Harrison said that the impact would be in the range of about three-quarters-of-a-million dollars and the effect would be significant. Ald. Greenough was concerned about making up this kind of short-fall in funding and felt that concerns should be communicated to the Province about Dartmouth's situation, with declining enrollment figures and the adverse position this places us in under the funding formula that exists.

Ald. Pye asked for information about teacher/student ratios in classrooms, and about reductions in teaching staff. Supt. Harrison responded by explaining what is done to adjust class sizes within individual

schools, also, the creation of combined classes where staff reductions have been made. He provided information on the number of staff reductions that have taken place since 1974, noting that a reduction of 17 teachers is being projected for next year.

Ald. MacFarlane asked about Council's support for the Board in conveying concern to the Provincial authorities about possible funding cuts that may occur. Supt. Harrison noted that in the past, joint representations from Council and the School Board have been made in various ways, usually after funding information has been received from the Province.

Ald. Greenough and MacFarlane then proceeded to move that Council express concern about possible loss of Provincial funding, both in terms of holding the 1985 budget level and with the added impact of declining enrollment figures, and that we seek clarification from the Province on the funding provisions and indicate our concern about possible reductions.

Ald. Connors said he would first prefer to have clarification from the Minister as to the intent of his statements, before Council takes any formal action. The Mayor agreed this might be a better approach to take. On motion of Ald. Connors and MacFarlane, Council therefore approved a one-week deferral before initiating any action on the motion proposed by Ald. Greenough.

MOTION: Moved by Ald. Connors and MacFarlane that the motion proposed by Ald. Greenough be deferred for one week, in order to seek clarification of the Minister's statement on Provincial funding for 1986.

Mayor Savage thanked Supt. Harrison for his presentation and indicated that he would like to see him back in July and September for a similar exchange of information with Council. He noted that it is hoped to have Mr. Bill Hayward attend a meeting the second week in February, to discuss education financing under the Walker Commission formula.

AWARD TENDER:
CONTRACT 85-20B
BEAZLEY FIELD
LIGHTING

Tenders have been received as follows for Contract 85-20A, Beazley Field lighting, (installation of fixtures and underground wiring):

Black & MacDonald Ltd.	\$ 98,435.
Harbour Construction Co. Ltd.	98,900.
Cambrian Construction Ltd.	108,900.

Mr. Moir has recommended, in his report to Council, that the tender be awarded to the low bidder, Black & MacDonald Ltd. Ald. Sarto and Bregante moved that the tender be awarded, as recommended.

Ald. Hawley asked about the ability of this company to complete the project satisfactorily. Mr. Purdy and Mr. Moir noted that the consultants for the project have reviewed their tender and have not indicated any concerns about the company. Ald. Hawley moved deferral of any decision on the tender until further information can be provided on Black & MacDonald and their ability to carry out the work.

Ald. Woods confirmed the national reputation of the company for the information of Council, referring to several major projects they have been involved in and carried out satisfactorily in all cases. He also commended the consulting firm that has verified the Black & MacDonald tender, indicating that they also have a good reputation and are capable of making a valid judgement on the tender. When the vote was taken on the motion to defer, it was defeated, and the main motion carried.

MOTION: Moved by Ald. Sarto and Bregante that the tender for Contract 85-20B, Beazley Field lighting, be awarded to the low bidder, Black & MacDonald Ltd., as recommended by Mr. Moir.

One other point raised in debate by Ald. Woods had to do with inspections while the project is in progress and there are open trenches while underground wiring is being installed. Mr. Purdy advised that there will be daily inspections. Mayor Savage said this point is important in view of liability insurance costs being faced by municipalities.

AWARD TENDER:
CONTRACT 85-20B
BEAZLEY FIELD
LIGHTING

Tenders have been received as follows for Contract 85-20A, Beazley Field lighting, (installation of fixtures and underground wiring):

Black & MacDonald Ltd.	\$ 98,435.
Harbour Construction Co. Ltd.	98,900.
Cambrian Construction Ltd.	108,900.

Mr. Moir has recommended, in his report to Council, that the tender be awarded to the low bidder, Black & MacDonald Ltd. Ald. Sarto and Bregante moved that the tender be awarded, as recommended.

