

Dartmouth, N. S.

June 10/86.

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

Present - Mayor Savage

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

City Solicitor, M. Moreash
Acting City Administrator, Bruce Smith.

At the opening of the meeting, the Mayor
advised Council of a number of changes in the agenda.

Items deferred were as follows:

- 1) Participaction Awards: deferred to the
June 24th meeting.
- 2) Rick Hansen "Man in Motion World Tour":
deferred to the July 8th meeting.
- 3) Two motions, Ald. McCluskey: deferred to
the July 8th meeting.

Three items were also added to the agenda:

- 1) a letter concerning the Halifax-Dartmouth
regional meeting, Union of N. S. Municipal-
ities.
- 2) an in camera item involving contract
negotiations.
- 3) a letter from the Mayor on procedures
for filling the position of City Administrator.

Ald. Hetherington requested that Council go in
camera at 10:45 p.m. and members were willing to
accept this time limitation.

MINUTES

On motion of Ald. Greenough and Sarto, Council
approved the minutes of meetings held on May 6, 12, 13,
15, 20 and 27.

At the request of Ald. Sarto, Council agreed
to move forward the public hearing for the remaining
K-Mart lands, in view of the large number of residents
present for this item.

CONFLICT OF INTEREST

Ald. Connors declared a conflict of interest in
connection with this item, based on the fact that one
of his law partners represents the developer involved.
He withdrew from his place on Council to sit in the
gallery until the item was completed.

PUBLIC HEARING:
REZONING REQUEST
REMAINING K-MART
LANDS

This meeting of Council constituted the public hearing for a rezoning application from L & A Investments Ltd., to rezone the remaining K-Mart Mall lands (six acres) from the present C-3 Zone to R-3 and R-2 Zone. The developer proposes to construct 22 semi-detached buildings in the R-2 section, and a four-storey apartment building (48 units) in the R-3 area.

Mr. L'Esperance made the Planning Dept. presentation, indicating to Council the location of the site and other details relative to the application. He commented on the adequacy of classroom space for additional school children in this particular area, and on the adequacy of recreational space being allocated by the developer (over the the 9,000 sq. ft. requirement), plus the adequacy of amenities that exist in the area to serve the development. The main concern of area residents is the additional traffic that can be expected on Oakwood Ave., which is the main access route that will serve the development. It is the opinion of the T.M.G. that Oakwood Ave. can handle the additional traffic, and the Planning Dept. has recommended in favour of the rezoning application. Mr. L'Esperance went on to comment on the possible alternative suggested at the neighbourhood information meeting, whereby traffic from the new development would be directed to Gordon Ave., which would be closed as an off-ramp from the Circumferential Highway. The Dept. of Transportation has reviewed this possibility and will not agree to it. For the information of residents present for the public hearing, Mr. L'Esperance was asked by Mayor Savage to read the letter Mr. Bayer has received from the Dept. of Transportation in this connection, dated May 30/86. A number of reasons are stated in the letter for not closing the Gordon Ave. off-ramp, and on the basis of these, the letter concludes that closure of the off-ramp ' . . . would have a very detrimental effect on the traffic patterns in the whole area'.

Questions from members of Council to Mr. L'Esperance had to do with the use of Oakwood Ave. as an access route if the property in question were being developed for commercial purposes (as it is now zoned), and the zoning on the piece of land that will serve as a connecting roadway to Oakwood Ave. Mr. L'Esperance noted that the land referred to by Ald. Sarto was always intended to be a street reserve; therefore, whatever zoning is presently on the land is of secondary significance. Responding to questions about any possible connection that can be made between the development and Gordon Ave., Mr. L'Esperance explained the difficulties in trying to connect a roadway into Gordon Ave., given the present steep slope and configuration of that street. It is felt that a dangerous traffic condition would be created if such a connection were to be made, especially in view of the speed that vehicles tend to be travelling when they take the off-ramp from the Circumferential Highway at this point.

Ald. Hetherington questioned the points made by Mr. L'Esperance about the availability of recreational lands around Penhorn Lake via the new pedway over the Circumferential Highway. He referred to the steep steps that people will have to use to get on the pedway and said he felt there are going to be difficulties with it in future.

Mayor Savage called for representations in favour of the development and Council first heard from Mr. Peter Connor, the Architect speaking on behalf of the developer. He presented a series of slides to illustrate details of the proposal, one of which showed the location of a passive linear park (32,000 sq. ft.) that will be included in the development, over and above the 9,000 sq. ft. requirement for park allocation. This linear park will be developed as a footpath, with some seating and appropriate landscaping. Mr. Connor also placed emphasis on the grad-

ation in zoning, from the existing R-1 homes in the area, to the R-2 development and then on to the R-3 site, thereby avoiding an abrupt zoning change which would impact adversely on the existing neighbourhood.

He also showed Council the type of R-2 development that is proposed, similar to buildings now being constructed in the Montebello Subdivision. Concept plans for the total development scheme and for building elevations, were also available for Council to see.

With respect to the occupation of the apartment building by seniors and handicapped persons, as proposed in the development concept, Mr. Connor stated that he could not make a guarantee to Council on this point, but the developer is prepared to have the building occupied in this way, and provision for tenants is to be made accordingly. Mr. Connor noted that a need has been indicated for such rental units in the metropolitan area. Rentals would be in the area of \$550. to \$600. per unit for one-bedroom units. The R-2 units would be sold and not rented.

Mr. Stan Gardiner of C.B.C.L. addressed the traffic engineering and access considerations on behalf of the developer. He first pointed out that access to the Circumferential Highway from the new development would not be permitted by the Dept. of Transportation. He went on to explain the Gordon Ave. alternative and possibilities that have been looked at, elaborating further on the information already provided by Mr. L'Esperance as to why a connection is not feasible, due to the angle of the property with Gordon Ave., the vertical curvature of the slope and the restricted sight distance for drivers. The Dept. of Transportation has concurred with the C.B.C.L. findings on the feasibility of a connection with Gordon Ave. and its use as an access route, and the remaining way out of the site is therefore via Oakwood Ave.

Mr. Gardiner presented a series of traffic volume

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Mr. Gardiner presented a series of traffic volume

figures and calculations, intended to show Council that undue traffic pressures will not be placed on Oakwood Ave., which he described as a major local street. According to the figures presented, it is not considered by Mr. Gardiner that traffic signals are warranted, or would be with this development, at the Oakwood-Valleyfield Road intersection. He said traffic would have to increase by 25% before they would be warranted at this location. He did suggest other intersection improvements that could be carried out, however, to expedite traffic movements at this point.

Members of Council had the opportunity to raise questions about the proposed development and traffic considerations, and to discuss them with Mr. Connor and Mr. Gardiner. Questions again centered around the main concern associated with the development - the additional traffic that will be placed on Oakwood Ave. and any possible relief that could be provided with an alternative route via Gordon Ave. Ald. Sarto asked if it would be possible to take construction equipment in to the site from the K-Mart property, rather than down Oakwood Ave. Mr. Connor said the developer is prepared to explore this possibility further with the K-Mart owners. Ald. Sarto also asked if the developer is willing to post a bond with the City, and Mr. Connor said a performance bond would be posted if the developer is requested to do so. He was asked about contract zoning for the development, and advised that it is not possible to proceed in this way under existing regulations. Mr. L'Esperance confirmed that it is not legally possible to enter into contract zoning in this instance.

Asked about his intention to designate the apartment building for handicapped and senior tenants, Mr. Connor again expressed his intention to do this, but acknowledged that he could give no guarantee to Council. Construction standards for these purposes are to be followed, however, with these prospective tenants in mind.

The Mayor again called for speakers in favour of the rezoning application. Mr. Gordon Organ of Lawson Ave. said he was partly in favour of the application, and partly opposed. He recognized the general improvement of the site involved, once the development has been completed, but he was concerned about the traffic the new development will generate on Oakwood Ave. and on other residential streets in the neighboring area. Mr. Richard Homburg, who also spoke at this time, would have preferred to see R-1 development on the lands encompassed by the application. He considered the R-2 and R-3 densities to be too high for this location, and felt that R-1 development would have been much more satisfactory and more in keeping with the present residential neighborhood.

Mr. Herbert Jordan of 4 Oakwood Road addressed Council on behalf of residents opposed to the rezoning. He presented a petition bearing over 130 names, signed by people living on residential streets near to the development site. The petition states that the new development proposed will disrupt the quality of the existing neighborhood and the life-style of residents. The petition requests that Council reject the rezoning application, unless some provision can be made for traffic access from the development site via Gordon Ave.

Mr. Robin Cole of 25 Oakwood Ave. also spoke against the rezoning, suggesting that people will not want to live in housing units located that close to the K-Mart Mall, especially senior citizens.

The Mayor again called for representation from anyone opposed to the rezoning, and since there were no further speakers, declared the public hearing to be over.

Proposed By-law C-590 was before Council, to accomplish the rezoning, and Council proceeded with first reading.

It was moved by Ald. Hetherington and Sarto

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Proposed By-law C-590 was before Council, to accomplish the rezoning, and Council proceeded with first reading.

It was moved by Ald. Hetherington and Sarto

and carried that leave be given to introduce the said By-law C-590 and that it be read a first time.

It was moved by Ald. Sarto and MacFarlane that By-law C-590 be read a second time.

