

Dartmouth, N. S.

Feb. 3/87.

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	
Deputy City Clerk, G. D. Brady	

Following the Invocation, Ald. Connors rose to introduce a highschool student, Ted Graham, who was present to do a report on this Council session for his Political Science course.

Ald. McCluskey requested permission to add a petition to the agenda for a crosswalk guard at the corner of Lyngby Ave. and Hillside Ave. Council agreed to add the item.

Ald. Thompson asked that members of Council planning to attend the Snow Ball, pick up their tickets so the Lions Club, sponsors of the event, will be able to determine the number of people who will be there. Unless there are a sufficient number of people attending, the event will have to be cancelled.

Ald. Hetherington commended the Texaco and Pepsi companies, co-sponsors of the fireworks display which opened the Winter Carnival on Jan. 30th. He asked that both companies be thanked for their participation.

The Mayor asked Council to add three items to the agenda, one dealing with a harness racing event planned for Lake Banook as part of Winter Carnival; and two in camera items, (1) Community College Task Force presentation, and (2) appointments to the Commonwealth Games Committee. Council agreed to add these items.

On motion of Ald. Hetherington and Pye, Council approved the minutes of meetings held on Jan. 6, 13, 20 and 27th.

MINUTES

PETITION:
CROSSWALK GUARD
LYNGBY & HILLSIDE

Ald. McCluskey advised Council of the request from residents in her ward for a crosswalk guard at the corner of Lyngby Ave. and Hillside Ave. She provided information that has been compiled on the number of children coming from and going to Crichton Park School, and on traffic during those same periods. The Police Chief has given his opinion that a crosswalk guard should be hired for this location.

Ald. McCluskey and Withers moved that a crosswalk guard be provided immediately at the location requested. The motion carried. Provision for this expenditure will be included in the 1987 budget.

MOTION: Moved by Ald. McCluskey and Withers that a crosswalk guard be hired for duty at the corner of Lyngby Ave. and Hillside Ave., as requested.

PRESENTATION:
REGIONAL ASSESS-
MENT OFFICE

As proposed at the Jan. 27th meeting of Council, representatives of the Regional Assessment Office were in attendance to make a presentation to Council on the 1987 general reassessment. The presentation was in response to concerns expressed by members of Council, as a result of numerous calls they have received from constituents about assessment increases.

Mr. John MacKay made the presentation, assisted by Mr. Rick Colborne, and with the aid of a video prepared especially to explain the assessment and appeal process. A general assessment takes place every three years in Nova Scotia and regular assessments are carried out in the years between; the difference between the two was explained. Property inspections are made to determine assessments and they are based on comparable values placed on properties in a given neighborhood. Details of assessment procedures were provided and also, an explanation of the appeal process and how it is followed by anyone wanting to appeal an assessment that is considered to be excessive.

After the presentation was completed, members had the opportunity to ask questions. Ald. Hetherington asked why the assessment form used to send out notices

does not make any reference to the fact that assessment offices come under Provincial jurisdiction. He felt that in future, the forms should indicate this so that existing confusion over the City's involvement does not result. He also maintained that personal property inspections did not take place in arriving at most assessment figures. He said that of 125 calls he received, only one person had seen an assessor.

Mr. MacKay said that in the case of a general reassessment, efforts are made to visit all properties in a municipality during the course of the three-year period between reassessments. He agreed to take the point raised by Ald. Hetherington up further.

Ald. MacFarlane had questions about the appeal process, which Mr. MacKay responded to, and he also indicated his concerns to Council about what he saw as an increasing trend, through reassessment, to shift the responsibility for services from the province and onto the municipality. Other members who indicated the same concern were Ald. Connors and Greenough, taking into account the fact that provincial funding is based on the ability of the municipality to pay, which is in turn, based on assessment figures. Ald. Greenough referred to the 23% average increase for municipalities in the province overall, as compared with the percentage figure for Dartmouth, which is 27.2%. He felt this is almost certain to mean funding reductions for Dartmouth. Ald. Connors felt the province should be addressing the effect of this shifting burden to municipal taxpayers and the inequity of assessments, in that they do not take into account the ability of the individual property owner to pay. This is particularly true in the case of senior citizens, many of whom are faced with major assessment increases.

Ald. Billard asked about the range of increase in neighboring municipalities, and requested additional information on this inquiry.

