

Dartmouth, N. S.

Feb. 4/86.

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	Hetherington
City Solicitor, S. Hood	
City Administrator, C. A. Moir	
Deputy City Clerk, G. D. Brady.	

At the opening of the meeting, Mayor Savage advised Council of two communications he has received, one from Mr. & Mrs. Maynard Misener, thanking Council for deregistration of their property at 15 Pine Street, and the second, from a resident, expressing her thanks for the City's snow-clearing program.

MINUTES

On motion of Ald. Sarto and Greenough, Council approved the minutes of meetings held on Jan. 7, 8, 14, 16, 21, and 28, as circulated.

Under the item Business Arising, Ald. Pye referred to the January 7th minutes and his decision to vote against the \$30,000. item for 25th Anniversary celebrations. He explained why he objected to approving this figure, without receiving any appropriate budget information in conjunction with it. He said that in future, any committee or commission making such a recommendation, should substantiate it with appropriate documentation.

PETITION: MOUNT
EDWARD RD. RESIDENTS

Ald. Sarto informed Council of a petition he has received from 37 residents living in the Mount Edward Road area, requesting that consideration be given to the need for a pedestrian crosswalk light at the Spring Ave/Mount Edward Road intersection. At his request, the petition was referred to the T.M.G. for consideration and report back to Council. Council concurred with this action.

REQUEST: USE OF
CITY CREST

On motion of Ald. Levandier and Thompson, Council approved a request from the Aeolian Singers for permission to use the City crest on their 1986

program covers.

MOTION: Moved by Ald. Levandier & Thompson that Council give approval to a request from the Aeolian Singers, for permission to use the City crest on their 1986 program covers.

RECONSIDERATION:
DEVELOPMENT PROPOSAL
MACCULLOCH LANDS

At the Jan. 14th meeting of Council, notice of reconsideration was given by Ald. Hetherington, following Council's action in approving further negotiation with the principals of Can-Euro Investments Ltd., the company that has made a development proposal for the MacCulloch lands situated on Lake MicMac.

CONFLICT OF INTEREST

In connection with this item, Ald. Connors declared a conflict of interest, based on the fact that Mr. John Young of his law firm is representing Mr. Gaspar of Can-Euro. He withdrew from his place on Council to sit in the gallery while the item was before Council.

The Mayor explained the reconsideration procedure, which gives Ald. Hetherington the opportunity to address Council. Reconsideration can then be seconded and the vote taken immediately thereafter without debate. Ald. Hetherington pointed out that in the interim since notice of reconsideration was given, citizens have had a chance to voice their concerns about development of lands that were designated for regional park purposes. In view of the public response received, he felt the developer should not be encouraged further or that City staff should waste time in negotiation, when the proposal for development is obviously incompatible with what the citizens want for this land. He did feel that Can-Euro should be encouraged to go ahead with development elsewhere in the City, as he said Mr. Gaspar has indicated his intention to do so. Now is the time, he said, to negotiate for the MacCulloch property so its preservation for future generations can be assured.

Ald. Hetherington moved reconsideration, seconded by Ald. Levandier. The vote was taken and the motion carried, with Ald. Hawley, Thompson and Greenough voting against.

The Mayor stated the motion before Council, in accordance with reconsideration: 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. Withers noted that the calls he has received on this issue indicate a four or five-to-one ratio in favour of acquiring the land and retaining it for park purposes. Also, from the response he has received, there is an indication of private financial assistance from a segment of the community willing to contribute in order to keep the lands in public ownership. He proposed the formation of a committee to pursue funding possibilities that would enable the purchase of the land, and suggested that such an acquisition would be a fitting project to commemorate our 25th Anniversary as a City. He was prepared to introduce a motion to this effect if the motion presently on the floor were to be defeated.

Ald. MacFarlane agreed that it is necessary to explore all possible options available for acquiring the land and retaining it for use by the citizens of Dartmouth. He also referred to the environmental considerations involved if development were allowed to proceed on this particular parcel of land.

Ald. Hawley said the calls he has received favour the development proposal, and he was concerned that a worthwhile development is likely to be turned down without even considering what the City stands to gain in the way of park land that would be deeded to us at no cost whatsoever. He pointed out that the City will also lose considerable tax revenue if the development is not allowed to proceed, and suggested that this developer, and others, will go elsewhere if Council

continues to reject such proposals when they are received. He felt the public should be given a better opportunity to understand all the implications of the proposal before any decision is made to throw it out completely.

Ald. Levandier objected to what he called 'the back door approach' the developer has used in trying to have his project approved. He said he was not against development as such, but it must take place in the right areas of the City and this is not one of them. He was in favour of purchasing the land and keeping it for park use. Ald. McCluskey expressed similar views, noting that the Lakes Advisory Board are opposed to the development and residents are concerned about protection of the lake as well. Ald. Greenough was willing to give further consideration to the possible financial assistance from the private sector of the community, as outlined by Ald. Withers. Ald. Thompson said that most of the calls he received were in favour of looking at all the options and discussing them further, as the original motion called for. He asked for information on the amount of parkland the City owns in this area at present, and Mr. Atkinson presented a plan showing the entire park system; he indicated on the plan, the land presently owned by the City and those land holdings that are still in private ownership, including the MacCulloch land being discussed.

Mr. Atkinson also provided information on the trail system being developed through these park lands, the ultimate hope being that it can extend all the way through from the far end of the regional park down to the harbour. Ald. Woods made the point that a regional park is intended to serve the total metropolitan area, and its designation has been maintained over a period of years already. The other point he made pertained to the M.P.S. review process underway and the fact that Council would be going against the wishes of the large number of people now involved in this review process, if development were permitted to take place on the

MacCulloch lands.

Ald. Billard did not feel that it is good enough just to retain the land in a wild state, but instead, there should be a definition of park-related uses to maximize the potential of the land if it is acquired. He supported the idea presented by Ald. Withers and felt it warrants further investigation, provided park-related uses for the land are going to be identified.

Mr. John Young indicated his wish to be heard by Council on behalf of Can-Euro Investments Ltd., but Council was not willing to open the meeting to speakers from the gallery. The Mayor took the vote on the motion on the floor and declared it to be defeated, the vote being 12 to 1 (Ald. Thompson voting in favour).

Ald. Withers next proceeded to introduce the following motion, seconded by Ald. Greenough:

That staff be instructed to negotiate with all parties concerned, for purchase of the parcel of land, consisting of thirty acres and situated at the end of MicMac Blvd., east of Highway 111, on the shores of Lake MicMac; And further, that staff work in unison with a committee to be struck by Council, consisting of members of Council, staff and private citizens.

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

MOTION: Moved by Ald. Withers and Greenough:
see text above.

Items of correspondence circulated in connection with the previous item, were as follows:

- 1) a letter from Alderney Consultants Ltd., dated Jan. 29/86.
- 2) a letter from Banook Canoe Club, dated Jan. 29/86.
- 3) a memo from the Lakes Advisory Board, dated Feb. 3/86.
- 4) a letter from Mr. Drew Sperry of Sperry/MacLennan, dated Feb. 3/86.
- 5) a letter from Barbara MacKenzie, dated Feb. 3/86.
- 6) a second letter from Alderney Consultants Ltd., accompanied by a memo from Mayor Savage, dated Jan. 31/86.

MONTHLY REPORTS

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

- 1) Social Services (Dec/85): approved on motion of Ald. Greenough & Thompson.
- 2) Development Officer (Dec/85): approved on motion of Ald. Thompson and Bregante.
- 3) Building Inspection (Dec/85): approved on motion of Ald. Bregante and Levandier.
- 4) Minimum Standards (Dec/85): approved on motion of Ald. Sarto and MacFarlane.
Ald. Levandier asked to have the Inspection Dept. look at the engineering property on Fairbanks Street; there is an old abandoned bus on this property.
- 5) Fire Chief (Dec/85): approved on motion of Ald. Thompson and MacFarlane.
- 6) Dog Control (Nov. & Dec/85): approved on motion of Ald. Hetherington and Sarto.

MOTIONS: To approve monthly reports, as detailed above.

FINANCIAL REPORTING

With respect to an item before Committee, at the Jan. 14th meeting, on the subject of financial reporting, it has been recommended to Council that this matter be referred to staff for assessment and review of the reporting procedures, and to consider ways of improving present methods of reporting, along the lines discussed in debate. Council adopted this recommendation from Committee, on motion of Ald. Greenough and Sarto.

MOTION: Moved by Ald. Greenough and Sarto that Council adopt the recommendation from Committee with respect to financial reporting, as noted above.

REPORT TO COUNCIL:
FORENSIC UNIT

As requested by Council, Mayor Savage and Police Chief Trider have made a visit to the Forensic Unit of the Nova Scotia Hospital, and a report has been submitted following that visit, on security measures that are in place there. Ald. Greenough and Sarto moved that the report be received and filed.

Ald. Hetherington had a number of questions that pertained to the report, dealing with such matters as the specialized training staff in the unit receive, the latitude permitted for those people allowed to go to the main dining room for their meals, visitor access, and so on. The Mayor again made the point brought out in his report that this is not a penal unit, but essentially

a treatment and assessment unit.

Asked about any plans for alleviating the overcrowded conditions in the unit, Mayor Savage noted that there is no institution in the Maritimes for the criminally insane, although one is badly needed. He commented on the facility of this kind in the U.K. (Broadmoor), and indicated to Council that he would be willing to bring to the attention of the Attorney-General, Council's concern about the need for such a facility in this part of Canada. Members agreed that Mayor Savage should discuss this need further with the Attorney-General and bring the urgency of the matter to his attention. The Mayor said he would report back to Council further after discussion with the Attorney-General.

The vote was taken on the motion and it carried.

MOTION: Moved by Ald. Greenough and Sarto that the report from the Mayor on security measures at the forensic unit at the Nova Scotia Hospital, be received and filed.