Ald. Thompson and Sarto indicated they could not support the motion, because of the traffic concerns that have been brought to Council's attention by the area residents. Ald. Sarto was also opposed to the densities that R-2 and R-3 development will permit. He favoured some type of modified proposal that would be more acceptable to area residents, in the form of R-1 development. Both he and Ald. Thompson maintained there should be some way of providing access via Gordon Ave., instead of having traffic from the development directed onto Oakwood Ave.

Members of Council who supported the motion felt that traffic concerns associated with the development have been intelligently addressed in this instance, and Ald. McCluskey asked how it is possible for development to continue anywhere in the City without generating additional traffic. She said Council can't turn down every proposal that comes along just because of the traffic factor.

Ald. Billard said he recognized that the revenue from the site will be substantially increased with development on it, but it is still necessary for Council to take into account, quality-of-life considerations when development requests are being decided. Ald. Pye spoke against the motion for second reading, but Ald. Levandier and Hetherington were in favour of it. The point was made several times during debate that the developers could proceed with commercial development on the site now, with the C-3 zoning on it. Ald. Thompson did not feel that such development would take place, given the number of years the land has been vacant and the access problems associated with it.

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When the vote was taken on second reading, it

carried with Ald. Sarto, Greenough, Pye and Thompson voting against.

Unanimous consent was not given by Council for third reading of the by-law.

The Mayor advised that this item will come back to Council for the July 8th meeting, but several members questioned the need for this delay, suggesting that the by-law could be included in next week's agenda for third reading. The Solicitor noted that it has been normal convention to complete a Council agenda in its regular format before proceeding to the third reading of a by-law; however, there is nothing legally to prevent Council from dealing with third reading at the next meeting, which would be on June 17th. Ald. Hetherington requested that the by-law be placed on next week's agenda for third reading, in view of the information received from the Solicitor.

MOTIONS: First and second reading given to
By-law C-590: rezoning of K-Mart lands.

PUBLIC HEARING:
REZONING REQUEST
BIO LANDS

This date was set by Council for public hearing in connection with a rezoning request for an 8.6 acre parcel of land within the boundaries of Government of Canada lands, adjacent to the Bedford Institute site. The request is to rezone the lands from H Zone to I-2, thereby permitting construction of a regional laboratory building for Health & Welfare Canada.

CONFLICT OF INTEREST

Both Ald. Woods and Ald. Hetherington declared a conflict of interest on this item, being employed with Federal Government departments, and withdrew from their places on Council to sit in the gallery.

The Mayor opened the public hearing, and a presentation was made by Mr. David Earl of Public Works Canada, the Project Manager for this development. He informed Council of the details for a new regional lab and office building, advising that the lab will provide testing facilities for the Health Protection Branch of Health & Welfare Canada. Also, when completed, the Health & Welfare offices in Halifax will be trans-

ferred to this new building.

Mr. Ross Elliot of the Health Protection Branch explained to Council the ^{food} testing program that is planned for the laboratory, and he responded to several questions that members had about any potential for pollution from waste chemicals, or from toxins and other poisons that might enter the City's domestic sewer system. He advised that any waste chemicals will be removed from the site and taken to Ontario for disposal. Further, any toxic materials involved would be destroyed through high heat processes and would not enter the sewer system (the concern of Ald. Billard being that they would enter Bedford Basin and Halifax harbour through the sewer outfalls).

The Mayor called for representation from anyone opposed to the rezoning application, and there being none, he declared the public hearing to be over.

BY-LAW C-587

By-law C-587 was presented for Council's approval, in connection with the rezoning application.

It was moved by Ald. Greenough and Thompson and carried that leave be given to introduce the said By-law C-587 and that it now be read a first time.

It was moved by Ald. Sarto and Greenough and carried that By-law C-587 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 MacFarlane and carried that By-law C-587 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-587: rezoning application, BIO lands.

REQUEST:
LOUISE COURT

On motion of Ald. Connors and Hetherington, Council approved a request for a barricade at the corner of Louise Court and Clearview Crescent, to accommodate a street barbeque to be held on Friday, June 13th from 8:00 p.m. to 11:30 p.m. (alternate date, June 14th). This is a fund-raising event for

the Dartmouth Senior Citizens Service Center.

MOTION: Moved by Ald. Connors & Hetherington that Council approve a request for a barricade at the corner of Louise Court and Clearview Cres., in connection with a street barbeque to be held on June 13th, from 8:00 to 11:30 p.m.

REGIONAL MEETING:
UNION OF NOVA SCOTIA
MUNICIPALITIES

Members of Council have received copies of a letter from the Deputy Mayor of Halifax, advising them of the meeting of the Halifax-Dartmouth region of the Union of Nova Scotia Municipalities, to be held at Halifax City Hall on Monday, June 16th at 7:30 p.m. Mayor Savage encouraged members of Council to attend.

POSITION OF
CITY ADMINISTRATOR

Mayor Savage has reported to Council for the committee recommending procedures to be followed in selecting a City Administrator. The recommendation is that letters be written to consultants (Executive Search), asking to have proposals submitted, containing a resume of the company's background, rate structure, etc.

Council adopted this recommendation, on motion of Ald. Greenough and Sarto.

MOTION: Moved by Ald. Greenough and Sarto that Council approve the recommendation on procedures to be initiated in selecting a City Administrator, as noted above.

PERMIT TO BUILD:
ROYAL BANK BLDG.
PORTLAND STREET

On motion of Ald. Levandier and Bregante, Council approved a building permit application for renovations to the front of the Royal Bank building at 42-46 Portland Street. The application is submitted by Fundy Construction and estimated value of construction is \$385,000. Approval is subject to compliance with City requirements, as contained in the staff report of June 4/86.

MOTION: Moved by Ald. Levandier & Bregante that Council approve a building permit application for renovations to the front of the Royal Bank building at 42-46 Portland Street. Approval is subject to compliance with City requirements, as per the staff report of June 4/86.

SECOND APPROVAL:
OVER-EXPENDITURE
FOR CAR RALLY

On motion of Ald. Thompson and Greenough, Council gave second approval to an over-expenditure in the amount of \$7,100., to cover costs associated with

the Dartmouth Highlands Car Rally, as outlined in a letter from the organizers, dated May 23/86.

First approval for this over-expenditure was given at the May 27th Council meeting.

MOTION: Moved by Ald. Thompson & Greenough that second approval be given to an over-expenditure in the amount of \$7,100., to cover costs associated with the Dartmouth Highlands Car Rally, as outlined in a letter from the organizers, dated May 23/86.

INCREASED PARKING
FEES: CITY EMPLOYEES

A letter has been received from Mr. Ron Stockton, Business Agent for N.S.U.P.E. (Local 4) employees, who are opposed to the recently-approved increase in parking fees for City employees. A petition in this connection, signed by employees affected, was circulated some time ago when Council dealt with this item during budget consideration.

Ald. Connors informed Council that the Finance & Program Review Committee is presently dealing with the entire parking issue, and he moved referral of the letter and petition to the Committee for consideration in conjunction with the other parking aspects under review. The motion to refer was seconded by Ald. Greenough and it carried, with Ald. Levandier voting against.

MOTION: Moved by Ald. Connors & Greenough that the letter and petition received in opposition to the increased parking fees for City employees, be referred to the Finance & Program Review Committee for consideration in conjunction with the other aspects of the parking question that the Committee has under review.

PETITION: SHORE
RD. RESIDENTS

On motion of Ald. Levandier and Sarto, Council approved a recommendation from the T.M.G., which will permit a one-way street to be instituted on a portion of Shore Road, between Geary Street and Mott Street, in accordance with a petition received from area residents. This item was initiated by Ald. Levandier and he reported to Council that the local residents are in agreement with the recommendation.

MOTION: Moved by Ald. Levandier & Sarto that Council approve a recommendation from the T.M.G., which will permit a one-way street to be instituted on a portion of Shore Rd., as described above.

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MOTION: Moved by Ald. Levandier & Sarto that Council approve a recommendation from the T.M.G., which will permit a one-way street to be instituted on a portion of Shore Rd., as described above.

NOTICE OF MOTION:
ALD. PYE

At the request of Ald. Pye, Mayor Savage agreed to permit the following notice of motion to be given at this time:

Ald. Pye

WHEREAS the City of Dartmouth provides amenities such as water and sewer to residents with the City boundaries;

AND WHEREAS the residents of Greenbank Court and Cove Road have been a part of the City of Dartmouth since amalgamation in 1961;


AND WHEREAS amenities are expected by all taxpayers;

THEREFORE, BE IT RESOLVED that the City of Dartmouth allocate \$588,000. in the 1987 Capital Projects Budget, as the cost of installing water and sewage to these long-time residents.

This motion will be presented with any others subsequently given for the Council meeting of July 8th.

On motion of Ald. Thompson and Hetherington, Council adjourned to meet in camera. After reconvening in open Council, the action taken in camera was ratified, on motion of Ald. Sarto and Greenough.

Meeting adjourned.


Bruce S. Smith,
Acting City Administrator.