Ald. Hawley asked about the ability of this company to complete the project satisfactorily. Mr. Purdy and Mr. Moir noted that the consultants for the project have reviewed their tender and have not indicated any concerns about the company. Ald. Hawley moved deferral of any decision on the tender until further information can be provided on Black & MacDonald and their ability to carry out the work.

Ald. Woods confirmed the national reputation of the company for the information of Council, referring to several major projects they have been involved in and carried out satisfactorily in all cases. He also commended the consulting firm that has verified the Black & MacDonald tender, indicating that they also have a good reputation and are capable of making a valid judgement on the tender. When the vote was taken on the motion to defer, it was defeated, and the main motion carried.

MOTION: Moved by Ald. Sarto and Bregante that the tender for Contract 85-20B, Beazley Field lighting, be awarded to the low bidder, Black & MacDonald Ltd., as recommended by Mr. Moir.

One other point raised in debate by Ald. Woods had to do with inspections while the project is in progress and there are open trenches while underground wiring is being installed. Mr. Purdy advised that there will be daily inspections. Mayor Savage said this point is important in view of liability insurance costs being faced by municipalities.

38 BANCROFT DR.
SEA PRO SERVICES
(1983) LTD.

Council considered a report from Mr. Moir on the proposed assignment of a lease held by Guildfords Ltd. on a City property in the Wright's Cove area, to the new owners of the boat-building plant at 38 Bancroft Drive, Sea Pro Services (1983) Ltd. The City has right-of-first-refusal on the property at 38 Bancroft Drive, and this clause would be maintained; staff members consulted do not see the need for this property immediately.

Mr. Moir has recommended that the City agree to the assignment of this lease to Sea Pro Services (1983) Ltd., as requested. The term of the lease is for twenty years, commencing March, 1981, and the rent for the land is \$2,400. per annum. Members of Council were provided with copies of a plan showing the properties involved.

Ald. Greenough and Withers moved the adoption of Mr. Moir's recommendation. Ald. Connors and McCluskey questioned the fixed rental fee negotiated, considering that there should have been provision for escalation in the rental fee over the years. Ald. Pye requested that in future, when plans are presented, showing land holdings, the zoning be indicated as well for information.

The vote was taken on the motion and it carried.

MOTION: Moved by Ald. Greenough and Withers that Mr. Moir's recommendation be adopted with respect to the assignment of a lease for City-owned property in the Wright's Cove area. The lease assignment is from Guildfords Ltd. to Sea Pro Services (1983) Ltd.

SALE OF PROPERTY:
PLEASANT STREET

RESOLUTION #86-02

Mr. Moir has recommended that Council authorize the sale of City-owned property on Pleasant Street, located next to the property of Samir Toulany, for the sum of \$3,000., subject to the necessary easement over the property and to Mr. Toulany clearing up the property. This property is to be used for the purpose of expanding the parking area for his store and associated tenants.

Ald. Hetherington and Bregante moved the adoption of Resolution #86-02, authorizing the land conveyance to Samir Toulany from the City.

Ald. Hawley and Connors questioned the price that is being charged for the property, since the additional square footage represented expands Mr. Toulany's property and therefore makes it more valuable to him. Reference was made to the easement that runs through the property and the fact that a building could not be constructed on the new property itself. However, this property, in combination with the one he already owns, would permit a building with higher density than the one already there (ie. multiple-density residential units). Ald. Connors argued that this additional potential for the property makes it worth more than the asking price that is being recommended.

Another point raised by Ald. Connors had to do with the fact that Mr. Toulany is represented by the legal firm of Anderson Huestis & Jones, the same firm as the City Solicitor. He considered this to be a conflict of interest, and suggested that in future, such representation conflicts should be avoided.

Ald. McCluskey requested that whenever there is appraisal information on property transaction coming before Council, she would like to have a copy of it. Mr. Moir noted that there has not been an appraisal done in this instance. The cost would be between \$200. and \$500. and would not seem to be warranted in consideration of the size of the property and its assessment value.