LIABILITY INSURANCE

Mr. Moir has submitted a report to Council on the subject of municipal liability insurance, recommending acceptance of the coverage offered for 1986, and further, that we continue to work with the FCM, the Dept. of Municipal Affairs, and other government and private agencies to ascertain what can be done to stabilize not only the municipal liability market, but other insurance markets. Ald. Levandier and Thompson moved the adoption of the recommendation.

Members of Council who spoke on the motion were concerned about the major increase in premiums over those of 1985, a problem being faced by all municipalities, and agreed that self-insuring plans (in conjunction with the other local municipalities) should be looked into as an alternative. Ald. Woods inquired about professional liability, as it applies to Engineering staff and/or consulting engineers working for the City. Mr. Moir was asked to provide any additional information he can on this inquiry. Ald. Connors commended to Council, two

recent articles in the Globe & Mail on this subject. He suggested the City may want to get some professional advice on setting up a self-insuring plan. Mr. Moir said this possibility may be looked at, in conjunction with the other three local municipalities, and Council will be approached if professional advice is recommended. Ald. Connors also felt the services obtained by the School Board should be looked into further for the City.

Ald. Thompson's questions pertained to liability insurance for City vehicles. Mr. Fougere advised that premiums are double what they were for last year.

A further report will come back to Council from Mr. Moir on various aspects of the liability insurance problem, including the point raised about engineering staff and consulting engineers. The Mayor said it is important to have every possible aspect of this subject investigated and reported to Council, in view of the seriousness of the implications for the City. The motion on the floor carried.

MOTION: Moved by Ald. Levandier & Thompson that Mr. Moir's recommendation on municipal liability insurance, be adopted by Council.

REMOVAL OF TREE:
PLEASANT ST.

Council considered a report from Mr. Moir on a request to remove a tree at 107 Pleasant Street from the City right-of-way, in order for the property owner to create a parking space for her car. Without removing the tree, there is no room to excavate for a parking space at this location. It has therefore been recommended that Council grant permission for Mrs. Whitney to have the tree removed at her expense. Ald. Sarto & Hetherington moved the adoption of the recommendation.

Ald. Thompson asked if a tree will be planted to replace the one removed. The Mayor said a replacement of the tree can be discussed further with Mrs. Whitney. Ald. Connors felt there must be another alternative solution for parking and was opposed to the motion. Ald. Bregante explained why it is not possible to

excavate further in the existing driveway.

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

MOTION: Moved by Ald. Sarto and Hetherington that Council adopt Mr. Moir's recommendation, to permit the removal of a tree from the City right-of-way at 107 Pleasant Street.

SALE OF LAND:
681 WINDMILL RD.

A report from Mr. Moir, with accompanying documentation, has been submitted on City-owned land at 681 Windmill Road, negotiations for the sale of this land to the Pat King interests having been in progress for some time. Mr. King is prepared to purchase the land for the appraised value of \$260,000., and Mr. Moir has recommended approval of Resolution 86-03, authorizing the land sale, so that the approval of the Minister of Municipal Affairs may be obtained.

RESOLUTION 86-03

Ald. Greenough and Bregante moved the adoption of Resolution 86-03, as recommended, but Ald. McCluskey was critical of the appraisal carried out by Kempton Appraisals Ltd., and of the fact that it was done in February of 1985 and therefore does not accurately reflect the current market value of the land. She referred to a number of deficiencies in the appraisal, including the fact that there is no map of the land holding. She considered the appraisal to be inadequate for Council's purpose in coming to a decision on the sale of the land. She felt that when land is being offered for sale, the cost of securing a land description and plan should be added to the cost to the purchaser. Also, when appraisals are done, Council should have the opportunity to discuss the appraisal report with the appraiser before the land sale is recommended.

Ald. Pye felt the price recommended for the land is generally consistent with the market data comparison table circulated for other properties in the same area. Ald. Levandier and Greenough were in favour of the motion, but Ald. Connors agreed with the points made by Ald. McCluskey about the land being worth more at

this point in 1986. He felt the City should probably have received an additional \$17,000. over the 1985 appraisal figure. He moved a one-week deferral for an updated appraisal report; the motion was seconded by Ald. McCluskey.

Mr. Moir was asked about the delay in concluding the negotiations for sale of the land, and he advised that there were survey difficulties which resulted in a delay in preparing the plan and land description.

Council agreed to hear from Mr. Pat King, who was present for this item. He said the delay in closing this transaction was not his. He provided the dates for an exchange of correspondence between his company and the City Solicitor, to show that his company responded promptly when requested to provide concept information for the company's development plan. He asked that the matter be finalized as quickly as possible and described a decision as being critical to the development schedule.

Most members of Council were opposed to deferral, noting that a 7.5 million-dollar development is involved and Council should act to allow the development to proceed on schedule. When the vote was taken on the motion to defer, it was defeated. The main motion carried with Ald. Connors and McCluskey voting against.

MOTION: Moved by Ald. Greenough and Bregante that Council approve Resolution 86-03, authorizing the sale of City-owned land at 681 Windmill Road, to the Pat King Group Ltd., as recommended.

PUBLIC MARINA
FACILITY

Mr. Moir has reported to Council on a letter received from Mount Royal Developments Ltd., concerning the proposed establishment of a public marina facility on the Dartmouth harbour-front. The City is requested to become involved by agreeing to build a floating breakwater at an estimated cost of \$450,000. Mr. Moir has suggested that if Council wishes to explore this joint venture further, City staff would be prepared to meet with Mount Royal Developments Ltd. to discuss the matter further.

Ald. Hetherington and Withers moved that staff begin negotiations (ie. pursue the matter further with Mount Royal Developments Ltd.). Ald. Levandier was in favour of exploring other avenues of funding, such as the W.D.C., so the City would not have to bear the cost of a breakwater. He suggested endorsing the project in principle and directing staff to explore other possible sources of funding for the breakwater, such as the W.D.C.

Members who spoke in support of the motion, did so on the understanding that the City is not making any commitment to the project at this point in time, but only authorizing discussions with the interested developer.

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

MOTION: Moved by Ald. Hetherington and Withers that staff pursue discussions with Mount Royal Developments Ltd., as suggested in Mr. Moir's report of Jan. 27/86.

STREET LIGHTING
SURVEY

Mr. Moir has recommended approval of conditions proposed by the Nova Scotia Power Corp. for undertaking a survey of street lighting, in cooperation with the City. The only expense to the City would be to supply a vehicle and driver for about one month.

Ald. Greenough and MacFarlane moved the adoption of Mr. Moir's recommendation, but Ald. Woods considered this entire project to be the responsibility of the Power Corp., and felt the City should not be expected to provide a driver or vehicle for the survey. He presented a series of questions to be passed to the Power Corp. people for response, in connection with their survey. Ald. Billard shared a similar opinion on the responsibility of the Power Corp. for improved street lighting and a survey at no expense to the City.

The questions raised by Ald. Woods will be forwarded to the Power Corp., as requested. The vote was taken on the motion and it carried.

MOTION: Moved by Ald. Greenough & MacFarlane that Mr. Moir's recommendation be adopted in connection with the street lighting survey to be undertaken by the Power Corp.

AWARD TENDER:
REPLACEMENT OF
ROOF, FERRY
TERM. BUILDING

Tenders have been received as follows for replacement of the roofs on the Dartmouth ferry terminal building and the pedestrian walkway:

Atlantic Roofers Ltd.	\$46,100.
Bradshaw-Woodworth Roofing & Sheet Metal Ltd.	86,528.
J. W. Lindsay Enterprises	73,860.
Semple Gooder Roofing	71,860.

Acceptance of the low bid has been recommended, this amount to be paid from the ferry operation surplus account. Ald. Sarto and Bregante moved that the tender be awarded, as recommended.

Ald. Woods was prepared to go along with the motion provided two conditions are adhered to: (1) that no change is allowed in the scope of the work once the tender is awarded; and (2) that the job be inspected daily. Mr. Fougere concurred with these conditions and was willing to have the tender awarded on this conditional basis.

Questions were then raised about the probable design fault that resulted in the deterioration of these roof surfaces before they should have required replacement. Council heard Mr. Paul Ledaire, the Architect who prepared plans and specs. for this tender, and he explained how the movement of the lower pontoon at the base of the building has affected the roof construction up to this point. Ald. Connors felt that the Architect responsible for the design fault may have some legal responsibility in this instance, since the building is only five years old, and he asked about the legal possibility of recovering damages. The Solicitor was asked to look into the inquiry and to advise Council on the matter. The motion on the floor carried.

MOTION: Moved by Ald. Sarto and Bregante that Council award the tender for replacement of the Ferry Terminal and pedestrian walkway roofs, to the low bidder, Atlantic Roofers Ltd. (also, see above for the conditions recommended by Ald. Woods).

PERMIT TO BUILD:

BURNSIDE INN &
MARINA LTD.
INTERPRETIVE CENTRE

Building permit applications were before Council for: (1) a 165-unit hotel & marina, submitted by the Burnside Inn & Marina Ltd., and (2) the Interpretive Centre at Locks Road and Lorway Drive, on the Shubenacadie Canal. Estimated value of construction for the hotel and marina is \$7.5 million dollars, and for the Interpretive Centre, \$813,500.

CONFLICT OF INTEREST

Ald. Woods declared a conflict of interest in connection with the second application, being involved in the design work on this project, and withdrew from his place on Council for the item.

Both applications were approved by Council, subject to compliance with City requirements (as set out in the staff reports), on motion of Ald. Levandier and Sarto. Questions from Ald. Pye about public wharfage access to the Burnside marina, were answered by Mr. King. He said he could not give assurance that there will be any public wharfage; he noted the close proximity of the Dartmouth Yacht Club and the availability of this facility.