City Council, June 10/86

ITEMS:

- 1) Public hearing: Rezoning request, remaining K-Mart lands, page 2 to 8 incl.
- 2) Public hearing: Rezoning request, BIO lands, page 8. By-law C-587, page 9.
- 3) Request: Louise Court, page 9.
- 4) Regional meeting: Union of N. S. Muns., page 10.
- 5) Position of City Administrator, page 10.
- 6) Permit to build: Royal Bank Bldg., Portland St., pg.10.
- 7) Second approval: Over-expenditure, Car Rally, pg. 10.
- 8) Increased parking fees: City employees, page 11.
- 9) Petition: Shore Rd. residents, page 11.
- 10) Notice of Motion: Ald. Pye, page 12.

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Dartmouth, N. S.

June 17/86.

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held this date at 7:30 p.m.

Present - Deputy Mayor Withers

Ald. Sarto	Thompson
Billard	MacFarlane
Pye	Woods
Hawley	Greenough
Bregante	Hetherington
McCluskey	

City Solicitor, S. Hood
Acting City Administrator, Bruce S. Smith.

At the opening of the meeting, Council agreed to defer the Pension Plan Actuarial Valuation until the next meeting, at the request of the Pension Committee Chairman, Ald. Greenough.

Several items on the agenda were moved forward for consideration during the early part of the meeting, and on motion of Ald. Hetherington and Pye, Council agreed to go in camera at 10:30 p.m.

This date was set by Council for public hearing required in connection with the decision taken to implement a \$25. fee for the processing of subdivision applications. By-law C-581 has been prepared to effect the implementation of this fee, and it was before Council for consideration.

It was moved by Ald. McCluskey and Sarto and carried that leave be given to introduce the said By-law C-581 and that it now be read a first time.

It was moved by Ald. Greenough and Sarto that By-law C-581 be read a second time.

The Deputy Mayor proceeded with the public hearing and called for representations either for or against the proposed by-law. There being no response and no one in the gallery wishing to be heard, the public hearing was declared to be over.

The vote was taken on second reading and it carried.

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

PUBLIC HEARING:
SUBDIVISION
BY-LAW C-581

It was moved by Ald. Hetherington and Hawley and carried that By-law C-581 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-581: implementation of the \$25. fee for processing subdivision applications.

THIRD READING:
BY-LAW C-590

Ald. Greenough was asked to take the chair for the next item of business, being the rezoning application for the remaining K-Mart lands, since Deputy Mayor Withers was not present for the public hearing of this application, at the June 10th meeting.

CONFLICT OF INTEREST

Ald. Connors again declared a conflict of interest with respect to the rezoning application, for the reason that one of his law partners represents the developer involved. Both he and Deputy Mayor Withers withdrew to sit in the gallery while the item was before Council.

By-law C-590, which would accomplish the rezoning of the remaining K-Mart lands from C-3 to R-3 and R-2 Zones, received first and second reading at the Council meeting of June 10th, when the public hearing took place. The by-law was presented at this time for third reading.

It was moved by Ald. Bregante and Hetherington that By-law C-590 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.

Ald. Sarto spoke on the motion, pointing out that area residents are not opposed to rezoning as such, but to the additional traffic that can be expected on Oakwood Ave. from the proposed new development. He said he would still like to see further efforts made to have traffic from the new development exit via Gordon Ave., instead of being routed down Oakwood Ave. Ald. Thompson shared the opinion that the Gordon Ave. option should be explored further, one of the main points that came out of the public hearing held on June 10th. Mr. L'Esperance was asked to comment on the feasibility of a Gordon Ave. connecting link

and he indicated to Council that in his opinion, this possibility has been explored exhaustively. He noted that both the T.M.G. and the Dept. of Transportation have both recommended against the routing of traffic out through Gordon Ave., for the various reasons stated at the June 10th meeting.

Ald. McCluskey said she could appreciate the concerns of the local residents about traffic, but wherever development is going to occur throughout the City, similar problems with additional traffic are going to occur. She also pointed out that if Council were to reject the rezoning application and it were to go to the Municipal Board on an appeal, the Board would not be apt to uphold the decision of Council when our own T.M.G. has recommended against the Gordon Ave. option, and given the facts presented to Council on the ability of Oakwood Ave. to accommodate traffic the new development will generate.

Ald. Levandier felt that traffic consultants, such as Vaughan Associates, should be asked to study the traffic situation in this area of the City, including the traffic concerns associated with this particular development, and report back to Council. There was some support for this idea, and Ald. Woods maintained that the Gordon Ave. ramp could be modified to permit a one-way traffic flow from the proposed development. He went on to inquire about the need for traffic lights at Oakwood and Valleyfield Road. Mr. L'Esperance noted that this intersection is influenced by traffic from the County more than it is by City traffic. He described traffic conditions in this part of the City as being an overall consideration, suggesting that there may be a need for traffic lights somewhere else in the system and not necessarily at the Oakwood/Valleyfield intersection. Ald. Woods said that traffic lights may be an alternative to consider.

During the debate, questions were raised as to

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During the debate, questions were raised as to

whether conditions could be attached to approval of the rezoning application, directing staff to meet with the developer and pursue the Gordon Ave. option further. The Solicitor advised that it is not possible to attach such conditions to a rezoning - it has to be either approved or rejected in the form presented. If a report with new information were to come to Council, now that the public hearing is over, there would not be an opportunity for the developer or the residents to express their views on it.

Ald. Sarto and Thompson spoke several times on the motion, not wanting to have By-law C-590 receive third reading without the traffic concerns of area residents addressed further with the developer.

When the vote was taken on the motion for third reading, it carried with Ald. Thompson, MacFarlane, Billard, Sarto and Pye voting against.

MOTION: Third reading given to By-law C-590: rezoning, remaining lands of K-Mart Mall.

Ald. Thompson and Sarto then attempted to present a motion to engage Vaughan Associates to look at options for dealing with traffic problems in the general area of Valleyfield Road and Oakwood Ave. The necessary two-thirds majority vote of Council was not secured to add the motion to the agenda. (Deputy Mayor Withers resumed the chair.)

Ald. Sarto then raised a point he brought up earlier in debate about the movement of construction equipment onto the development site by way of the K-Mart Mall parking lot, if the developer could get permission to do this. The developer indicated at the June 10th meeting that he would be willing to discuss this possibility with the owners of the mall. Ald. Sarto also wanted to have a performance bond posted by the developer, in order to insure that the development is completed within a one-year time period. He proceeded to move that staff be asked to negotiate these two points with the developers, seconded by Ald. Thompson.

Council was willing to permit this motion to

be added to the agenda, with the necessary two-thirds majority vote being obtained.

CONFLICT OF INTEREST

Ald. Connors again declared a conflict of interest, for the reason he had previously given, and withdrew from his place on Council to sit in the gallery.

Council was willing to support the motion on the floor and when the vote was taken, it carried.

Ald. Connors returned to his seat on Council at this point in the meeting.

MOTION: Moved by Ald. Sarto and Thompson that staff be asked to negotiate two points with the developer: (1) the movement of construction equipment onto and off the development site through the K-Mart Mall parking lot; and (2) the posting of a performance bond by the developer to insure completion of the development within a one-year time period.

HERITAGE PROPERTY
REGISTRATION

This date was set for the hearings required in connection with heritage property registrations recommended by the Heritage Advisory Board for the following properties:

- 1) 14 Queen Street
- 2) 64 Wentworth St.
- 3) 28 Wentworth St.
- 4) 43 Wentworth St.
- 5) 32 Dundas Street

The Vice-Chairman of the Board, Ald. Connors, advised Council of an objection to the registration of 14 Queen Street and 28 Wentworth Street. He proceeded to move that these two properties not be registered by the City. The motion was seconded by Ald. Greenough.

14 QUEEN ST. &
28 WENTWORTH ST.

During the hearing for 14 Queen Street and 28 Wentworth Street, Council heard Mr. Roger Eckoldt, acting on behalf of the owners for the two properties, in objecting to their registration. Council was advised that a letter of objection from Donald McGrath, President of Wentworth Investments Ltd., has also been received, requesting that 28 Wentworth Street not be registered.

Ald. Levandier had concerns about the procedures followed in property registrations, and suggested that

property owners should be contacted before any action is initiated to have heritage registrations placed on their properties. Ald. Connors explained some of the difficulties with existing legislation, which sets out the procedures that have to be followed, and as a result of which, these communication problems arise. He noted that the Heritage Advisory Board is well aware of the points raised by Ald. Levandier and has taken the position that where there is objection to a property registration, the registration does not proceed. The Board is continually looking at ways of avoiding these areas of misunderstanding and making procedures more acceptable to property owners.

Mr. Eckoldt said he could not understand why property owners could not be contacted prior to notice of intended registration being served on them. Also, he felt that property owners should not have to clear their property titles of encumbrance, once a registration has been denied by Council. He commented on an instance where he had to spend time and effort to have this done on one of his properties.

Ald. Billard defended the intent of the heritage legislation under which properties are able to be registered and thereby protected. He pointed out that it is important for a community to preserve its heritage and unless there is some means of doing so, historic buildings will otherwise be lost. Unfortunately, this has already happened in Dartmouth before the legislation came into being.

When the hearing was over, the vote was taken on the motion and it carried.

MOTION: Moved by Ald. Connors and Greenough that the properties at 14 Queen St. and 28 Wentworth Street not be registered as heritage properties.

64 WENTWORTH ST.

There was no objection to the registration of the property 64 Wentworth Street and no one wishing to be heard in this connection. Council therefore proceeded to approve the heritage registration for

64 Wentworth Street, on motion of Ald. Connors and Hawley.

MOTION: Moved by Ald. Connors and Hawley that the property 64 Wentworth Street be registered as a heritage property.