Ald. Hetherington was in favour of selling the property and getting it cleaned up, since it has been a problem area for residents in its present state. Other members tended to agree that the situation would be greatly improved by selling the property.

When the vote was taken on the motion, it carried with Ald. Connors voting against.

MOTION: Moved by Ald. Hetherington & Bregante that Council approve the sale of City-owned land on Pleasant Street to Samir Toulany, for the price of \$3,000. (ie. the adoption of Resolution 86-02) subject to the conditions noted on page 7 of these minutes.

AMENDMENT TO
DEVELOPMENT
AGREEMENT:
NANTUCKET SUB-
DIVISION

On motion of Ald. Sarto and Hetherington, Council approved the recommendation instructing staff to hold a neighbourhood information meeting, in connection with a proposed amendment to the Nantucket Subdivision development agreement. The amendment would allow for the construction of semi-detached dwellings on Lots 271 and 272, civic numbers 1 and 3 Regal Road.


MOTION: Moved by Ald. Sarto & Hetherington that Council approve a Planning Dept. recommendation, instructing staff to hold a neighbourhood information meeting, in connection with a proposed amendment to the Nantucket Subdivision development agreement.

PERMIT TO BUILD:
600 PLEASANT ST.
IMPERIAL OIL LTD.

Council agreed to add an item to the agenda, being an application for permit to build, submitted by Imperial Oil Ltd. On motion of Ald. Hetherington and Bregante, Council approved a building permit for a control building at 600 Pleasant Street, Imperial Oil Ltd. Estimated value of construction: \$1,263,000. Approval is subject to compliance with the City requirements set out in the staff report of Jan. 21/86.

MOTION: Moved by Ald. Hetherington & Bregante that Council grant a building permit to Imperial Oil Ltd., for a control building at 600 Pleasant St., subject to compliance with City requirements, as per the staff report of Jan. 21/86.

Meeting adjourned.


G. D. Brady,
Deputy City Clerk.

City Council, Jan. 21/86

ITEMS:

- 1) Public hearing: Deregistration, 15 Pine St., page 1.
- 2) " " : " 24 Tulip St., page 2.
- 3) Quarterly report: Supt. Harrison, pg. 2 to 5 incl.
- 4) Award tender: Contract 85-20B, Beazley Field lighting, page 6.
- 5) 38 Bancroft Dr: Sea Pro Services (1983) Ltd., pg. 7.
- 6) Sale of property: Pleasant St., page 7.
Resolution #86-02, page 7 & 8.
- 7) Amendment to Development Agreement: Nantucket, pg. 9.
- 8) Permit to build: 600 Pleasant St. (Imp. Oil), page 9.

Dartmouth, N. S.

January 28/86.

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

Present - Mayor Savage

Ald. Sarto	Thompson
Billard	MacFarlane
Connors	Levandier
Withers	McCluskey
Pye	Woods
Hawley	Greenough
Bregante	
City Solicitor, S. Hood	
City Administrator, C. A. Moir	
City Clerk-Treasurer, B. Smith.	

REVIEW OF
FINANCIAL
POSITION

Mr. Rollie Jamieson of Doane Raymond was present for a review with Council of the City's financial position. Mayor Savage had advised Council at a previous meeting that such a review would be given to provide members with information and also, the opportunity to have questions answered by the Auditors.

In his presentation, Mr. Jamieson gave particular attention to the schedule attachments to his written report. These included Schedule 1: Operating Fund Surpluses; Schedule 2: Reserve Funds; Schedule 3: Capital Funds; and Schedule 4: Summary - Surplus & Reserves. With the use of an overhead projector, he explained the figures contained in each schedule and responded to questions from Council as each was presented. As he went along, he commented on the use the City is able to make of certain funds for specific purposes, and where applicable, the restrictions that are placed on them for general use as well. A number of questions were raised about the capital funds available in the Industrial Park account, and the status of that account in relation to lands sales and development costs since 1982. Mr. Jamieson noted that for the year 1983, the figure for land sales was 2.8 million dollars and development costs amounted to 4.5 million dollars. Development costs for 1984 were also 4.5 million dollars, and land sales were 2.5 million dollars.