MOTION: Moved by Ald. Levandier and Sarto that Council approve two building permit applications, subject to compliance with City requirements. The applications are for the Burnside Hotel & Marina, and for the Interpretive Centre, Phase III of the Canal project.

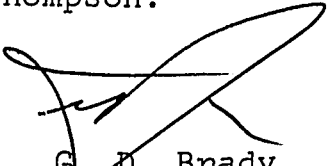
AMENDMENTS TO
CITY CHARTER

On motion of Ald. MacFarlane and Thompson, Council agreed to defer Resolution 86-01 and proposed amendments to the City Charter (1986) until the Feb. 11th meeting, due to the lateness of the hour.

On motion of Ald. Hawley and Billard, Council agreed to meet beyond the hour of 11:00 p.m. to deal with in camera items.

Council adjourned to meet in camera, on motion of Ald. Hetherington and Sarto. Having reconvened later in open meeting, the action taken in camera was ratified, on motion of Ald. Greenough and Thompson.

Meeting adjourned.


G. D. Brady,
Deputy City Clerk.

City Council, Feb. 4/86

ITEMS:

- 1) Petition: Mount Edward Rd. residents, page 1.
- 2) Request: use of City crest, page 1.
- 3) Reconsideration: Development proposal,
MacCulloch lands, pg. 2 to 5 incl.
- 4) Monthly reports, page 5 & 6.
- 5) Financial reporting, page 6.
- 6) Report to Council: Forensic Unit, page 6.
- 7) Liability insurance, page 7.
- 8) Removal of tree: Pleasant St., page 8.
- 9) Sale of land: 681 Windmill Rd., page 9.
Resolution 86-03, page 9.
- 10) Public Marina facility, page 10.
- 11) Street lighting survey, page 11.
- 12) Award tender: replacement of roof, Ferry Terminal
bldg., page 12.
- 13) Permit to Build: Burnside Hotel & Marina
Interpretive Centre page 13
- 14) Amendments to City Charter, page 13.

Dartmouth, N. S.

Feb. 11/86

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

Present - Mayor Savage

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

Council met to complete the Feb. 4th agenda,
and agreed to deal first with a report from Ald. Bregante
and Hetherington on the outcome of a meeting to discuss
the nuisance complaint associated with the salvage
operation in the Belmont/Carleton Street area.

REPORT: NUISANCE
COMPLAINT
CARLETON STREET

In their joint report to Council, the Aldermen
for Ward 7 have dealt with the various concerns of area
residents, these being: traffic and pedestrian safety;
unsightliness; safety hazard; and pollution hazard.
The report concludes with the recommendation that
Council authorize the City Administrator to negotiate
the acquisition of the entire property, either by (1)
direct purchase; or (2) by a land swap for similar lands
in the Burnside Industrial Park.

Ald. Bregante highlighted the report for Council,
and further advised that a potential purchaser is now
negotiating with Mr. Baker for the property, with a
proposal for development of forty semi-detached housing
units on the site. A rezoning would be required to permit
this development to proceed. Area residents would like to
see the land acquired by the City or a land swap worked
out with Mr. Baker so that his operation could be relocated.

Ald. Bregante and Hetherington moved the adoption
of the recommendation from the Jan. 15th meeting of
staff, area residents, Mr. Baker and the two Aldermen.

Ald. Hetherington encouraged Council to support
the motion, pointing out that a report would come back
to Council from Mr. Moir after he has carried out

negotiations with Mr. Baker as recommended.

Ald. Levandier and Greenough felt that negotiations now in progress with a developer would be jeopardized if the City were to approach Mr. Baker at this time, and they favoured a deferral of any action on the part of the City until the outcome of present negotiations has been determined. Ald. Greenough moved deferral of any further action until the first Council meeting in April, at which time the situation will be assessed further, to determine whether or not the City should become involved. The motion was seconded by Ald. Levandier and it carried, with Ald. Bregante voting against.

(Ald. Hetherington left the meeting at this point.)

MOTION: Moved by Ald. Greenough & Levandier that any further action on the Carleton Street nuisance complaint item be deferred until the first Council meeting in April, at which time the situation will be assessed further, to determine whether or not the City should become involved.

PRESENTATION:
MAIN STREET
IMPROVEMENTS

Mr. Bayer was requested by the Mayor to make the staff presentation on improvements to Main Street that will tie in with the recently-announced Provincial project to improve the MicMac Rotary.

With the aid of several large plans, Mr. Bayer first showed Council the section of the Rotary and Main Street, for which the Province is responsible. The section of Main Street from Gordon Ave. outbound to Raymoor Drive is the responsibility of the City, and the second plan shown by Mr. Bayer was for the upgrading of this section, involving widening of the street to four lanes, with provision for a fifth lane to accommodate left-turning traffic in both directions. There will be traffic lights at Gordon and Main, at Hartlen and Main, and pedestrian-activated signals on Main Street at the Helene Ave. pedestrian crossing. These signals will be tied in and coordinated with the lights at Caledonia and Main, thereby providing a safe pedestrian crossing at this point.

The third plan presented was to designate those

portions of land that will have to be acquired along Main Street to permit the improvements outlined. In total, the land requirements are about 39,000 sq. ft., less than one acre. Some land reserves have already been provided for (in front of Lake City Plaza), and the City has also acquired land at the corner of Main and Lakecrest where modifications will be made to the Helene/Lakecrest intersection.

Mr. Bayer said it is hoped that the Main Street improvements would be completed by the fall of 1987, and a construction schedule will be worked out in conjunction with the Province so that work on the Gordon Ave. intersection can be coordinated, this being the point where the City and Provincial contracts come together. It was noted that the engineering drawings for Main Street are about 60% completed from work previously done by Whitman, Benn Associates, so there will not be a long delay in having this work completed by the company.

Questions from members of Council to Mr. Bayer and Mr. Purdy, pertained to sidewalk provisions, pedestrian safety, provision for bus bays, the future upgrading of Tacoma Drive, underground wiring, and landscaping considerations.

Ald. Greenough said that while the project is not going to be an easy one, the upgrading of Main Street is essential and must proceed in conjunction with the Rotary improvements. He proceeded to move that staff be authorized to initiate the necessary action to complete engineering details (drawings in progress by Whitman Benn Associates), to complete the widening of Main Street, along the lines of the proposed plans; and that staff initiate proceedings to negotiate the required land acquisition to allow for the widening of Main Street, as proposed. The motion was seconded by Ald. MacFarlane and it carried unanimously.

Mayor Savage acknowledged the efforts of senior

staff in expediting this project to this point.

MOTION: Moved by Ald. Greenough & MacFarlane that staff be authorized to initiate the necessary action to complete engineering details (drawings in progress by Whitman Benn Associates), to complete the widening of Main St., along the lines of the proposed plans; and that staff initiate proceedings to negotiate the required land acquisition to allow for the widening of Main St., as proposed.

REQUEST: METRO
FESTIVAL ASSN.

A request for financial support, in the amount of \$15,000., has been received from the Metro Festivals Association. Mayor Savage explained the aims of this Association, advising Council that they have received a financial commitment from the Province in the amount of \$75,000., and they are now seeking participation of the local municipalities. Representatives of the organization were not present, as expected, to provide additional information, and Ald. MacFarlane and Sarto therefore moved deferral for one week, in order to permit Council to receive information required before a decision can be made on the funding request.

Ald. Levandier said that such requests for funding should go to the Grants Committee in the regular way, instead of coming directly to Council as this one has. Ald. Withers said he would like to know if there has been a commitment by the other municipalities to provide funding, and Ald. Greenough asked if the Provincial contribution is contingent on participation by the municipalities. The Mayor said he would attempt to provide answers to these questions before next week's meeting. The motion to defer carried, with Ald. Levandier voting against.

MOTION: Moved by Ald. MacFarlane and Sarto that the funding request from the Metro Festivals Association, be deferred for one week, to permit Council to receive additional information.

BY-LAW C-569:
AMENDMENT TO
POLICE COMMISSION
BY-LAW

Proposed By-law C-569 was before Council in connection with recent amendments to the Police Act with respect to the size of municipal Police Commissions, and to the authority of Police Commissions to deal with

discipline matters. This by-law makes the necessary amendments to the City's Police Commission By-law, as required. An attached report from the City Solicitor explains the effect of the amendments and their implications for the City.

It was moved by Ald. Sarto and Thompson and carried that leave be given to introduce the said By-law C-569 and that it now be read a first time.

It was moved by Ald. Withers and Thompson and carried that By-law C-569 be read a second time.

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

It was moved by Ald. Greenough and Bregante and carried that By-law C-569 be read a third time and that the Mayor and the City Clerk be authorized to sign and seal the said by-law on behalf of the City.

MOTIONS: Three readings given to By-law C-569: amendments to the Police Commission By-law.

BY-LAW C-570:
AMENDMENTS TO
SOLID WASTE BY-LAW

Proposed By-law C-570 was also presented for consideration by Council, being a by-law to amend C-375 with respect to the collection and disposal of solid waste. The Solicitor has recommended approval of the by-law, which provides for the proper disposal of glass and requires householders and operators of business establishments to ensure that waste material is inaccessible by animals, placed in containers adequate in size to contain the material, etc.

It was moved by Ald. Levandier and Sarto and carried that leave be given to introduce the said By-law C-570 and that it now be read a first time.

It was moved by Ald. Sarto and Thompson that By-law C-570 be read a second time.

Several members had reservations about the wording of certain subsections, particularly in Section 2 of the by-law, sub-sections 23. (c) and (e). Sub-section (c) pertains to the covering of containers and sub-section (e), to the requirement that containers be deodorized and disinfected on a regular basis.

The Mayor suggested deleting the word 'each week' from sub-section (e), but after considerable debate, Council agreed to have the by-law referred back to the Solicitor for redrafting before the vote was taken on second reading. The by-law will then be brought back to Council in its redrafted form.