43 WENTWORTH ST.

There was no public objection to the registration of the property 43 Wentworth Street, and no one in the gallery wishing to be heard in this connection.

It was moved by Ald. Hawley and Pye that the property 43 Wentworth Street be registered as a heritage property.

Ald. Levandier objected to the registration in an area of the City where land is being assembled for development and Council is trying to encourage development in the downtown generally. He took the position that development potential could be jeopardized by having the property registered. Ald. Connors pointed out that there are already other heritage properties in the same immediate area, and the idea here is to protect a streetscape by having as many buildings as possible in the block protected. He said this is not an isolated building on its own in the middle of commercial development, but part of a general historic section of the City which includes the Quaker House and Christ Church.

Ald. Thompson and Greenough questioned why the property would have been acquired by the City in the first place, if the only plan for the building was to have it designated as a heritage property. Ald. Thompson and Levandier moved deferral of a decision on the property until there is an indication to Council as to why the City purchased the property in the first place.

Ald. Connors made the point that the property can be used for the purposes that zoning on it permits, even with a heritage registration on it. All that is precluded is the demolition of the building and exterior modifications that would alter the character and appearance of the building. After further debate on the motion to defer, the vote was taken. The motion was defeated by a vote of 7 to 6. The main motion carried.

MOTION: Moved by Ald. Hawley and Pye that the property 43 Wentworth Street be registered as a heritage property.

32 DUNDAS STREET

There was no objection to the registration of the property 32 Dundas Street, and no one wishing to be heard in this connection. Council therefore proceeded to approve the heritage registration for 32 Dundas Street, on motion of Ald. Hetherington and Pye.

MOTION: Moved by Ald. Hetherington & Pye that the property 32 Dundas Street be registered as a heritage property.

1986 GRANT
RECOMMENDATIONS

The 1986 grant recommendations, totalling \$839,689., have been made to Council by the Grants Committee, as detailed in the two-page list presented.

Ald. Hawley and Levandier moved the adoption of the recommendations from the Committee. Ald. McCluskey said she would like to have seen a listing of those organizations that were not recommended to receive any grants at all, and she suggested that such a list be provided next year when the Committee submits its report. Also, that rather than just increasing grants to organizations that received funding in the previous year, consideration be given to organizations not previously recommended for funding at all. If the funds available were allocated in this way, she felt it would be a fairer distribution. Ald. Hetherington made similar suggestions for next year's report, requesting an indication as to which organizations applied and were not recommended for funding; what increase has been recommended over the previous year in the case of groups recommended for funding; and some indication of any new organizations being recommended that were not included in the previous year. Ald. Hawley noted that there are eight such organizations in this latter category for 1986.

Ald. Connors noted that there are funds amounting to \$2,911. still unexpended for grants in 1986, and he proceeded to move in amendment that this amount be allocated to the Dartmouth Community Homemakers Assn.,

thereby increasing the amount recommended for them from the present figure of \$8,000. to \$10,911. The amendment was seconded by Ald. McCluskey.

Ald. Connors provided Council with information on the services that the Homemakers Assn. provides in the community, describing it as a worthwhile organization, deserving of Council's support.

Members of Council opposed to the amendment felt that the \$2,911. amount remaining for grants, should be retained for some unforeseen expenditure that may come up during the rest of the year. Members in favour did not feel that there would be a more worthwhile request than the one Ald. Connors has proposed for the Homemakers Assn.

Ald. Greenough was asked to take the chair to permit the Deputy Mayor to address Council on the amendment. He reviewed the background of the Homemakers Assn. and the efforts that have been made over the years to keep their services in operation. He said that without the services they provide, the City will have to pay for these same services through Social Services and people who are now able to stay in their own homes, will have to be placed in homes for special care at a considerably higher cost to the City. He commented on the immediate need the organization has for these additional funds, in order to keep it operating.

Deputy Mayor Withers then returned to the Chair and Ald. Greenough resumed his place on Council.

When the vote was taken on the amendment, it carried with Ald. Thompson and Levandier voting against. The amended motion carried unanimously.

MOTION: Moved by Ald. Hawley & Levandier that the 1986 recommendations of the Grants Committee be adopted.

AMENDMENT: Moved in amendment by Ald. Connors and McCluskey that the remaining \$2,911. amount in grant funds, be allocated to the Dartmouth Community Homemakers Assn., thereby increasing their grant to \$10,911.

REQUEST: ART
GALLERY OF
NOVA SCOTIA

On motion of Ald. Levandier and Bregante, Council received and filed, a letter from the General Chairman of the Art Gallery of Nova Scotia Building Fund, seeking funding assistance from the City of Dartmouth.

A motion proposed by Ald. Sarto, that would have referred the matter to the 1987 operating budget for consideration, did not receive a seconder.

MOTION: Moved by Ald. Levandier & Bregante that Council receive and file a letter from the General Chairman of the Art Gallery of Nova Scotia Building Fund, seeking funding assistance from the City of Dartmouth.

TRAFFIC SIGNALS:
MAIN STREET/
RIDGECREST DR.

At the request of Ald. Sarto, Council agreed to deal with two items on the agenda that pertain to traffic signals at the Main Street/Ridgecrest Dr. intersection.

One of the reports referred to is from Mr. Moir, and it deals with the fact that the Provincial Dept. of Transportation will not be making cost-sharing available in 1986 for improvements and traffic signals at this intersection. Therefore, the total cost to the City, if we were to undertake the project alone, would be \$284,600., including the amount of \$125,000. the City expected to receive in Provincial cost-sharing.

Mr. Moir has made two recommendations to Council in connection with this item. He has recommended that Council defer the intersection improvements and the installation of traffic lights, until funding is available from the Provincial Dept. of Transportation.

Secondly, that Council proceed with the closing of Mount Edward Road (at the end of Cranberry Lake), but that the actual physical closing of the street not take place until the improvements and installation of traffic signals have been carried out.

The second report, moved up for consideration in conjunction with that of Mr. Moir, is from Mr. Purdy, and it recommends that Council set the date for the public hearing required in connection with the closure of a portion of Mount Edward Road, designated

as Parcel MER-1 and LD-1A.

Ald. Sarto was very concerned that improvements and traffic signals at the Main Street/Ridgecrest intersection might be delayed when there is such a serious need for them. He outlined to Council the traffic conditions that exist on Main Street at this point already, pointing out that they will be further aggravated with the opening of the 107 by-pass highway which will place a far greater volume of traffic on the #7 Highway than it is presently carrying.

He moved the adoption of Mr. Moir's first recommendation, but on condition that the Dept. of Highways be approached and asked to reconsider their decision on cost-sharing. He asked that the letter to the Department bring the following points to their attention:

- 1) the number of accidents that have already taken place at this intersection, with accompanying information on these.

- 2) the heavy volume of traffic that already exists on this section of highway.

- 3) the traffic increase that can be expected on the #7 Highway with the opening of the 107 by-pass.

- 4) the fact that this section of highway will become a thoroughfare, as well as serving local area traffic.

- 5) the high degree of pedestrian traffic.

The motion, incorporating the points noted above, was seconded by Ald. Thompson.

A question was raised about the decision of the Transportation Dept. not to cost-share in the project, and Mr. Fougere explained that the Department does not have the funds allocated in their budget this year, even though they do recognize the seriousness of the traffic conditions and are aware of the accident statistics referred to by Ald. Sarto.

Ald. Thompson said the main point of issue is the one of safety, an opinion also shared by Ald. Greenough who spoke strongly in favour of a direct approach to the Transportation Dept., rather than

dealing with them by letter. He said not only is the traffic situation already serious at Ridgecrest, but it can be expected to get worse as the Main Street/Rotary project gets underway and more traffic begins to use Mount Edward Road and other alternate routes to avoid that major construction work. He was opposed to any closure of Mount Edward Road until the Main Street/Rotary project has been completed and normal traffic patterns can be resumed.

Ald. Greenough's opinion was that the Main Street/Ridgecrest Dr. improvements and traffic lights, must be undertaken without any delay, even if we can only get a commitment from the Province that they will provide for cost-sharing in the 1987 budget. He moved in amendment that Council delegate the Mayor and the two Ward 1 Aldermen to approach the Minister of Transportation directly, to seek a guarantee of cost-sharing from the Province in 1987, on the understanding that the project is to proceed as soon as possible in the meantime. The amendment was seconded by Ald. MacFarlane.

Members of Council who spoke on the amendment acknowledged the traffic hazard this intersection represents at present, without the necessary traffic controls. Ald. Hawley made the point, in addition to those already made by Ald. Sarto, that there are four lanes of traffic involved, two of which have to be crossed by cars exiting from Ridgecrest to join the traffic flow proceeding toward the Rotary.

Ald. McCluskey wanted to see the speed limit on this section of highway reduced to 60 kph. until the improvements at Ridgecrest have been completed.

When the vote was taken on the amendment, it carried unanimously, and the amended motion carried unanimously.

Ald. Greenough and Thompson then moved deferral of any action on the closure of the east end of Mount Edward Road, until the Main Street/Rotary improvements are completed. This motion also carried.