One of the points that came out in the question-and-answer exchange was the need to reduce some of the shock experienced by property owners when they receive their notices in a general reassessment year. It was suggested that advertisements should be taken out prior to the notices being mailed, giving an explanation to the public, and that information brochures, such as those distributed with the Council agenda, could be sent out with assessment notices, to help people better understand what is taking place. The Mayor advised Mr. MacKay that the cable station is willing to show the video that Council has seen, and Mr. MacKay agreed to discuss this idea further with the Mayor.

There were a number of questions to Mr. MacKay about appeal procedures. He advised that there are 800 on file for this year so far. In the last reassessment year, 1984, there were 809 appeals. Ald. McCluskey had specific questions about the deadlines for submitting forms and about an ultimate appeal that can still be made to the Director for an assessment change due to what is deemed to be a 'gross and manifest error'.

Ald. Hawley questioned the 34% average increase in residential assessment for Dartmouth, on the basis that it includes new construction and is not based solely on the neighborhood property values Mr. MacKay has indicated. Ald. Hawley felt that the new construction factor tends to inflate the percentage unduly and does not give a truly accurate percentage figure.

At the end of the question period, the Mayor thanked Mr. MacKay and Mr. Colborne for their attendance and presentation. He asked Mr. MacKay to meet with him to discuss the cable showing of the video.

Council next proceeded to the item added, dealing with a proposed harness racing event planned for Lake Banook on the Feb. 7th weekend, in conjunction with Dartmouth Winter Carnival.

Ald. Levandier and Bregante moved that the

HARNESS RACING:
LAKE BANOOK

event be allowed to take place on Lake Banook.

The Mayor explained why this item has come to Council, due to reservations that Mr. Moir and the City Solicitor have indicated about possible liability on the part of the City if any accidents were to occur, associated with the harness racing event. Mr. Moir pointed out to Council that in the past, when these races were held on the lake, they were not sponsored by the City and therefore the same degree of responsibility did not exist. In the present circumstances, the City is placed in a responsible position, however, and there are considerations of liability that should be considered.

A report from the City Solicitor was circulated in this connection, in which he gives his opinion that the racing should not be permitted for the reasons Mr. Moir has stated.

Ald. Billard asked about the thickness of the ice on Lake Banook, and whether there are standards of thickness for various purposes that could be relied on in this present situation. Council was advised that the ice is 17 to 18 inches thick, and Mr. Atkinson quoted some figures provided by DND, which they use for their own purposes, in the case of heavy equipment that would be moved over an ice surface. Ald. Billard said he would not be so concerned about the event itself as about the accumulated weight of a large number of spectators if they were all gathered on one area of the ice. This was the main concern expressed by other members with reservations about the safety aspect, as well.

Council agreed to hear from Mr. Sandy Fraser, who has been organizing this event for the Winter Carnival. He explained what has been done to organize and promote the races to date, and said he would be guided by Council's decision as to whether it is to proceed or not. Having contacted the organizers of

similar racing events on the Rideau Canal (part of the Winterlude program), he advised Council that they require a 14 to 15-inch thickness of ice for their races on the canal. Those races are attended by about 70,000 people, approx. 15 to 20,000 of whom watch the races on the ice. He explained the provision that will be made on Lake Banook for crowd control, by erecting snow fences as barricades, and skaters will patrol the length of the barricade to keep people back from the race track itself.

Council also heard from Leo Greenwood of the Winter Carnival Committee, and he outlined further the protective measures that will be taken to keep crowds dispersed over the ice surface, to keep cars off the ice, and insofar as possible, to have people watch the races from the shoreline.

Members inquired about the City's liability insurance coverage, and information on our existing policy was provided by the Solicitor. There is, however, no rider covering this particular event.

While there was concern about the adequacy of protective measures initially, the general feeling of Council was that these requirements have been addressed by the organizers, and it was pointed out that almost any type of event, involving the City, can be seen as having some element of risk associated with it, including even Natal Day events. Most members were therefore willing to support the motion and to allow the harness races to go ahead. Ald. MacFarlane continued to have reservations about the safety aspects and did not support the motion. When the vote was taken on the motion, it carried with Ald. MacFarlane voting against.

Ald. Billard^{later} suggested that this would be an opportune time to cut a section of ice from the lake and subject it to some stress tests, so that we would have this information for future reference. The Mayor agreed this would be a worthwhile idea.