AMENDMENTS TO
CITY CHARTER

RESOLUTION 86-01

The Solicitor has submitted six proposed amendments to the City Charter, to be approved by Council for introduction to the spring sitting of the Legislature. Resolution 86-01 has been prepared in this connection, and the adoption of the resolution was moved by Ald. Levandier, seconded by Ald. Connors.

Ald. Connors objected to section 6 of the legislation, dealing with the liability of the City for damage caused by the discharge of sewage or water onto private properties. The proposed amendment would exempt the City from such liability, and Ald. Connors did not agree with this provision. He noted that homeowners are not able to secure this kind of insurance coverage for themselves, and he considered that the community collectively should assume some responsibility for providing protection under such circumstances.

Ald. Pye wanted to see Section 3 of the legislation broadened to include the categories of disabled persons and war veterans. If persons in these categories were included, they would also become eligible for the City's tax deferral provision. He proposed an amendment that would have included both categories, but the Solicitor noted that it would be preferable to either delete section 3 altogether at this time or allow it to proceed with the present wording, in order not to delay the whole legislation package. She suggested that the two categories mentioned by Ald. Pye could be provided for in next year's legislation if this were the wish of Council. Some members of Council were concerned that the tax deferral provisions will be broadened to the point where they will become meaningless if too many

categories continue to be included.

It was requested that a separate vote be taken on each section of the legislation, and the Mayor agreed to follow this procedure. The individual sections were therefore approved as follows:

Section 1.: approved on motion of Ald. Hawley and MacFarlane.

2.: approved on motion of Ald. Thompson and McCluskey.

3.: approved on motion of Ald. Greenough and MacFarlane.

4.: approved on motion of Ald. Hawley and Sarto.

5.: approved on motion of Ald. Sarto and Withers.

6.: Ald. Greenough and Connors both were unwilling to approve this section, on the basis that too heavy an onus is placed on the property owner to seek damages through civil action, and on the fact that individual property owners are unable to protect themselves with insurance coverage, and this places them at an unfair disadvantage.

Mr. Moir commented on some of the problems the City faces in obtaining liability insurance, and he outlined what is done by the City to assist property owners when they experience flooding problems, such as those that occurred last year on Mount Edward Rd.

After considerable discussion, section 6 was approved, on motion of Ald. Withers and Pye, by a vote of 7 to 5.

Section 7.: approved on motion of Ald. Thompson and Bregante.

The vote was then taken on Resolution 86-01 and the motion carried with Ald. Greenough voting against (because of opposition to section 6, as noted above).

MOTIONS: To adopt Resolution 86-01 and to approve each of the seven sections of the legislation package, as presented by the Solicitor, and as detailed above.

REPORT:
R.R.A.P.

On motion of Ald. Sarto and Pye, Council received and filed a report from Mr. Bayer on the R.R.A.P. Program for 1985. Mr. Bayer advised that additional information on this program (1986 funding and expanded application of the program) will be coming to Council in due course.

MOTION: Moved by Ald. Sarto and Pye that Council receive and file Mr. Bayer's report on the R.R.A.P. Program for 1985.

MEMBERSHIP:
M.P.S. REVIEW
COMMITTEE & SUB-
COMMITTEES

On motion of Ald. Bregante and MacFarlane, Council approved three appointments to the M.P.S. Review Committee (Ms. M. Feetham, Ms. M. Freeman and Mr. Richard Boomer), and several appointments to sub-committees, plus two resignations from sub-committees, as recommended in report from the Committee, dated Jan. 29/86.

MOTION: Moved by Ald. Bregante and MacFarlane that Council approve the three M.P.S. Review Committee appointments noted above, along with the sub-committee appointments and resignations recommended in the M.P.S. Review Committee report of Jan. 29/86.

MOTIONS:

A motion proposed by Ald. Hetherington, for which notice was given, was withdrawn at this time. The No Parking signs that would have been requested in the motion have already been erected.

ALD. HETHERINGTON
& MACFARLANE

WITHDRAWN

A second motion, proposed by Ald. MacFarlane, was also withdrawn, and he outlined to Council the reasons for not introducing the motion at this time. The notice of motion given pertained to the pre-selling of lots in the Portland Estates development (Phase II) without a trunk sewer agreement with the City in place first.

Ald. MacFarlane said he was satisfied that the public and the Dept. of Consumer & Corporate Affairs has been made aware of the concerns the motion was to have addressed, and since notice was given, there has been a meeting between the developer and staff to deal with the plans for Phase II of the development and including plans for the trunk sewer.

Ald. Greenough raised a number of questions about any agreement with the City, and Mr. Moir noted that there is a signed agreement between the City and Portland Estates to the effect that the sewer line will be installed at the expense of the developer. Consultants for the developer have been in contact with City staff in the Engineering and Planning Departments.

Ald. Levandier noted that the motion has been withdrawn and further questions or debate are therefore out of order, since the item is not on the floor.

ALD. LEVANDIER

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

1) Ald. Levandier moved, seconded by Ald. Connors:

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.

In the introduction to this motion, Ald. Levandier was not critical of the auditing services that the City has been receiving to date, but he maintained that the public tendering process should be followed in selecting these services as it is in other instances. He felt that a service should not remain with any one company, year after year, and considered the public tender process to be one way of insuring totally independent advice and reports on the City's financial position.

There being no further debate on the motion, the vote was taken and the motion was defeated with Ald. Levandier, Connors and Pye voting in favour.

2) It was moved by Ald. Levandier, seconded by Ald. MacFarlane, that:

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. Levandier pointed out that the concerns about liability insurance are nation-wide and the F.C.M. is therefore an appropriate forum to discuss this serious matter. A question was raised about the

reference in the resolution to the Federal Government, and whether in fact, this should not be to the Provincial Government. Ald. Levandier requested that a proper drafting of the resolution be left to the Solicitor, for submission to the F.C.M. in time for the March 15th deadline for receiving resolutions for this year's conference.

The vote was taken on the motion and it carried

MOTION: Moved by Ald. Levandier & MacFarlane:
text on page 9 of these minutes.

Ald. McCluskey requested deferral of her motion until the next regular Council meeting. Council agreed.

NOTICES OF MOTION:

Notices of motion were given as follows for the next regular Council meeting:

ALD. MACFARLANE

1) Ald. MacFarlane

WHEREAS an on-going sidewalk program for the City is needed;

AND WHEREAS many of the streets in this area support large volumes of children walking to school;

AND WHEREAS this condition is hazardous to pedestrians, particularly in the winter;

THEREFORE, BE IT RESOLVED that the Engineering Dept. include a capital estimate on the cost of sidewalk installations for Somerset Street, so that this figure might be included in the City's estimates for 1986.

ALD. WOODS

2) Ald. Woods

That the City of Dartmouth investigate the feasibility of the City assuming or taking over the complete control of the Dartmouth street-lighting system.

(Before bringing this motion to Council, Ald. Woods requests from the Power Corp.:

1) the number and type of fixture in use.

ie. 100 watt mercury vapour use.

70 watt high pressure sodium units

250 watt mercury vapour units, etc.

- and from the City Administrator: the monthly or annual rental cost for each of the above type of fixtures.)

This motion to be brought forward as soon as possible after receiving the results of the Power Corp. lighting survey.

ALD. CONNORS

3) Ald. Connors

That the question of public tendering of the auditing and accounting service provided to the City, be referred to the Finance & Program Review Committee for consideration.

ALD. LEVANDIER

4) Ald. Levandier

(a) That City staff, including the Police & Planning Departments, report on performances by exotic dancers in the City, particularly

in the downtown; the report to include comments on any means of curtailing these types of performances in future, if necessary by M.P.S. and zoning changes, similar to those passed to deal with massage parlours.

(b) WHEREAS the City of Dartmouth is only served by an annual clean-up day;

AND WHEREAS, in my opinion, the City would be cleaner and better-served by having a continuous pick-up program similar to Halifax;

THEREFORE, BE IT RESOLVED, that staff investigate this question and advise Council as soon as possible of the cost and best way to implement this program, if Council feels we should proceed.

INQUIRIES:

Inquiries made by Ald. Withers were as follows:

ALD. WITHERS

- 1) requested information from the Solicitor on the existing height restrictions for fences, and what these regulations are in other municipalities.
- 2) Ald. Withers said it has been brought to his attention that the building at 318 Windmill Road is being used as a half-way house, and three persons charged with break-and-enter crimes in Halifax, gave this address as their place of residence. He asked for further information from Mr. McNeil on the inquiry.
- 3) inquired about the rental of City-owned premises to tenants who are earning in excess of \$50,000., and suggested that the City is subsidizing housing in these situations where people should not be receiving it; at the same time, there are people who really need these units at the low rentals charged for them. Mr. Moir commented on the difficulty there is in checking on the income of tenants, but he noted that City-owned units are being looked at by the Housing Crisis Committee. Ald. Withers requested a further report on the inquiry.

ALD. PYE

Ald. Pye inquired about the status of the property at Yorkshire Ave. Ext., off Springhill Road. Mr. Moir advised that the courts have not yet handed down a decision on the property. The Chief Surveyor for the City has been giving evidence in this case over the past two-week period.

ALD. BREGANTE

Ald. Bregante extended thanks to members of Council for their participation in the Winter Carnival activities, and for participation in the Bowl for Millions fund-raising event. Ald. Withers was commended for having raised \$6,500. in pledges for the Big Brothers-Big Sisters.

ALD. MACFARLANE

Ald. MacFarlane requested a report from the Transit Advisory Board on the feasibility of transit service to residents in the Penhorn Drive area. These people presently have to catch a bus at the stop on Prince Albert Road.

ALD. LEVANDIER

Ald. Levandier asked to have snow removed from in front of Craythorne Manor on Jamieson Street.