MOTION: Moved by Ald. Sarto that recommendation #1 of Mr. Moir's report on the Main St/Ridgecrest Drive intersection, be adopted, but on condition that the Dept. of Highways be approached and asked to reconsider their decision on cost-sharing. The letter to the Department to contain the points outlined by Ald. Sarto, as detailed on page 11 of these minutes.

AMENDMENT: Moved in amendment by Ald. Greenough and MacFarlane that Council delegate the Mayor and the two Ward 1 Aldermen to approach the Minister of Transportation directly, to seek a guarantee of cost-sharing from the Province in 1987, on the understanding that the project is to proceed as soon as possible in the meantime.

MOTION: Moved by Ald. Greenough and Thompson that any action on the closure of the east end of Mount Edward Road, be deferred until the Main Street/Rotary improvements have been completed.

NOTICES OF MOTION:
ALD. LEVANDIER

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

1) Ald. Levandier

WHEREAS it is important for the City to grow, from both a population and geographic perspective;

AND WHEREAS population in the City of Dartmouth has been in a state of slight decline for a number of years;

AND WHEREAS there is a large population and commercial base to the eastern boundaries of the City, referred to as Cole Harbour, Forest Hills, Colby Village, and Eastern Passage;

AND WHEREAS it is difficult for the City to initiate long-range planning objectives, because this area is part of another municipality;

THEREFORE BE IT RESOLVED that the City Council instruct the Planning Dept. to initiate a study (with input from the Dept. of Municipal Affairs, if possible), outlining the advantages and disadvantages of amalgamating this area, with particular reference being made to any and all costs; and that their findings be presented to Council before the end of 1986

ALD. MACFARLANE

2) Ald. MacFarlane

(a) WHEREAS the residents of Dartmouth wish to have a clean City;

AND WHEREAS Dartmouth's natural beauty can be considerably improved by keeping City-owned lands, parks and recreation areas, community and private properties, free of litter and debris;

AND WHEREAS this is a task of such magnitude, that participation of every resident, business and City department is required;

THEREFORE BE IT RESOLVED that the City of Dartmouth provide leadership toward an aggressive campaign to improve standards of cleanliness throughout the City;

AND BE IT FURTHER RESOLVED that the City of Dartmouth invite the City of Halifax to participate in a friendly competition, over a six-month period, for the designation of 'Cleanest City', awarded on merit by an impartial body of judges who are not residents of either community, but are in a position to conduct unannounced visits to each City.

(b) WHEREAS the residents of Royal View Court are situated on a small cul-de-sac off Joffre and Portland Streets, below the elevation of Portland Street, and abutting City property;

AND WHEREAS this property is in an undeveloped and unmaintained state;

AND WHEREAS this location is not only highly visible to residents, but also to motorists and people passing by;

THEREFORE BE IT RESOLVED that the Parks & Recreation Dept. complete the task of upgrading this location by sodding, at a cost of approx. \$6,000., to achieve a cleaner, more attractive appearance, and to beautify this location.

(c) WHEREAS Cleary Drive has for many years been a right-of-way for residents in the area;

AND WHEREAS Cleary Drive is serviced by the City of Dartmouth, through snow removal and garbage collection;

AND WHEREAS Cleary Drive is on the list of streets to be taken over by the City;

BE IT RESOLVED that staff complete the necessary surveys and preparations at the earliest possible date, in order that the process of designating Cleary Drive as a City street, can be completed and present confusion over property boundaries and rights-of-way, effectively eliminated.

ALD. CONNORS

3) Ald. Connors

BE IT RESOLVED that monies be provided in the 1987 operating budget for the hiring in 1987 of an internal auditor for the City of Dartmouth.

Council agreed to deal at this time with one of the in camera items, in open meeting. The item is a report from Mr. Corrigan on an investment decision, involving the recently-announced N.S.P.C. bonds.

Ald. Billard requested that the Motions item on the agenda be put at the beginning of the June 24th agenda. Ald. Greenough also noted that Brian Burnell will be present at that Council meeting to present the Pension Plan Actuarial Valuation report, and he asked to have that item scheduled early in the agenda for June 24th as well.

INVESTMENT:
N.S.P.C. BONDS

In a report to Council on the N.S.P.C. bonds that can now be purchased at a 10% interest rate, Mr. Corrigan has recommended that Council authorize a \$100,000. investment in these bonds, for the reasons he has outlined. This investment would be an exception to the present policy of investing in the 'Big Five' banks only.

Ald. Connors, Chairman of the Finance & Program Review Committee, supported the recommendation, and moved the adoption of it. The motion was seconded by Ald. Levandier. Mr. Smith advised Council that other City agencies, such as the School Board, the Library, the Water Utility, etc. would also be able to invest up to the \$100,000. maximum permitted, and Council was willing to provide for these other agencies in the motion. Mr. Corrigan responded to questions about the total funds that would be available for investment, with all of the various City agencies participating, and he advised that a total of about one million dollars would probably be available.

Council was generally in favour of this investment proposal, and the motion carried.

MOTION: Moved by Ald. Connors & Levandier that Council authorize a \$100,000. investment by the City in N.S.P.C. bonds. Further, that City agencies, such as the School Board, the Library, etc., be permitted to invest the maximum \$100,000. amount as well, as per the discussion with Council.

CONTRACT 84515:
ISNOR DR. SERVICES

Tenders have been received, as per Mr. Purdy's report of June 10/86, for Contract 84515, Isnor Drive Services. It has been recommended to Council that the low bid, received from Municipal Contracting Ltd., in the amount of \$395,764., be accepted.

The tender was awarded, as recommended, on motion of Ald. Thompson and Greenough.

MOTION: Moved by Ald. Thompson & Greenough that the tender for Contract 84515 (Isnor Drive services) be awarded to the low bidder, Municipal Contracting Ltd., in the amount of \$395,764.

On motion of Ald. Hetherington and Hawley,
Council adjourned to meet in camera.

After reconvening in open Council, the action
taken in camera was ratified, on motion of Ald.
Hetherington and Levandier.

Meeting adjourned.



Bruce S. Smith,
Acting City Administrator.

City Council, June 17/86

ITEMS:

- 1) Public hearing: Subdivision By-law C-581, page 1.
- 2) Third reading: By-law C-590 (K-Mart lands), pg. 1 to 5.
- 3) Heritage Property Registration, page 5 to 8.
14 Queen St. & 28 Wentworth St., page 5.
64 Wentworth St., page 6.
43 Wentworth St., page 7.
32 Dundas St., page 8.
- 4) 1986 Grant Recommendations, page 8 & 9.
- 5) Request: Art Gallery of Nova Scotia, page 10.
- 6) Traffic signals: Main Street/Ridgecrest Dr., page 10
to 13 incl.
- 7) Notices of Motion: Ald. Levandier, page 13.
MacFarlane, page 13 & 14
Connors, page 14
- 8) Investment: N.S.P.C. bonds, page 15.
- 9) Contract 84515: Isnor Dr. services, page 15.

Dartmouth, N. S.

June 24/86.

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

Present - Mayor Savage

Ald. Connors	Levandier
Billard	MacFarlane
McCluskey	Withers
Pye	Woods
Hawley	Greenough
Bregante	Hetherington
City Solicitor, S. Hood	
Acting City Administrator, Bruce S. Smith.	

Two staff members from the Parks & Recreation Dept. were present at the opening of the meeting to give Participaction awards to several members of Council, including the Mayor. Mayor Savage noted that the City's percentage of participation on May 28th was 78.7%, as compared with the challenge City of Moose Jaw's 67%. After the awards had been presented, he commended Recreation staff for their efforts in the Participaction Program and on Participaction Day.

He advised Council that the first item of business will be the expropriation resolutions for Main Street properties, this item having been placed on the agenda in camera initially until the property owners involved had time to receive their letters of notification. Mayor Savage went on to designate certain specific items from the agenda that will have to be dealt with at this meeting, and advised that he will permit a notice of motion to be given as an added item. Ald. Billard requested permission to add an item, dealing with the closure of Canterbury Street for a benefit street dance.

Mayor Savage proposed that Council meet on Wed., July 2nd (at 6:00 p.m.) to complete those items not dealt with at this meeting. A motion to meet on July 2nd was adopted, moved by Ald. Hetherington and seconded by Ald. Bregante. The motion carried with Ald. Hawley voting against.

MOTION: Moved by Ald. Hetherington & Bregante that Council meet on Wed., July 2nd (at 6:00 p.m.).

LAND EXPROPRIATION:
MAIN STREET
RESOLUTIONS 86-29
TO 86-47

The City Solicitor has prepared Resolutions 86-29 to 86-47, which will expropriate the lands required for the widening of Main Street. She pointed out that these resolutions do not preclude further negotiation with the property owners concerned, but will simply vest title to the lands in the City of Dartmouth. Then the City can, if necessary, request from the Attorney General, orders for early possession so that the Main Street project can get underway.

CONFLICT OF INTEREST

Ald. Connors declared a conflict of interest on this item, further to Resolutions 86-37 and 86-47, by reason of the fact that he represents the property owners involved. He withdrew from his place on Council while the item was being considered.

The Solicitor responded to questions from Ald. McCluskey about appraisals and when they are required in these proceedings, after which Council approved Resolutions 86-29 through 86-47, on motion of Ald. Hetherington and Greenough.

MOTION: Moved by Ald. Hetherington & Greenough that Council approve Resolutions 86-29 through 86-47, to expropriate lands required for the widening of Main St.