MOTION: Moved by Ald. Levandier and Bregante that the harness racing event be allowed to take place on Lake Banook.

THIRD READING:
BY-LAW C- 609

Proposed By-law C-609, which amends the Parking By-law by prohibiting the feeding of parking meters, was before Council for third reading. The by-law received first and second reading at the Jan. 27th meeting.

It was moved by Ald. Levandier and Sarto and carried that By-law C- 609 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. Connors and Hetherington voting against.)

MOTION: Moved by Ald. Levandier and Sarto that third reading be given to By-law C- 609: to amend the Parking Meter By-law.

TENDER RECALL:
ST. PETER'S
GRAMMAR SCHOOL

Tenders have been recalled for the renovations to St. Peter's Grammar School, and acceptance of the low bid received from Sun Construction Co. Ltd., for Alternative #1, has been recommended, in the amount of \$317,868.

Ald. Levandier and Connors moved that the tender be awarded, as recommended.

Ald. Woods said that basically, he was satisfied with the specs for the renovations, but he preferred to see the aluminum retro-fit windows installed, and he favoured^{ed} inclusion of the ventilation system for the theatre, which would add an extra cost of \$17,300. to the tender price. He moved in amendment that the ventilation system be included, at the cost quoted for this additional work. The amendment was seconded by Ald. Pye.

Ald. Thompson indicated to Council the concerns he has about parking in the area of the building, and said he was certain there would^{be} problems in this connection in the future. Ald. Withers inquired about the resolution of concerns the St. Peter's Parish Council has expressed about parking, and the Mayor explained that these have been addressed by identifying those

times of the week and of the church year, such as Easter week, when adequate parking for church services would have to be retained. Ald. Withers suggested that these details should be spelled out in an agreement so there is no confusion about them later on. The Mayor said this suggestion will be taken under advisement.

Ald. Greenough asked if the point raised by Ald. Woods about the windows is to receive further consideration by the Architect, and he was advised that it is. When the vote was taken on the amendment, it carried with Ald. Thompson and Hetherington voting against. The amended motion carried with Ald. Billard, Thompson and Hetherington voting against.

MOTION: Moved by Ald. Levandier and Connors that the tender for the St. Peter's Grammar School renovations, be awarded to the low bidder, Sun Construction Co. Ltd., in the amount of \$317,868. (Alt. #1)

AMENDMENT: Moved in amendment by Ald. Woods and Pye that the ventilation system for the theatre, be added to the tender, at the quoted additional cost of \$17,300.

TENDER FOR
INSURANCE:
DARTMOUTH FERRIES

Tenders have been received as follows for insurance on the three Dartmouth ferries, to become effective on Feb. 21/87:

Reed Stenhouse	\$54,287.50
Pat King Insurance	56,850.00
Blenus-Hope Insurance Ltd.	57,427.00
Dale & Co. Ltd.	58,087.50

Mr. Moir has recommended the Reed Stenhouse tender be accepted for the term Feb. 20/87 to Feb. 20/88, in the amount of \$54,287.50.

The tender was awarded, as recommended, on motion of Ald. Hetherington and Withers.

MOTION: Moved by Ald. Hetherington and Withers that the tender for insurance on the three Dartmouth ferries, be awarded to the low bidder, Reed Stenhouse, as recommended by Mr. Moir.

MAINSTREET PROGRAM:
WYSE ROAD

A report from Mr. Moir was considered on the Mainstreet Program that has been approved by the Province for Wyse Road, from Windmill Road to Albro Lake Road. It is necessary for a committee to be formed in this connection, and Mr. Moir has recommended Mr. John Lukan to serve on the committee as the staff person.

Ald. Withers commented on the decision of the Province to proceed with the Mainstreet Program for Wyse Road, and the planning body that is required to be put in place, in conjunction with the program. He suggested that for the present purposes of getting the planning underway, a committee be composed of one Alderman from each of the two wards in which Wyse Road lies (3 and 4), Mr. Lukan as the staff member, and from the business community, Mr. Jan Jachimowicz, Mr. Richard Boyce, Mr. Brian Smith, and Mr. Donald Melanson.

On motion of Ald. Withers and Connors, Council first approved Mr. Moir's recommendation that Mr. Lukan be the staff member of the committee.

Council tended to feel that both Aldermen from both Wards 3 and 4 should serve on the committee, and a motion was therefore adopted, approving the appointment of all four Aldermen, plus the appointment of the business representatives named by Ald. Withers. The motion to this effect, moved by Ald. McCluskey and Pye, carried.