Also, to have the T.M.G. look at the feasibility of No Parking restrictions on both sides of Thistle St. and a Hidden Driveway sign at the peak of the hill.

ALD. WOODS

Ald. Woods requested the services of a bucket truck and lineman from the Power Corp., to carry out a lighting inspection. Mr. Moir suggested that Ald. Woods get together with the City Engineer to discuss this request further.

ALD. SARTO

Ald. Sarto asked about the status of the traffic lights for Ridgecrest Drive and Main Street. Mr. Bayer advised that the design is completed and tenders will be able to be called shortly.

Ald. Sarto passed to Mr. Brady, the petition received from Mount Edward Road residents, for referral to the T.M.G. The petition requests an overhead crosswalk light at Spring Ave. and Mount Edward Road and was referred at the Feb. 4th meeting.

Ald. Sarto asked that the T.M.G. also look at the feasibility of a pedestrian crossing on Portland Street at Regal Road. Another T.M.G. request made by Ald. Sarto, was to look at the section of Kelly Drive/Valleyfield Road, to see what can be done to reduce traffic speeds at the sharp turn in front of civic numbers 35 and 37.

ALD. MCCLUSKEY

Ald. McCluskey asked about the report she requested some time ago on crosswalks and additional safety measures for people using them. Mr. Moir advised that comments on this subject will accompany the capital budget presentation.

ALD. THOMPSON

Ald. Thompson's inquiry concerned the condition of the two firemen recently injured while putting out a car fire, and whether any claim has been filed against the driver of the car that ran into them. Mr. Moir said he would follow up on this inquiry further.

ALD. GREENOUGH

Ald. Greenough asked to have snowbanks removed at the corner of Main Street and Raymoor Drive.

On motion of Ald. Greenough and Thompson, Council adjourned to meet in Committee. While in Committee, an item was also dealt with in camera, and Council later reconvened in open meeting to ratify the action taken in camera.

Council approved the action taken in camera, on motion of Ald. Thompson and Sarto.

Meeting adjourned.



G. D. Brady,
Deputy City Clerk.

City Council, Feb. 11/86.

ITEMS:

- 1) Report: Nuisance complaint, Carleton St., page 1.
- 2) Presentation: Main St. improvements, page 2 & 3.
- 3) Request: Metro Festival Assn., page 4.
- 4) By-law C-570: Amendments, Solid Waste By-law, pg. 5.
- 5) Amendments to City Charter, page 6 & 7.
Resolution 86-01, page 6.
- 6) Report: R.R.A.P. program, page 7.
- 7) Membership: M.P.S. Committee & Sub-committees, pg. 8.
- 8) Motions: Hetherington & MacFarlane (withdrawn), pg. 8.
Levandier, page 9 & 10.
- 9) Notices of Motion: Ald. MacFarlane)
Woods) page 10
Connors)
Levandier) 10 & 11.
- 10) Inquiries, page 11 to 13 incl.

Dartmouth, N. S.

Feb. 18/86.

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	Hetherington
City Solicitor, M. Moreash	
City Administrator, C. A. Moir	
City Clerk-Treasurer, B. Smith.	

PUBLIC HEARING:
STREET CLOSURE
CUNARD ST.

This date was set by Council for the public hearing in connection with the proposed closure of Cunard Street and a portion of Prince Street. These lands have not been used by the public for many years, and the street closure will enable the City to convey the lands to CNR as part of land exchange negotiations with them. Resolution 86-04 has been prepared to accomplish the street closure and was before Council, along with an accompanying report from the City Solicitor.

Mr. Moir explained why the street closure has been recommended, to facilitate negotiations with the CNR, after which the Mayor called for representations from the public, either for or against the street closure. There being no response and no one wishing to be heard, the Mayor declared the public hearing to be over.

RESOLUTION 86-04

Council proceeded to adopt Resolution 86-04, on motion of Ald. Hetherington and Sarto.

MOTION: Moved by Ald. Hetherington and Sarto that Council adopt Resolution 86-04, to accomplish the closure of Cunard Street and a portion of Prince St.

PUBLIC HEARING:
AMENDMENT TO
LAND USE BY-LAW
3 FERGUSON RD.

Council has also set this date for public hearing of a Land Use By-law amendment application, to rezone the property at 3 Ferguson Road, from R-2 Zone to C-2 Zone. The owner of Heritage Motors wishes to extend existing parking onto this property, to be used in conjunction with his business. The Planning Dept. has recommended in favour of the application, based

on the fact that the request is not in conflict with the policies and intent of the Municipal Planning Strategy.

Proposed By-law C-567 was before Council, with other related documentation applicable to the rezoning request. Mr. L'Esperance made the Planning Dept. presentation, confirming that the property is to be used for parking purposes, in conjunction with the Heritage Motors car sales operation.

The Mayor called for representations from anyone opposed to the application, and the following residents were heard by Council:

- 1) Dolly Pond of 313 Windmill Road
- 2) Fran Gable of 58 Courtney Road
- 3) James Andrews, representing the Ward 5 Social Action Committee.
- 4) Mrs. Wm. Harrison of 15 Ferguson Rd.
- 5) Adair Stewart of 22 Ferguson Road
- 6) Wilfred Ferguson of Ferguson Road

Basically, the residents were not opposed to the Heritage Motors operation or to the use of 3 Ferguson Road for parking in connection with that business. Their concern was that the property might eventually be used for other commercial purposes, representing a further erosion of the existing residential neighborhood. They referred to parking and traffic problems in the area already, as a result of the large number of commercial establishments that have opened, and did not want to see any additional encroachment into the remaining residential zone. Mr. Andrews suggested that the whole purpose of the MPS review process and the volunteer efforts of citizens is undermined when spot zoning such as this is allowed to take place during the time the review is in progress.

The Mayor called for speakers in favour of the application, and Mr. Jack MacKinnon of Heritage Motors addressed Council. He stated that his company has no intention at this time of using the property in question for any purpose other than the one indicated. He pointed out that the property cannot be used for

parking cars with the present zoning on it. Mr. L'Esperance confirmed that R-2 zoning does not permit parking use to be made of the property. Ald. Greenough asked if it would be possible to secure a letter from Heritage Motors, making a commitment to use the property only for parking purposes. The Solicitor pointed out that while this could be done, the letter would not be binding on any future owner of the property. Ald. Sarto suggested that contract zoning might be a way to resolve the problem, but the Solicitor advised that this alternative is not possible at present under the M.P.S. and Land Use By-laws.

Mr. MacKinnon responded to a number of questions from Council members about his purchase of the property without realizing that it could not be used for parking as it is presently zoned. Several residents spoke a second time, indicating to Council that their argument is not with Heritage Motors, but with the fact that some other commercial business could go on the property at 3 Ferguson Road in time to come.

The Mayor suggested that it should be possible to find some mutually-acceptable solution that would satisfy the residents and Heritage Motors, considering that people in the area are not opposed to the business itself or to cars being parked on the property under discussion. At his suggestion and on motion of Ald. Hetherington and Pye, the public hearing was adjourned at this point to March 11th at 7:30 p.m., to provide an opportunity for the Planning Dept. and the Solicitor to look at any alternative solution acceptable to both parties involved. Ald. Pye said he hoped that Heritage Motors would continue to be able to use the property in the meantime.

MOTION: Moved by Ald. Hetherington and Pye that the public hearing for 3 Ferguson Road be adjourned to March 11th at 7:30 p.m., to provide an opportunity for the Planning Dept. and the Solicitor to look at any alternative solution acceptable to both parties involved.

REQUEST: DARTMOUTH
GENERAL HOSPITAL

A request was before Council from the Chairman of the Dartmouth General Hospital Board, for financial assistance from the City in the recently-announced capital construction project, the next-to-final phase in completion of the hospital. The City is being asked to contribute \$500,000. per year for the next three-year period, according to the payment schedule set out on page 2 of the Chairman's letter.

The Chairman of the Board, Mr. Jim Meredith presented the request to Council and was available to provide information on the proposed hospital expansion. The project involves the completion of the fourth floor and closing in of a fifth floor, which will result in additional bed space and an increase in the size of departments such as physiotherapy, dietary, and pharmaceutical services. The Province will assume responsibility for 80% of the construction costs, leaving 20% to be financed by the Board. This 20% represents 'up front' capital that must be spent before Provincial money will be made available. The Hospital Administrator and the Chief of Staff were present with the Chairman to respond to any questions from Council on specific items.

Ald. MacFarlane and Bregante moved that the City contribute \$500,000. per year for three years to the Hospital, in the manner outlined on page 2 of the letter from the Chairman of the Board (dated Feb. 10/86). Members of Council who spoke on the motion were supportive of it and recognized the importance of the hospital in the community as a health care facility. They felt it is necessary to see the hospital project through to completion, as was intended from the time it first opened.

Ald. Levandier and Hetherington said they would like to see more financial participation on the part of the County of Halifax, taking into account that over 30% of the patients using Dartmouth General come from County areas, and 47% of the hospital staff live

in Halifax County. Ald. Hetherington was critical of the \$10,000. grant the County is presently giving per year to the hospital, compared to the number of County residents who make use of the facility.

Ald. Pye asked how much this grant increase, from the present \$350,000. to \$500,000. represents in terms of the tax rate. The Mayor advised that it would represent less than one cent on the tax rate.

Mr. Meredith and Dr. Beazley responded to a number of questions that members of Council had about the proposed expansion, about equipment costs, the accessibility of the hospital's financial records, etc. Mr. Meredith said that the financial records could be made available for review by the Mayor and/or the City Administrator at any time. Other information provided had to do with the operating budget for the hospital and fund-raising efforts within the community.

The general response of Council to the hospital request was favourable and the Chairman was commended for his efforts in the past on behalf of the hospital. When the vote was taken on the motion, it carried unanimously.