PENSION PLAN
ACTUARIAL VALUATION

Members of Council have received copies of the Actuarial Valuation as at Dec. 31/85, recommended by the Pension Committee for approval.

Also recommended in conjunction with the Valuation, is By-law C-594, which provides for a modification to the Pension Plan whereby the benefit in respect of years of service up to and including 1985, would not be less than 1.5% of 1985 salary, multiplied by total years of service. The cost of this change (\$777,152.) would be borne by the Pension Plan, from the surplus of \$2,804,174.

Mr. Brian Burnell of the Wyatt Company gave an overview of the valuation report, and was available to answer questions from Council. He gave a general assessment of the pension fund as being in good shape, with the surplus noted, and adequate to fund current requirements.

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Also recommended in conjunction with the Valuation, is By-law C-594, which provides for a modification to the Pension Plan whereby the benefit in respect of years of service up to and including 1985, would not be less than 1.5% of 1985 salary, multiplied by total years of service. The cost of this change (\$777,152.) would be borne by the Pension Plan, from the surplus of \$2,804,174.

Mr. Brian Burnell of the Wyatt Company gave an overview of the valuation report, and was available to answer questions from Council. He gave a general assessment of the pension fund as being in good shape, with the surplus noted, and adequate to fund current requirements.

Ald. Woods said he has received calls from City pensioners, asking why their pensions cannot be increased. Mr. Smith noted that an upgrading for retired employees was implemented in 1985, indexed at 3% per year, and Mr. Burnell further advised that the Pension Committee has this matter under further consideration as well.

Ald. Connors noted that schedules referred to in the valuation report have not been included with the copies circulated, and he requested that this additional information be provided. Since the original report from Mr. Burnell was printed on both sides of the page, it appeared that only one side has been reproduced when the report was circulated to Council.

Ald. Connors had questions about the special payments made to the plan by the City, in the amount of \$304,223. per annum, taking into account the surplus position of the plan. He moved approval of the valuation report, with the further proviso that the Pension Committee report back to Council with regard to whether the City ought to continue to fund this special payment, in the light of the surplus position of the plan. The motion was seconded by Ald. Greenough, but he questioned whether in fact, this is not a decision that will have to be made by Council rather than by the Pension Committee. Ald. Hawley had a similar opinion. The Mayor suggested that discussion at the Committee level would be in order first, with a report to Council, at which time it would be debated. Members were willing to proceed on that basis.

Other specific questions from members were addressed by Mr. Burnell, after which the vote was taken on the motion and it carried.

MOTION: Moved by Ald. Connors and Greenough that the valuation report be approved, with the further proviso that the Pension Committee report back to Council with regard to whether the City ought to continue to fund this special payment, in the light of the surplus position of the plan.

BY-LAW C-594

Council then proceeded with the approval of proposed By-law C-594, to modify the plan as noted on page 2 of these minutes.

It was moved by Ald. Greenough and McCluskey and carried that leave be given to introduce the said By-law C-594 and that it now be read a first time.

It was moved by Ald. Hetherington and Withers and carried that By-law C-594 be read a second time.

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

It was moved by Ald. Hawley and Hetherington and carried that By-law C-594 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-594: modification to Pension Plan.

MOTIONS:
ALD. BILLARD

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

1) Ald. Billard moved, seconded by Ald. MacFarlane, that:

WHEREAS the City of Dartmouth has only been able to provide welfare recipients with the minimum level of assistance for food, that level being \$326.54 per month for a family of two adults and two children under 12;

AND WHEREAS the City of Dartmouth has an estimated surplus in its operating account of just under three million dollars, the annual interest on which approximates one-third of a million dollars;

THEREFORE, BE IT RESOLVED that City Council approve the Level 3 of funding for food assistance, as requested by the Director of Social Services for the City, that amount being \$84,000. (instead of \$168,000. which would have been for the whole year).

In presenting his motion, Ald. Billard gave a breakdown of figures for basic necessities that families on social assistance can expect to receive, based on the budget Council approved for 1986. He maintained that the food allocation is not sufficient at the level of funding approved, which allows for \$240. per month to feed a family comprised of two adults and two children. He considered that an allocation

of interest earned from the City's operating surplus is a worthwhile use for these funds, although it was later pointed out by Ald. Hawley that the interest revenue the City receives has been included in revenue calculations on which this year's tax rate was based. Therefore, any expenditure over and above what Council approved for food allowance at budget time, will represent an over-expenditure. Ald. Hawley asked how our food allowance compares with that of other municipalities. Mr. McNeil said it is a bit less than the City of Halifax and more than the County. Ald. Hawley felt that if people are not receiving sufficient food on the present allowance, it is usually the result of poor management of the money they receive.

Ald. Connors and McCluskey supported the motion. They did not feel that even with the increase in food allowance being proposed, people will be receiving what Ald. Connors described as a 'lavish' amount of money for their food requirements. He noted that with 50/50 cost-sharing the City would expect to receive, the expenditure for this year will amount to only \$42,000. He moved in amendment that the following words be added to the motion: 'conditional upon this amount being cost-shared on a 50/50 basis with other levels of government, and the amount being funded as an over-expenditure'. The amendment was seconded by Ald. Hetherington.

There were no members opposed to the amendment, but some felt that the budget should remain as it was set and Council should not begin to make changes in it at this point in the year. Ald. Withers asked if an over-expenditure in the Social Services budget for 1986 is anticipated. Mr. McNeil advised that the projected over-expenditure figure is \$250,000., and Ald. Withers noted that the department required a substantial over-expenditure in 1985 also. Therefore, he did not feel that an over-expenditure for food

allowance is justified, on top of what the City is already required to provide to cover yearly over-expenditures for the department.

Ald. Hetherington pointed out that a motion to have the food allowance increase was defeated at budget time, and he was concerned that an information report would have been circulated from the Social Services Dept. after a notice of motion was given and before the motion was presented at Council. He did not agree with this procedure.

Ald. Hawley wanted some specific information on the nutritional criteria which determine whether food guidelines can be met with a certain food allocation, to meet the requirements of the Canada Food Guide. He felt this information is important if Council is to assess the adequacy of a particular figure for food on a monthly basis. Mrs. Griswold of the Social Services Dept. was able to provide such a figure used in the City of Halifax for a family of four (two adults and two children), the figure being \$90.06 per week, a difference of \$17.68 from what is presently being allocated per week in Dartmouth (\$73.38). Ald. Hawley said he would like to have comparable figures prepared for Dartmouth, and to have a report setting out the food requirements so that Council can review these. The Mayor asked to have an assessment report from the Social Services Dept., as requested by Ald. Hawley, with a costing of food requirements in the way that has been discussed in the Council debate.

Ald. McCluskey and MacFarlane made the point that when people are not fed properly, other costs can be expected in the form of health care that they will require as a result of improper diets and inadequate food for their needs.

When the vote was taken on the amendment, it carried by a vote of 7 to 5. The amended motion carried by the same vote with Ald. Greenough, Thompson, Withers, Bregante and Hetherington voting against.

MOTION: Moved by Ald. Billard and MacFarlane:
text on page 4 of these minutes.

AMENDMENT: Moved in amendment by Ald. Connors
& Hetherington that the following
words be added to the motion:
' . . . conditional upon this amount
being cost-shared on a 50/50 basis
with other levels of government, and
the amount being funded as an over-
expenditure'.

(If this is considered to constitute first
approval of the over-expenditure, the item will have
to come back to Council again for second approval.)

2) Ald. Billard moved, seconded by Ald. MacFarlane,
that:

WHEREAS the foundation of better health must
be the provision of clean water, and without
it, other forms of help will largely be in vain;

AND WHEREAS Canada is as well qualified as
any country to provide such assistance, in
the hope of striking at the basic cause of
destitution;

AND WHEREAS a new Canadian project, Watercan,
is being proposed for a trial period of 12
months, to be the authorized recipient of
contributions from a few of the larger Canadian
municipalities, and to allocate those funds in
a similar manner, as was done for African
Emergency Aid;

THEREFORE BE IT RESOLVED that staff contact
Mr. Michael Lubback of Watercan, to investigate
the idea of having householders add a small
amount to their water bill payments, or 'round
up' their bill to the next dollar, and having
that extra money sent to Watercan.

Ald. Billard explained the Watercan program
for Council's information and why he is proposing
this kind of voluntary donation on the part of Dartmouth
citizens , to help provide one of the basic needs to
countries that are without clean water supplies.

Ald. Thompson asked about the mechanics of
setting up the program and possible problems there
might be for staff to incorporate an added component
in the water bill forms. Mr. Smith said staff will
be looking at that aspect and will indicate to Council
how it can be done. The Mayor noted that the motion
calls for the idea to be investigated.

When the vote was taken on the motion, it
carried with Ald. McCluskey, Bregante and Hetherington
voting against.

MOTION: Moved by Ald. Billard and MacFarlane:
Watercan Program, text on page 7 of
minutes.

ALD. CONNORS

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

that:

WHEREAS revenues, expenditures, and levels of
service were reviewed by City Council under
some time constraints in 1986;

AND WHEREAS the City Administrator, in his
report of Apr. 14/86 has made certain recommend-
ations concerning when and how Council should
review revenues, expenditures and levels of
service;

BE IT RESOLVED that the Finance & Program
Review Committee review, examine and report
back to Council on methods Council may adopt,
by which expenditures, revenues and levels of
service may be reviewed in a timely and
efficient manner by Council.