In giving a general assessment of the City's financial picture, Mr. Jamieson said it is 'reasonably

healthy', and he noted that if the funds presently available for investment purposes were not there, another source of revenue would have to be found by the City to replace them.

Ald. Greenough raised a point about the City's accumulated debt and the fact that the amount of money owed is often being overlooked in discussions where most of the emphasis has been placed on surplus funds. He said it is important to keep all of these figures in proper perspective. Mr. Jamieson acknowledged the point made by Ald. Greenough as being a valid one.

Ald. Levandier asked about the status of the School Board Management Study and whether it would be ready for Council before budget discussions begin. Mr. Jamieson said he is not involved in the study, but had made a similar inquiry of Mr. Hayward. Mr. Hayward was not able to indicate a completion date at this time.

Mayor Savage advised that the Auditors will be coming before Council two or three times a year to provide financial information on a regular basis. Ald. Billard said this is a good idea, and he commended the presentation made by Mr. Jamieson as being useful and informative. Mr. Jamieson was thanked by the Mayor for his attendance. Staff members present for this item were Mr. Corrigan and Mr. McBain, in addition to Mr. Smith.

REPORT: BUDGET
OFFICER

Further to the report circulated by Mr. Moir on the subject of allegations made previously by the Budget Officer, Mayor Savage advised that the person involved has requested deferral of the item, pending an opportunity to be in contact with a lawyer. On motion of Ald. Greenough and Hawley, the report was received and filed by Council (ie. on the understanding that such an item, having been received and filed, can be brought back for consideration by Council at any time).

MOTION: Moved by Ald. Greenough and Hawley that Mr. Moir's report on allegations made by the Budget Officer, be received and filed.

REQUEST: PHOENIX
HOUSE

Council agreed to add an item to the agenda, pertaining to a funding request for Phoenix House.

Mayor Savage noted that members of Council had the opportunity during the past weekend to see the video presentation given by the Phoenix House representatives. Members of Council who were not able to hear or see this presentation, requested information on the project, and Fr. Peter of Hope Cottage in Halifax, was present to explain it. He first commented on the acute need for shelter to serve young people in the age group of sixteen to nineteen years, who are living on the streets at present and sleeping in garages and abandoned buildings. He described the drug and alcohol problems that some of these young people are facing, pointing out that some of them turn to violence and prostitution, while others have attempted suicide, as a result of the conditions under which they are living.

He outlined the Phoenix House proposal, for which funding is being sought from the levels of government and from organizations in the community. Phoenix House would accommodate about sixteen young people at a time, and they would be able to stay there while efforts are made to either reinstate them with their own families or find some other place to live.

Ald. Levandier felt the request should be referred to the Grants Committee in the normal way, and he moved referral to the Committee for immediate attention; the motion was seconded by Ald. Pye. Ald. Billard asked why it would not be preferable to have the request go to the Social Services Dept. and they would determine the most appropriate way to deal with it. Mayor Savage explained why the request was brought to Council directly at this time because of its urgent nature, and in view of the interest indicated by Council in attempts to provide emergency housing.

When the vote was taken on the motion to refer, it was defeated. (Ald. Woods left the meeting at this point.)

Ald. Connors then moved, seconded by Ald. Hawley, that the City of Dartmouth agree to participate in the Phoenix House program, run by the Long-Term Services for Youth Assn., on a two-year trial basis, beginning immediately, on the basis of \$20. per diem per Dartmouth youth, to a maximum of \$60,000. per year, provided the \$60,000. is cost-shared by other government levels; and secondly, that a one-time start-up grant of \$10,000. be provided to this organization.

Ald. McCluskey, Connors and MacFarlane spoke in support of the motion; they stressed the urgency of the situation and pointed out that while agencies are available in the community to assist people age sixteen years and under, and age nineteen years and older, there is no help available for young people in between those age brackets. Ald. Levandier was not in favour of dealing with individual requests from organizations in this way. He said Council will set a precedent by doing this and might as well do away with the Grants Committee altogether if the present request is approved by Council now. Ald. Billard was also concerned about approving the request when the budget has not even come to Council yet, and questioned where the money will come from for the expenditure.