MOTION: Moved by Ald. MacFarlane and Bregante that the City contribute \$500,000. per year for three years, to the hospital, in the manner outlined on page 2 of the letter from the Chairman of the Board, dated Feb. 10/86.

REQUEST: METRO
FESTIVAL ASSN.
WITHDRAWN

The Mayor advised that the request for financial participation, from the Metro Festival Association, has been withdrawn at this time, due to the fact that the organization is unable to proceed in 1986. They will be approaching the City for start-up in 1987, however.

ADVANCE FUNDS:
ANNIVERSARY EVENTS

As Chairman of the 25th Anniversary Committee, Ald. Withers made a request to Council for a \$5,000. advance from the \$30,000. budget item for the anniversary, to cover the cost of the proclamation ceremony & reception, and for the photo exhibition display that is planned, estimated to cost about \$2,000. Council approved this request, on motion of Ald. Hetherington and Withers.

MOTION: Moved by Ald. Hetherington & Withers that Council approve a \$5,000. advance for 25th Anniversary events (noted on page 5) from the \$30,000. budget item for the anniversary.

MONTHLY REPORTS

The regular monthly reports, forwarded to Council from Committee without recommendation, were approved as follows:

- 1) Social Services (Jan.) : approved on motion of Ald. Greenough and Sarto.
- 2) Development Officer (Jan.): approved on motion of Ald. Hetherington and MacFarlane.
- 3) Building Inspection (Jan.): approved on motion of Ald. Greenough and MacFarlane.
- 4) Minimum Standards (Jan.): approved on motion of Ald. Hetherington and Withers.

Ald. Levandier requested information on the property at 189/191 Portland Street, which he described as a disgrace. A Building Inspection staff member explained the status of this property which is to be purchased, once financing arrangements are confirmed (by Feb. 28th). It is hoped that the purchase of the property will take place and improvement to it will result.

- 5) Fire Chief (Jan.): approved on motion of Ald. McCluskey and MacFarlane.

Ald. Thompson inquired about the responsibility for removal of snow from around fire hydrants. He was advised that this responsibility rests with the Water Utility, in conjunction with the Works Dept.

On this same subject, Ald. Billard referred to a snow removal problem involving the hydrant on a cul-de-sac located on Lashburn Place. He requested that the snowplow drivers be asked to get in as close as possible to the curb in such areas, so that a build-up of snow does not result around hydrants.

MOTIONS: To approve the monthly reports as detailed above.

STRAY CAT PROBLEMS

On motion of Ald. Greenough and Thompson, Council adopted a recommendation from Committee on the formation of a committee to follow up further on the cat problems discussed in Committee, and to provide additional information on the subject. Ald. Sarto nominated Ald. Pye to chair the committee, but Ald. Pye declined. The Mayor said he would make sure a meeting is called.

MOTION: Moved by Ald. Greenough & Thompson that Council adopt a recommendation from Committee on the formation of a committee to follow up further on the cat problems discussed in Committee.

APPLICATION:
AMENDMENT TO
ZONING BY-LAW
● CMAC VILLAGE

On motion of Ald. MacFarlane and Hetherington, Council approved a recommendation from Committee, that staff be instructed to hold a neighborhood information meeting in connection with an application from Can-Euro Investments Ltd. to amend the Zoning By-law by rezoning a portion of land in MicMac Village to R-3 and a portion of R-3 land to Park

CONFLICT OF
INTEREST

Ald. Connors declared a conflict of interest in connection with this item and withdrew from his place on Council while it was being considered. One of the partners in his law firm represents the Can-Euro principal, the reason for declaring a conflict of interest.

MOTION: Moved by Ald. MacFarlane & Hetherington that Council approve a recommendation from Committee that staff be instructed to hold a neighborhood information meeting in connection with a rezoning application from Can-Euro Investments Ltd. (MicMac Village).

AMENDMENTS:
METRO. AUTHORITY
ACT

A report has been submitted by Mayor Savage on several proposed changes to the Metropolitan Authority Act, which Council has been asked to consider. These are:

- 1) to have Metro Transit become a line department of the Authority.
- 2) a change in procedures for the appointment of a Chairman.
- 3) the proposed appointment of a Chief Administrative Officers' Committee.

The draft amendments prepared to carry out the above changes have been circulated with the Mayor's report and he has recommended in favour of them. He gave a brief verbal report to Council, in addition to the written one circulated, and the proposed amendments received the approval of Council, on motion of Ald. Bregante and Sarto.

MOTION: Moved by Ald. Bregante and Sarto that Council approve the proposed amendments to the Metropolitan Authority Act, as outlined by the Mayor and recommended by him.

MARITIME
MEDICAL CARE

A report from Mr. Moir was considered on the subject of the City employees' medical plan, the

recommendation being that Council approve renewal of the present policy with Maritime Medical Care, at the rates of:

Single:	\$14.75
Married	42.82

The recommendation was adopted by Council, on motion of Ald. Hetherington and Bregante. Questions from Ald. Thompson and Connors about a co-pay suggestion applicable to prescription drugs, were discussed with Mr. Moir.

MOTION: Moved by Ald. Hetherington & Bregante that Council adopt Mr. Moir's recommendation on renewal of the present policy with Maritime Medical Care for the City employees' medical plan.

**ADDITIONAL MANPOWER:
POLICE DEPT.**

Mr. Moir has prepared a report for Council on the need for additional manpower in the City Police Dept, an item discussed at the January meeting of the Police Commission. Reports from Police Chief Trider on this subject have been circulated with Mr. Moir's report to Council.

Two recommendations are contained in Mr. Moir's report; these are:

- 1) that in 1986, the police force be increased by seven additional police officers; four police officers to be added to the platoons to cover the east end of the City, two to be assigned to the Youth Division, and one to be placed in the Youth Division Community relations Dept.
- 2) further, that Council authorize a call for tenders for school crosswalk guard services.

A motion was initially introduced to approve both recommendations, but members indicated they would prefer to see the two subjects dealt with separately, and the Mayor therefore agreed to treat them as separate motions. It was moved by Ald. Hetherington and Bregante that Council adopt the first recommendation, pertaining to additional manpower.

Concerns raised by Council in debating the motion pertained mainly to the adequacy of the City police force, even with the additional seven officers being recommended. One particular area of concern was for the Burnside Industrial Park, although Chief Trider

gave assurance that by 1987, he will have sufficient personnel available to provide the necessary protection in the Park. Ald. McCluskey, who was not convinced that present police patrols in the Industrial Park are adequate, also asked about the selection of City residents to fill the new positions on the police force. Chief Trider explained that an effort is made to select people from Dartmouth, provided qualified applicants are available.

When the vote was taken on this first recommendation, at a later point, the motion carried.

Ald. Thompson and Sarto moved the adoption of the second recommendation, but some members of Council wanted assurance that the specifications for the tender call would take into account those people who are presently employed as crosswalk guards and give them the opportunity to continue in their jobs. Ald. Levandier noted that some of the guards presently working for the City have been in these positions for a long time and their employment should not be jeopardized by going to tender for crosswalk services. He was not willing to support the motion for this reason.

Mr. Moir said it would be possible to include in the specs, a provision for offering an opportunity for employment to those people who are presently serving as crosswalk guards, if Council wished to have such a provision included. Members indicated they would want to see this in the tender specs. Most members were willing to accept the recommendation on that basis. It was noted that Council would not have to go to an outside company for these services if bids come in at a price higher than it is presently costing the City for the same services.

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

MOTIONS: (1) Moved by Ald. Hetherington & Bregante that Mr. Moir's recommendation be adopted on increasing the City police force by seven additional officers (in 1986).

(2) Moved by Ald. Thompson and Sarto that Council adopt Mr. Moir's second recommendation, that is, to authorize a call for tenders for school cross-walk guard services.

CROSSWALK GUARDS:
SPRING AVE. AND
PORTLAND ESTATES

A report on the subject of crosswalk guards at the Spring Ave/Portland Estates was before Council from Mr. Moir; the report requested from Supt. Reid Harrison on possible busing of students from Portland Estates was included. The cost of providing bus services to these students would be \$34,040. (1985 dollars), and it has therefore been recommended that crosswalk guard service at this intersection be continued instead.

Council approved this recommendation, on motion of Ald. Sarto and Thompson.

MOTION: Moved by Ald. Sarto and Thompson that Council approve Mr. Moir's recommendation on the continuation of crosswalk guard service at Spring Ave. and Portland Estates.

CONFLICT OF
INTEREST

On motion of Ald. Greenough and MacFarlane, Council received and filed for information, a report from the City Solicitor on a conflict of interest question raised by Ald. Connors at the meeting of Jan. 16th with respect to a City-owned property being sold on Pleasant Street.

MOTION: Moved by Ald. Greenough & MacFarlane that Council receive and file a report from the Solicitor on a conflict of interest question raised by Ald. Connors at the Jan. 16th Council meeting.

RESUBDIVISION:
37, 37A CHADWICK ST.

A Planning Dept. report was before Council on an application to re-subdivide, involving properties at 37 and 37A Chadwick Street; the application has been submitted by the owners, Mr. & Mrs. Willis Merrill.

Based on criteria used in the past to grant re-subdivision requests of this nature, Mr. L'Esperance, with Mr. Bayer's concurrence, has recommended that Council endorse the intended action of the Development

Officer, to approve this request.

The City Solicitor gave advice to Council that there is no authority for granting any such variation in the City subdivision regulations, and no provision exists for any flexibility in this regard.

Taking into consideration, that Council has given endorsement for requests like this to be approved by the Development Officer in the past, based on criteria agreed to by a previous Council, members tended to feel that some way should be found to make it possible for this particular request to be granted also. Ald. Greenough and Thompson moved referral back to staff to try to resolve the matter by some other means (ie. to make it possible for the request to be approved).