There was no opposition to this motion by
Council and it carried.

MOTION: Moved by Ald. Connors & Hetherington:
budget review process, text above.

ALD. HAWLEY

4) Ald. Hawley moved, seconded by Ald. MacFarlane,
that Council ask the Engineering Dept. to provide a
cost estimate for placing a walkway from the newly-
opened interpretive centre on Alderney Drive, along
the waterway, up Mill Lane, and along Mill Lane to
the sidewalk on Canal Street; this estimate to be
included in the 1987 capital budget.

The vote was taken on the motion and it carried
with Ald. Pye voting against.

MOTION: Moved by Ald. Hawley and MacFarlane:
cost estimate for walkway, text above.

METROPOLITAN AUTHORITY:
GUARANTEE RESOLUTIONS

On motion of Ald. Bregante and McCluskey,
Council approved Guarantee Resolutions 86-01 and 86-02
from the Metropolitan Authority, authorizing the
Mayor and City Clerk to sign them on Council's behalf.

MOTION: Moved by Ald. Bregante & McCluskey
that Council approve Guarantee
Resolutions 86-01 and 86-02 from
the Metropolitan Authority, as
recommended by Mr. Smith.

WARD TENDERS:
CANTEEN CONCESSIONS

Tenders have been called and received for the
canteen concessions for Birch Cove and Graham's
Grove. It has been recommended that the highest
tendered price, in the amount of \$2,000., from Mr.

Chips Enterprises Ltd., be accepted for the Birch Cove canteen, and the highest tendered price, in the amount of \$2,399.90, be accepted for the Graham's Grove canteen.

Council awarded both tenders, as recommended, on motion of Ald. Greenough and MacFarlane.

MOTION: Moved by Ald. Greenough & MacFarlane that Council award tenders for the canteen concessions at Birch Cove, and Graham's Grove, as recommended and noted above and at the bottom of page 8 of these minutes.

FAMILY HOUSING
UNITS: RES. 86-27

A letter has been received from the Nova Scotia Dept. of Housing, advising that six family units have been allocated for the City of Dartmouth in the department's 1986/87 budget. Council has been asked to approve Resolution 86-27, authorizing the Mayor and the City Clerk to sign the designation letter.

Ald. Bregante and McCluskey moved the adoption of Resolution 86-27, but Ald. Hetherington was concerned about the opportunity Council will have for any input as to where the units are to be located. The Solicitor said that in approving the resolution, Council is just authorizing the proposal call to proceed, in the same manner that these housing allocations have been handled in the past. Ald. Hawley had similar concerns about the say that Council is able to have about where the units will be located. He referred to problems that arose in the past with this same situation and the difficulties members had in dealing with the location decision of the department.

Ald. Connors and Hawley moved in amendment that the following wording be incorporated in the resolution: 'The location of the units to be subject to the approval of the City of Dartmouth'.

The amendment carried and the amended motion carried.

MOTION: Moved by Ald. Bregante and McCluskey that Council approve Resolution 86-27.

AMENDMENT: Moved in amendment by Ald. Connors and Hawley that the following wording

be incorporated in the resolution:
'The location of the units to be
subject to the approval of the City
of Dartmouth'.

AWARD TENDER:
DEMOLITION
65 ALDERNEY DR.

Tenders have been received as follows for the
demolition of the building at 65 Alderney Drive:

Fred M. Dunphy Construction Ltd.	\$3,390.
H. S. Walker Construction Ltd.	9,700.
Woodlawn Construction	16,900.

Acceptance of the low bid has been recommended
to Council and the tender was awarded to Fred M. Dunphy
Construction Ltd., on motion of Ald. Greenough and
MacFarlane.

MOTION: Moved by Ald. Greenough & MacFarlane
that the low bid received for demolition
of the building at 65 Alderney Drive,
be accepted, as recommended. The low
bid received was from Fred M. Dunphy
Construction Ltd., in the amount of
\$3,390.

FERRY TERMINAL
ROOF CONTRACT

As requested by Council, the City Solicitor has
investigated the possibility of the City getting out
of its present contract with Atlantic Roofers Ltd.,
who have had the Ferry Terminal roof contract; the
contract with them was for \$46,100.

In her report dated June 11/86, she has
recommended that Council terminate its contract
with Atlantic Roofers Ltd., and further, that tenders
be called for the entire project as soon as possible.
In a subsequent report, dated June 17/86, the Solicitor
has advised Council that the total projected cost of
calling for new tenders on this project, as quoted in
a cost breakdown provided by Paul Ledaire, would be
\$175,800., or almost \$30,000. more than the cost that
would be incurred to continue with the existing contract
and issue a change order for the additional work required.

Ald. Withers and McCluskey moved the adoption of
the Solicitor's recommendations, from her report of
June 11/86. The consultant engaged by the City for
this project, Mr. Paul Ledaire, was present to explain
the work required to repair the roof, over and above
what was anticipated when the contract was awarded for

this project, amounting to an additional cost of \$100,000 .

Ald. Woods said there is a question of credibility involved here, in that Council does not have information that is valid on which to base a decision. He felt that Council should have been provided with information on this kind of roof structure and its endurance under similar conditions elsewhere; until such information can be provided, he said, no action should be taken and the roof should be left as it is. Mr. Fougere was concerned about what might happen if the roof repairs are not completed, in view of the continuing deterioration that will take place with the wood and framework now exposed to rain and dampness.

Ald. Connors again raised the question of legal responsibility and possible action the City might take in this connection. The Solicitor noted that liability questions cannot really be addressed until the City knows exactly what the final costs are going to be - ie. in the case of re-tendering. Then action will be considered against one and possibly two parties involved in the original design and construction.

Ald. Greenough said the main point that has to be considered is that the roof repairs have to go ahead, regardless of whether there is any legal recourse in the future or not. He asked for an opinion from the City Engineer on the course of action he would recommend. Mr. Fougere said he is satisfied that the consultant knows what he is talking about, and it is important to get the roof finished before the fall. Based on the financial implications that Council has been made aware of, he proposed that the existing contract be continued, with an addendum (change orders 1 and 2).

Ald. Woods favoured a termination of the contract with Atlantic Roofers and therefore supported the motion on the floor. When the vote was taken, the motion was defeated, with most members preferring to continue the existing contract, with the additional work required.

Ald. Greenough and Hawley moved that the City proceed with the contract with Atlantic Roofers Ltd., incorporating the change orders set out in the Solicitor's report of June 17/86, for a total cost of \$146,750. This motion carried with Ald. Woods and Billard voting against.

MOTION: Moved by Ald. Greenough and Hawley that the City proceed with the contract with Atlantic Roofers Ltd., incorporating the change orders set out in the Solicitor's report of June 17/86, for a total cost of \$146,750.

1986 RRAP BUDGET

On motion of Ald. Hetherington and MacFarlane, Council received and filed for information, a report from Mr. Bayer on the 1986 RRAP budget for the City.

MOTION: Moved by Ald. Hetherington & MacFarlane that a report on the 1986 RRAP budget for the City, be received and filed.

LAND USE BY-LAW
AMENDMENT:
ALBRO LAKE LANDS

A request has been received from the Provincial Dept. of Housing to amend the Land Use By-law by rezoning part of the DND Radio Station site at Albro Lake, from H Zone to R-1 Zone, R-2 Zone, R-3 Zone, TH Zone, and P Zone. The Planning Dept. report on this request recommends that staff be instructed to conduct the neighbourhood information meeting in this connection.

Ald. MacFarlane and Thompson moved the adoption of the recommendation, but Ald. Woods and McCluskey objected to holding the information meeting during the summer months when many residents can be expected to be away on vacation. Members in support of the motion, such as Ald. Withers, did not want to see the application unduly delayed, considering the lengthy process that it takes before any construction can actually start on the project; they were concerned that an entire building season will be lost if the hearing process is delayed.

Ald. Connors and McCluskey moved in amendment that the words '. . . and that the meeting not be held before September of 1986' be added to the motion. The amendment was defeated by a vote of 7 to 5, and the motion carried.

SET DATE FOR
PUBLIC HEARING:
LOT K-5A, IEL

On motion of Ald. Thompson and Billard, Council set August 26th as the date for public hearing of a proposed amendment to the Land Use By-law, requested by I.E.L. for Lot K-5A in the Woodside Ocean Industries Park. The request is to rezone from I-3 to I-1 Zone. Mr. Bayer has recommended that a date be set for this purpose in his report to Council of June 19/86.

MOTION: Moved by Ald. Thompson and Billard that Council set Aug. 26th as the date for public hearing of a proposed amendment to the Land Use By-law, requested by I.E.L. for Lot K-5A in the Woodside Ocean Industries Park.

AWARD TENDER:
1986 STREET LINE
PAINTING PROGRAM

Tenders have been received for the 1986 street line painting program, and it has been recommended to Council that the tender be awarded to the low bidder, Sea Side Line Marking Ltd., in the amount of \$65,000.

Council awarded the tender, as recommended, on motion of Ald. Greenough and Hawley.

MOTION: Moved by Ald. Greenough and Hawley that the tender for the 1986 street line painting program, be awarded to the low bidder, Sea Side Line Marking Ltd., in the amount of \$65,000.,

DOWNTOWN PARKING

The Finance & Program Review Committee, in discussing the subject of downtown parking, has recommended that Council hold a public meeting, to which various interested groups would be invited to address Council, with their comments and any recommendations on the downtown parking issue, and that this public meeting be held some time in July.