Other members of Council willing to support the motion were Ald. Hawley, Greenough, Pye and Bregante, all of whom considered the matter to require urgent attention and financial participation on the part of the City. It was noted during the debate, that 27% of the youths needing help come from Dartmouth.

When the vote was taken on the motion, it carried with Ald. Levandier voting against.

MOTION: Moved by Ald. Connors and Hawley that the City agreed to participate in the Phoenix House program: text of the motion as contained in the first paragraph of this page.

Mr. Moir has submitted a further report to Council on the lease being negotiated with Edwards Fine

Food Ltd. for the operation of the Dartmouth Ferry Terminal Restaurant. He has recommended that Council authorize a lease agreement, on the basis of the original recommendation which came to Council, that is:

In the first five years of the lease, the annual rental rate would be \$7. per sq. ft., plus 1% of all gross sales, excluding sales tax. For years six to ten, the annual square foot rental rate would be \$8.40 per sq. ft., plus 1% of sales. In the eleventh to fifteenth year, the annual rate would be \$10. per sq. ft., plus 1% of sales.

Council adopted Mr. Moir's recommendation, on motion of Ald. Levandier and Bregante.

MOTION: Moved by Ald. Levandier and Bregante that Council adopt Mr. Moir's recommendation, authorizing a lease agreement with Edwards Fine Food Ltd., on the basis detailed above.

SCHOOL BOARD
FUNDING

As requested by Council, Mayor Savage has attempted to contact either the Minister of Education or the Deputy Minister, for clarification about School Board funding, but has been unable to do so to date. He said it is his intent to follow the matter up further and to keep Council informed. Members agreed not to deal with the item further until such time as the Mayor has further information.

REQUEST FROM
LIBRARY BOARD

At the January 21st meeting, Council deferred for one week, a request from the Library Board, to have the Library/Cultural Steering Committee disbanded, so that a new committee can be formed by the Board to deal only with a new library facility. Ald. Levandier and Bregante moved that the request of the Board be approved.

Ald. Greenough noted that the one-week deferral was agreed to, in order to receive a report from the Mayor on the availability of Provincial funding. Mayor Savage responded by advising Council that the Province would be prepared to assist the City with the building of a new library, but they are not willing to support a cultural centre in conjunction with it.

Discussion followed as to the City's commitment with respect to a site and one million dollars in capital funding toward the project. The concensus was that the

new committee proposed would initiate such a request to Council after it is formed.

Ald. Levandier said the time and effort put into the Steering Committee by Mr. Lauchie Fredericks should be acknowledged, and Mayor Savage paid tribute to Mr. Fredericks at this time and thanked him for all the efforts he put into the Library/Cultural Centre proposal.

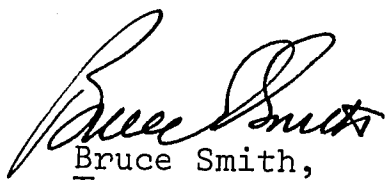
The vote was then taken on the motion (to dissolve the existing Steering Committee) and the motion carried.

MOTION: Moved by Ald. Levandier and Bregante that the request of the Library Board be approved (ie. to dissolve the Library/Cultural Centre Steering Committee).

Ald. Hawley introduced a second motion, requesting the Library Board to select a new Steering Committee, to be charged with responsibility of coming back with a report on a new library proposal (where, when, how). The motion was seconded by Ald. Levandier and it carried.

MOTION: Moved by Ald. Hawley & Levandier that the Library Board select a new Steering Committee, to be charged with responsibility for coming back with a report on a new library proposal (where, when, how).

Meeting adjourned.


Bruce Smith,
City Clerk-Treasurer.

City Council, Jan. 28/86

ITEMS:

- 1) Review of financial position, page 1 & 2.
- 2) Report: Budget Officer, page 2.
- 3) Request: Phoenix House, page 3 & 4.
- 4) Lease: Edwards Fine Food Ltd., page 4.
- 5) School Board funding, page 5.
- 6) Request from Library Board, page 5 & 6.