Mr. L'Esperance responded to questions about the procedures followed in these situations in the past, and the Solicitor explained in further detail the kind of title problems that could result in the future from such approvals being given.

Ald. Connors felt there are other legal avenues that can be pursued, and other members of Council were willing to support the motion for that reason as well. The vote was taken on the motion and it carried.

MOTION: Moved by Ald. Greenough & Thompson that the resubdivision request involving 37/37A Chadwick Street, be referred back to staff, to try to resolve the matter by some other means (ie. making it possible for the request to be approved).

APPLICATION:
AMEND LAND USE BY-LAW
73/77 LAKECREST DR.

An application has been received to rezone land at 73-77 Lakecrest Drive from R-2 to R-3 Zone, thereby permitting construction of an apartment building on the site. The Planning Dept. has recommended that the request be denied, based on the opinion that such a development would not be compatible and consistent with adjacent land uses in the area.

Ald. Greenough and Hawley moved the adoption of the Planning Dept. recommendation. Mayor Savage advised Council of a letter he has just received in connection with this application, and Mr. Mettam was

later given an opportunity to comment on the letter, which deals with points in the Planning Dept. report and their validity in terms of the proposed development. Mr. Mettam pointed out that the feasibility of town housing, as an alternative, has been considered, and it is his opinion that the configuration and mass of a town-house development would intrude on the existing neighborhood to a far greater extent than the apartment building being proposed.

A motion of referral, introduced before Mr. Mettam had an opportunity to explain the contents of his letter, and moved by Ald. Greenough and Hawley, was defeated.

Debate on the main motion centered mainly around the question of whether or not application should be permitted to at least go to the stage of holding a neighborhood information meeting or not. Ald. Greenough and Hawley supported the staff recommendation to deny the rezoning request, but Ald. Levandier and several other Council members referred to the need for additional apartments and housing units in the City, and felt these have to come basically from the private sector. Ald. Connors agreed the application should go to the point of holding an information meeting in the area, at least. Ald. Hawley was concerned that this application could end up like the one for the Lund property, where the residents of the area were very much opposed to the development, and a decision of Council was subsequently over-ruled by the Municipal Board which granted approval of the rezoning application.

When the vote was taken on the main motion, it was defeated by a vote of 8 to 6.

Ald. Levandier and Connors then moved that staff be authorized to proceed with a neighborhood information meeting. The motion carried with Ald. Hawley, Sarto, Greenough and Hetherington voting against.

MOTION: Moved by Ald. Levandier & Connors that staff be authorized to proceed with a neighborhood information meeting.

TAX EXEMPTIONS

The Finance & Program Review Committee has recommended the granting of tax exempt status for the following organizations:

Bide Awhile Animal Shelter
Dartmouth Boys & Girls Club
Regional Residential Services Society
Dartmouth YM/YWCA

Ald. Sarto and Bregante moved the adoption of the recommendation from the Committee. Ald. Woods asked about the exemption for the Farrell Benevolent Society, and the Committee Chairman, Ald. Connors, advised that this organization is still under review by the Committee and no decision has been made to date. The motion carried.

MOTION: Moved by Ald. Sarto and Bregante that Council approve tax exempt status for the organizations listed above, as recommended by the Finance & Program Review Committee.

FERRY OPERATION
REPORTS

On motion of Ald. Hetherington and Sarto, Council approved the Ferry Operation reports for October, November and December of 1985, these reports have been reviewed and forwarded by the Transit Advisory Board.

Questions from Ald. Thompson and Woods were discussed with the City Administrator.

MOTION: Moved by Ald. Hetherington & Sarto that Council approve the Ferry Operation reports for October, November & Dec., 1985.

BUS SHELTERS

The Transit Advisory Board has recommended to Council that a system of installing a number of bus shelters throughout the City per year, be provided for through the City's budgetary process. Ald. Bregante and MacFarlane moved the adoption of the recommendation.

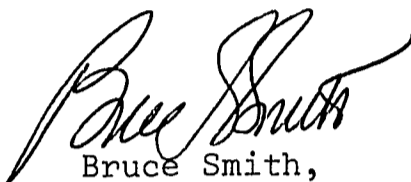
In explaining the recommendation more fully, the Board Chairman, Ald. Sarto, pointed out that there is presently a fairly long waiting list of shelter requirements, including a petition request for a shelter at Spring Ave. and Ellenvale. Ald. Greenough also commented further on the discussion that took place when this item was recommended from the Transit Advisory Board, the feeling being that the City should at least begin to address existing bus shelter requirement on some sort of priority basis, in consultation with

MTC staff recommendations.

Ald. MacFarlane raised a point about cigarette advertising on Mediacom shelters, and the Mayor advised that he is taking this matter up with the Mediacom people and will report further on his discussions with them.

At the suggestion of the Mayor, Council agreed to adjourn at the hour of 11:00 p.m. and to leave the three remaining items on the agenda for next week's meeting.

Meeting adjourned.


Bruce Smith,
City Clerk-Treasurer.

City Council, Feb. 18/86

ITEMS:

- 1) Public hearing: Street closure, Cunard St., page 1.
Resolution 86-04.
- 2) Public hearing: Amendment to Land Use By-law,
3 Ferguson Rd., page 1 to 3 incl
- 3) Request: Dartmouth General Hospital, page 4 & 5.
- 4) Request: Metro Festival Assn. (withdrawn), page 5.
- 5) Advance funds: Anniversary events, page 5.
- 6) Monthly reports, page 6.
- 7) Stray cat problems, page 6.
- 8) Application: Amendment to Zoning By-law, MicMac
Village, page 7.
- 9) Amendments: Metro. Authority Act, page 7.
- 10) Maritime Medical Care, page 7.
- 11) Additional manpower: Police Dept., page 8 & 9.
- 12) Crosswalk guards: Spring Ave. & Portland Estates, pg.10.
- 13) Conflict of interest, page 10.
- 14) Re-subdivision: 37, 37A Chadwick St., page 10.
- 15) Application: Amend Land Use By-law, 73/77 Lakecrest
Dr., page 11 & 12.
- 16) Tax exemptions, page 13.
- 17) Ferry Operation reports, page 13.
- 18) Bus shelters, page 13

Dartmouth, N. S.

Feb. 25/86.

Regularly called meeting of City Council

held this date at 7:30 p.m.

Present - Mayor Savage

Ald. Thompson	Greenough
Billard	MacFarlane
Connors	Levandier
Withers	McCluskey
Pye	Woods
Bregante	Hetherington
City Solicitor, M. Moreash	
Acting City Administrator, R. Fougere	
Deputy City Clerk, G. D. Brady	

RECEIPTS:
TAX BILLS

Rising on a point of privilege, Ald. Hetherington raised a point about the fact that receipts are no longer being sent out by the City for the payment of tax bills. He noted that this change in policy has been in effect since August of 1985, when a letter went out from the office of the Deputy Treasurer, advising that the practice of sending out receipts would be discontinued. Ald. Hetherington took the position that citizens who pay their taxes deserve to receive receipts showing they have been paid, and he moved that the practice of sending out receipts be resumed for tax bills paid to the City. The motion was seconded by Ald. Thompson.

Ald. McCluskey supported the motion, but Ald. Billard said he would want to have some further information on why a decision was taken to stop sending out receipts, and how much money is involved, etc.

Mr. Corrigan was asked to comment and he explained the rationale for discontinuing receipts, as an opportunity to save money for the taxpayers by eliminating an extra mailing, over and above the two that already go out in a year. There are about 18,000 tax accounts and billings being sent out twice a year. It is estimated that each piece of mail costs the City about \$1., and the total cost involved is therefore quite significant. Mr. Corrigan noted that residents who make payment by cheque have their cancelled cheque to show payment of their tax bills, plus the original invoice, and receipts can be obtained for bills paid over-the-counter at City Hall.

Ald. Greenough acknowledged the effort that has been made to save money for the City, and asked if there may not be some alternate arrangement provided for, whereby people wanting to have receipts can do so and would have the opportunity to indicate this.

Mayor Savage agreed that some kind of option should be possible and suggested a week's deferral of the matter to see if an effective compromise can be worked out by staff. Council agreed to the one-week deferral, on motion of Ald. Hetherington and McCluskey.

MOTION: Moved by Ald. Hetherington & McCluskey that the matter of tax receipts be deferred for one week, to see if an optional arrangement can be worked out for those residents wishing to receive receipts.

REQUEST FOR
TAX CONCESSION:
HALIFAX-DARTMOUTH
INDUSTRIES LTD.

A letter has been received from Halifax-Dartmouth Industries Ltd., seeking a five-year exemption from municipal taxes, in order to assist the company in their efforts to restore the Dartmouth shipyard to a viable operation again; a similar request will be made to the City of Halifax in connection with the Halifax shipyard operation.

Representatives of HD Industries Ltd. were present in connection with their request, and introductory remarks were made by Mr. Crease, the Chairman. Also present were Mr. Andy MacArthur, and Directors, Mr. John Lindsay and Mr. Derek Oland. An audio-visual presentation was given, to show Council the extent of the deterioration in facilities at the Dartmouth yard, and the rehabilitation measures required to put the yard back in operating condition. Following this, Mr. MacArthur commented further on the immediacy of repair problems affecting the #5 and #6 cradles still being used for ship repairs. He said these remaining facilities will also be out of operation unless necessary repair work can be undertaken fairly soon on them.

Mayor Savage asked the Solicitor to comment on the granting of tax concession requests, and Mr. Moreash said there is some uncertainty about the authority of

Council to grant such requests. The power to do so may exist under Section 207 of the Assessment Act, but even in that case, the approval of Governor-in-Council would also be required, in addition to Council approval.

It is the opinion of the Solicitor that Section 207 does give Council the necessary authority to grant a tax concession (with the approval of Governor-in-Council) and he recommended that an opinion be sought from the Province as to whether or not there is agreement on their part and whether or not the Governor-in-Council would be willing to authorize the concession.