The recommendation of the Committee was adopted, on motion of Ald. Connors and Thompson.

MOTION: Moved by Ald. Connors and Thompson that the recommendation of the Finance & Program Review Committee, to hold a public meeting on the downtown parking issue, be adopted.

AWARD TENDER:
CONTRACT 85-08B

Tenders have been received as follows for Contract 85-08B, Lake Lamont Diesel Generator installation:

Blunden Construction Ltd.	\$147,465.
Urban Construction Ltd.	148,000
Sun Construction Ltd.	155,494.
I.M.P. Group	159,750.
L.R. White Construction Ltd.	165,000.

Harbour Construction Ltd.	\$167,855.
Black & MacDonald Ltd.	195,597.
Lakeport Contracting Ltd.	198,534.

Acceptance of the low bid, received from Blunden Construction Ltd., in the amount of \$147,465., has been recommended, and it was moved by Ald. Thompson and McCluskey that the tender be awarded, as recommended.

Ald. Billard felt there is justification for awarding the tender to the Dartmouth firm, Urban Construction, in view of the negligible difference in the bid price and for the other reasons he stated.

When the vote was taken on the motion, it carried by a vote of 7 to 5.

MOTION: Moved by Ald. Thompson and McCluskey that the low bid for Contract 85-08B, from Blunden Construction Ltd., be accepted, as recommended to Council.

CAMPGROUND FEES

A report from Mr. Atkinson was before Council on the subject of campground fees for 1986, which were increased for Shubie Park at budget time to \$10. and \$12. from \$6. and \$8. Since the \$6. and \$8. fees were published in the Nova Scotia Tour Guide, this subsequent increase to \$10. and \$12. has resulted in complaints from campers, and there is a threat that the Shubie campground licence would be revoked by the Provincial Tourism Dept. if the fees do not revert back to the published fees of \$6. and \$8.

Mr. Atkinson has requested that the fees revert back to \$6. and \$8. for 1986, and has further recommended that Council approve an increase in fees for 1987 of \$2. in each case - ie. to \$8. and \$10.

Ald. Pye and Thompson moved approval of the request and recommendation from Mr. Atkinson, but other members were not willing to change a decision made at budget time, considering that this was one of the revenue items required to bring in the tax rate set for 1986. Ald. Billard and Greenough moved in amendment that the 1987 fees be set at \$10. and \$12., and that the fees be listed as "Subject to change" in the Tour Guide.

Harbour Construction Ltd.	\$167,855.
Black & MacDonald Ltd.	195,597.
Lakeport Contracting Ltd.	198,534.

Acceptance of the low bid, received from Blunden Construction Ltd., in the amount of \$147,465., has been recommended, and it was moved by Ald. Thompson and McCluskey that the tender be awarded, as recommended.

Ald. Billard felt there is justification for awarding the tender to the Dartmouth firm, Urban Construction, in view of the negligible difference in the bid price and for the other reasons he stated.

When the vote was taken on the motion, it carried by a vote of 7 to 5.

MOTION: Moved by Ald. Thompson and McCluskey that the low bid for Contract 85-08B, from Blunden Construction Ltd., be accepted, as recommended to Council.

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Mr. Atkinson has requested that the fees revert back to \$6. and \$8. for 1986, and has further recommended that Council approve an increase in fees for 1987 of \$2. in each case - ie. to \$8. and \$10.

Ald. Pye and Thompson moved approval of the request and recommendation from Mr. Atkinson, but other members were not willing to change a decision made at budget time, considering that this was one of the revenue items required to bring in the tax rate set for 1986. Ald. Billard and Greenough moved in amendment that the 1987 fees be set at \$10. and \$12., and that the fees be listed as "Subject to change" in the Tour Guide.

Questions were raised about the authority of the Province to revoke the Shubie Campground licence, and Ald. Hetherington questioned whether Council can alter a budget decision without a two-thirds majority vote of Council. Some members were concerned about the impact the fee increase and associated unfavourable publicity will have on the Shubie Campground. Ald. MacFarlane said an issue of credibility is involved and the implications of a change in fee structure are significant in that respect. He commented on the importance of tourism to the City, the Shubie Campground being one of our tourism facilities.

The amendment carried and the amended motion carried by a vote of 8 to 4, this being a two-thirds majority of those members present.

NOTICE OF
RECONSIDERATION

Ald. Hetherington and Withers later gave notice of reconsideration.

MOTION: Moved by Ald. Pye and Thompson that Council approve Mr. Atkinson's request and recommendation on campground fees, as per his report of June 19/86.

AMENDMENT: Moved in amendment by Ald. Billard and Greenough that the 1987 campground fees be set at \$10. and \$12., and that the fees be listed as "Subject to change" in the Tour Guide.

RECONSIDERATION: Notice of reconsideration given by Ald. Hetherington & Withers.

RESIGNATION:
FIRE CHIEF PATTERSON

A letter of resignation has been received from Fire Chief Patterson, effective Feb. 28/87, and Council accepted the resignation with regret, on motion of Ald. MacFarlane and Hawley. Mayor Savage paid tribute to the years of service that Chief Patterson has given to the City on the Fire Dept.

MOTION: Moved by Ald. MacFarlane and Hawley that Council accept the resignation of Fire Chief Patterson, with regret.

STREET CLOSURE:
CANTERBURY ST.

The item added to the agenda by Ald. Billard, on the temporary closure of Canterbury Street for a neighborhood party, was dealt with at this point in the meeting.

On motion of Ald. MacFarlane and Thompson,

Council gave approval for the temporary closure of Canterbury Street on July 12th, between the hours of 3:30 p.m. to 11:00 p.m., to permit a neighborhood party in support of the Dartmouth Stroke Club. The section of street to be closed is between Highwood and Berwick.

MOTION: Moved by Ald. MacFarlane and Thompson that Council give approval for the temporary closure of the portion of Canterbury Street between Highwood and Berwick, on July 12th, between the hours of 3:30 p.m. to 11:00 p.m.

NOTICES OF MOTION:
ALD. CONNORS

Ald. Connors was permitted to give the following notices of motion at this time:

1) Ald. Connors

(a) WHEREAS Maple Street is presently designated as Collector Street in the City's transportation system, and carries a very large number of vehicles per day, much of it in the peak traffic periods of early morning and mid to late afternoon;

AND WHEREAS Maple Street is in the middle of a large residential neighbourhood;

AND WHEREAS there are a number of children in that residential neighbourhood who must cross Maple Street during peak traffic periods daily, in order to walk to Bicentennial School;

AND WHEREAS it has been estimated by the Supt. of Schools that beginning in September, 1986, approx. 62 students will have to cross Maple Street to attend Bicentennial School;

AND WHEREAS there is presently no crosswalk guard stationed anywhere on Maple Street to assist the children in facing this dangerous situation;

BE IT RESOLVED that the expenditure of funds be immediately approved to provide a crosswalk guard to be stationed at the intersection of Maple and Rose Streets, beginning with the opening of school in September, 1986.

(b) WHEREAS there exists for school-age pedestrians, a dangerous situation at Five Corners;

AND WHEREAS at present, only one crosswalk guard is on duty at that intersection and alone, is unable to adequately provide for all children using the intersection, particularly those crossing Albert Street

AND WHEREAS the situation at the intersection has already been studied by various departments of the City, and also, as part of the Transportation Study;

AND WHEREAS the Hawthorne School Home & School Assn. have requested that the City either assign a crosswalk guard to cover Albert Street, or that the entrance to Albert Street at Pleasant Street, be closed off.

BE IT RESOLVED that the expenditure of funds be immediately approved to provide a crosswalk guard for Albert Street, beginning with the opening of School in September, 1986.

Ald. Greenough requested that members of Council with resolutions for the U.N.S.M. conference, have them ready for the July 2nd Council meeting.

Meeting adjourned.



Bruce S. Smith,
Acting City Administrator.

City Council. June 17/86

ITEMS:

- 1) Land expropriation: Main Street, page 2.
Resolutions 86-29 to 86-47.
- 2) Pension Plan Actuarial valuation, page 2 to 4.
By-law C-594, page 4.
- 3) Motions: Ald. Billard, page 4 to 7 incl.
Connors, page 8.
Hawley, page 8
- 4) Metropolitan Authority: Guarantee Resolutions, pg. 8.
- 5) Award tenders: Canteen Concessions, page 8 & 9.
- 6) Family Housing Units: Res. 86-27, page 9.
- 7) Award tender: Demolition, 65 Alderney Dr., page 10.
- 8) Ferry Terminal Roof Contract, page 10 to 12.
- 9) 1986 RRAP Budget, page 12.
- 10) Land Use By-law Amendment: Albro Lake lands, pg 12.
- 11) Set date for public hearing: Lot K-5A, IEL, pg. 13.
- 12) Award tender: 1986 street line painting program, pg. 13
- 13) Downtown parking, page 13.
- 14) Award tender: Contract 85-08B, page 13.
- 15) Campground fees, page 14. (Reconsideration)
- 16) Resignation: Fire Chief, page 15.
- 17) Street closure: Canterbury St., page 15.
- 18) Notices of motion: Ald. Connors, page 16.