Ald. Levandier felt that Council should give serious consideration to the request from HD Industries Ltd., in view of the importance of this industry to the City and residents employed there. Ald. Connors concurred with the Solicitor's recommendation and proceeded to move deferral of the request until such time as the Provincial Government has advised Council whether or not we have the authority, under Section 207 of the Assessment Act, to grant tax concessions. The motion was seconded by Ald. Levandier and it carried.

The Mayor advised that an attempt will be made to have this item come back to Council as quickly as possible.

MOTION: Moved by Ald. Connors & Levandier that the request (from HD Industries Ltd.) be deferred until such time as the Provincial Government has advised Council whether or not we have the authority, under Section 207 of the Assessment Act, to grant tax concessions.

SUNDAY & HOLIDAY
SERVICE:
ROUTES 56, 57 & 59

The Transit Advisory Board has recommended to Council that Sunday and holiday service on transit routes 56, 57, and 59 be continued on a permanent basis, beyond the June 1st deadline for the twelve-month trial period. Council approved this recommendation, on motion of Ald. Bregante and Greenough.

MOTION: Moved by Ald. Bregante & Greenough that Council approve the recommendation of the Transit Advisory Board, to the effect that Sunday and holiday service be continued on transit routes 56, 57 and 59, on a permanent basis.

RECORDING SYSTEM:
COUNCIL CHAMBER

The Committee appointed to discuss a policy for Council on accessibility of the tapes of Council proceedings, has submitted their report, and recommends adoption of the following policy:

- 1) that tapes of Council meetings be kept for 12 months.
- 2) that tapes of Committee-of-the-Whole Council meetings be kept for 2 weeks only, to allow an opportunity for the recording secretary to review them, if necessary.
- 3) that any member of the public wanting to listen to a tape, make an appointment to do so through the City Clerk's office, specifying a meeting date and agenda item. A log is to be kept of requests and a \$5.00 fee paid for each tape listened to. The tapes are to be listened to only in the presence of a staff member.
- 4) that no transcripts will be made of the tapes for the public; if a person provides his own equipment, he may make a copy.
- 5) that if legal proceedings are commenced before a tape is destroyed as outlined above, the tape will be kept at the request of any party to the proceedings.

Ald. Connors reviewed each of the above points further with Council, explaining the thinking of the Committee in each case, particularly with respect to the availability of tapes to the public and the fee proposed for listening to them. He moved the adoption of the policy being recommended, seconded by Ald. Hetherington.

Ald. McCluskey had some reservations about point #3 and the \$5. fee for being able to listen to a tape. Ald. Connors explained that the user-pay principle has been applied in this instance, since an essential service is not considered to be involved. Ald. Hetherington noted that copies of the minutes are already available and citizens can read them at no charge at the Dartmouth Library.

When the vote was taken on the motion, it carried.

MOTION: Moved by Ald. Connors & Hetherington that the policy recommended for the tapes of Council proceedings, be adopted as outlined above.

DEVELOPMENTS
ADJACENT TO
HERITAGE PROPERTIES

The Heritage Advisory Committee would like to be able to review major development proposals occurring

within a block of any designated heritage property, and has requested that such proposals be sent to them for review and comment. Ald. Connors said assurance has been given that compliance with the request of the Committee would not impede development, since the procedure followed would be similar to the way in which the Lakes Advisory Board reviews development proposals when they involve City lakes.

The request from the Committee was approved, on motion of Ald. MacFarlane and Connors.

MOTION: Moved by Ald. MacFarlane and Connors that the request of the Heritage Advisory Committee be adopted, giving the Committee an opportunity to review and comment on any major development proposals occurring within a block of a designated heritage property.

ANNUAL REPORT:
INDUSTRIAL COMMISSION

The 1985 Annual Report of the Industrial Commission was before Council for consideration. A number of recommendations are included with the report, beginning on page 15, and budget estimates relating to these recommendations are contained in Appendix 1, as attached.

The presentation of the report, on behalf of the Commission, was made by the Chairman, Mr. Douglas. Also present were Mr. Gates, a Commission member, and Mr. Rath, the Industrial Promotion Officer. Mr. Douglas commented on the successful year the Burnside Park has had, with land sales totalling \$3.7 million dollars, pointing out that the assessment represented by this amount of new development translates into a major source of tax revenue for the City. He referred to the recommendations being made by the Commission in conjunction with their report, and Mr. Rath went on to explain these in further detail for Council's information. He stressed the importance of being able to take more aggressive marketing initiatives rather than just reacting to opportunities, as we have tended to do in the past. It is with this change in mind that the position of Marketing Analyst has been proposed. The new emphasis

to be placed on promotion of the Woodside Ocean Industries Park was also explained, the catalyst in association with this Park being the new Woodside Technology & Innovation Centre.

Ald. Hetherington and Greenough moved the adoption of the report and recommendations from the Commission. In view of concern expressed during debate that approval of the recommendations gives approval at the same time, for the budget estimates of the Commission, required to carry out the recommendations, the motion was later clarified by Ald. Greenough to read as follows:

That the report of the Commission be approved in principle, and that the proposed budget, as set out in Appendix 1, together with the recommendations pertaining thereto, be referred to the 1986 operating budget for consideration.

As the mover of the motion, Ald. Hetherington indicated his concurrence with this point of clarification.

Besides the area of concern about approving the Commission estimates out-of-context with the main City budget, members of Council also had various questions about the City's industrial development policies and about the Burnside Park in particular. Mr. Rath was available to respond to these questions, some of which pertained to:

- 1) the levels of service represented in the budget at levels 1, 2 and 3, including the one being recommended at \$306,200.
- 2) commissions paid on real estate sales, now applicable to the Burnside Park and being recommended for the Woodside Ocean Industries Park.
- 3) use of the funds in the Burnside sale-of-land account, including the availability of these funds, disposition of the interest from them, capital projects that would qualify for use of the funds.
- 4) development costs for land in the Burnside Park and the break-even price established for selling land. The point was made several times that profit is not realized from land sales, but from the on-going taxation revenue the City is able to derive from development that takes place on the land after it is sold.
- 5) competition from incubator malls in other municipalities and the increasing efforts that are required to keep our position competitive.

- 6) the position of Marketing Analyst and the filling of this position (ie. prior to approval of the City budget). The Mayor said it would be in order to start looking for someone to fill the position, but no actual appointment to the position will be finalized until after Council has dealt with the budget.

The need to proceed with promotional material is more immediate, however, since the production of the directory and brochures are on a tight schedule, and members recognized that Mr. Rath will have to move on some of these items if they are to be completed in time for use this year.

Council was generally willing to support the motion, with the clarification noted on page 6, and when the vote was taken, the motion carried.

MOTION: Moved by Ald. Hetherington & Greenough that the Annual Report of the Industrial Commission be approved in principle, and that the proposed budget, as set out in Appendix 1, together with the recommendations pertaining thereto, be referred to the 1986 operating budget for consideration.

Mayor Savage thanked the representatives of the Industrial Commission for their attendance, and also, for their continuing efforts as Commissioners, on behalf of the City.

VILLAGE OF
WAVERLEY

A report from Mr. Moir was considered on application being made by the Waverley Ratepayers Assn. for village status. The proposed boundaries of the Village of Waverley take in a large portion of the City of Dartmouth watershed property bounding on Highway 118, and Mr. Moir has recommended that staff be authorized to appear before the Municipal Board in defence of the application by the Waverley Ratepayers Assn.

Council approved the recommendation, on motion of Ald. Hetherington and Thompson.

MOTION: Moved by Ald. Hetherington & Thompson that Council approve the recommendation from Mr. Moir, to the effect that staff be authorized to appear before the Municipal Board in defence of an application by the Waverley Ratepayers Assn. for village status.

SEWER EXTENSION:
201 MOUNT
EDWARD RD.

On motion of Ald. Greenough and MacFarlane, Council approved a recommendation from Mr. Moir, authorizing the extension of sewer service to the property at 201 Mount Edward Road, this cost to be

covered with funds from the 1985 Small Drainage item.

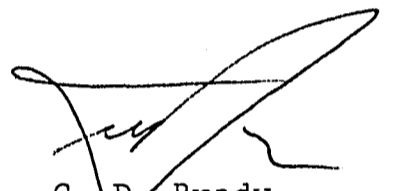
MOTION: Moved by Ald. Greenough & MacFarlane that Council approve Mr. Moir's recommendation, authorizing the extension of sewer service to the property at 201 Mount Edward Road.

PERMIT TO BUILD:
ADDITION TO ST.
CLEMENT'S CHURCH

On motion of Ald. Hetherington and Bregante, Council approved an application for permit to build an addition to St. Clement's Church, submitted by Standard Construction Co. Ltd. Estimated value of construction is \$500,000. Approval is subject to compliance with the City requirements outlined in the staff report dated Feb. 18/86.

MOTION: Moved by Ald. Hetherington & Bregante that Council grant a building permit for an addition to St. Clement's Church, subject to compliance with the City requirements outlined in the staff report dated Feb. 18/86.

Meeting adjourned.



G. D. Brady,
Deputy City Clerk.

City Council, Feb. 25/86

ITEMS:

- 1) Receipts: Tax bills, page 1.
- 2) Request for tax concession: HD Industries Ltd., pg. 2 & 3
- 3) Sunday & holiday service: Routes 56, 57 & 58, page 3.
- 4) Recording system: Council Chamber, page 4.
- 5) Developments adjacent to heritage properties, page 4.
- 6) Annual report: Industrial Commission, page 5 to 7 incl.
- 7) Village of Waverley, page 7.
- 8) Sewer extension: 201 Mt. Edward Road, page 7.
- 9) Permit to build: St. Clement's Church, page 8 .