MOTIONS: Moved by Ald. Withers and Connors that Council approve the appointment of Mr. John Lukan to the Wyse Road Mainstreet committee, as the staff member.

Moved by Ald. McCluskey and Pye that Council approve the appointment of the four Aldermen for Wards 3 & 4, plus the four business representatives proposed by Ald. Withers, as noted above.

M.P.S. SUB-
COMMITTEE
ADDITIONS/
RESIGNATIONS

On motion of Ald. Hetherington and Bregante, Council approved a number of appointments to and resignations from M.P.S. Sub-Committees, as listed in a report to Council from Roger Wells, Planner, dated Jan. 28/87.

MOTION: Moved by Ald. Hetherington & Bregante that Council approve the various appointments to and resignations from M.P.S. Sub-Committees, as listed in the report to Council, dated Jan. 28/87.

MOTION: ALD PYE
WITHDRAWN

With the concurrence of Council, Ald. Pye withdrew a motion that he had proposed to introduce at this time, having previously given notice of motion. He said he would bring the item back at a future time,

if necessary.

NOTICES OF MOTION:

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

ALD. LEVANDIER

1) Ald. Levandier

WHEREAS the Provincial year is different than that of the City of Dartmouth;

AND WHEREAS the City and associated Boards and Commissions rely on transfer payments from the Province of Nova Scotia;

AND WHEREAS it is difficult for the City and associated Boards and Commissions to accurately evaluate their financial needs without knowing the amount to be received from the Province;

THEREFORE BE IT RESOLVED that the Finance & Program Review Committee study this important question, and report back to City Council with their findings as to how this situation can be resolved;

AND BE IT FURTHER RESOLVED that this report come back to City Council in not more than sixteen weeks.

ALD. HAWLEY

2) Ald. Hawley

BE IT RESOLVED that the City of Dartmouth provide a three-way Stop at the intersection of Montebello and Caledonia Road, and also, that the City of Dartmouth provide a four-way Stop at the intersection of Colonna Place and Venice Court.

INQUIRIES:

ALD. MCCLUSKEY

Ald. McCluskey asked if the Engineering Dept. would make inquiries about a type of snowplow blade that can be lifted for driveways, so they are not filled in again after homeowners have cleared them. Mr. Fougere agreed to make inquiries.

Ald. McCluskey asked if signs could be provided to identify bus lanes at the Dartmouth Shopping Centre, where there is considerable confusion at present over which buses are in which lanes. Ald. Sarto was asked to bring this inquiry to the attention of the Transit Advisory Board.

Ald. McCluskey asked about enforcement of the Smoking By-law, as it applies to the bingo operation at Farrell Hall. The Solicitor said it would apply to an open bingo (ie. open to the public). The Mayor suggested that a conclusive opinion on this question be prepared by the Solicitor for Ald. McCluskey.

ALD. BILLARD

Ald. Billard made an inquiry about a stress test for ice from Lake Banook, as recorded on page 6 of these minutes.

ALD. CONNORS

Ald. Connors' first inquiry was about the City's participation in the computerization of traffic lights to improve traffic flows between Dartmouth and Halifax. He felt there should be some clarification as to what, if any, contribution will be expected from the City, in time for capital budget considerations. He asked that some initiative be taken to clarify this point.

Ald. Connors asked about the status of the Traffic Study, and was advised by the Mayor that he would hope to have an update for Council by the beginning of March.

ALD. PYE

Ald. Pye requested that the Police Dept. submit a report on the vehicle count in the Brule St. area.

He also asked about student transportation in the event of a transit strike. This inquiry was referred by the Mayor to Ald. Connors, Chairman of the Dartmouth District School Board.

ALD. LEVANDIER

Ald. Levandier referred to an expropriation notice for the William Street reserve, which appeared on page 33 of the Main-Star of Jan. 29th. He requested a memo from the Solicitor, to Ald. Connors and to him, on this inquiry.

Ald. Levandier asked that attention be given to the overhead crosswalk light on Alderney Drive that is still not lighted.

ALD. HETHERINGTON

Ald. Hetherington asked to have the bus stop shovelled out at 513 Pleasant Street.

He requested from Doane Raymond, information on the yearly amount of all monies paid over the last ten years to the legal firm of Drury, Heustis (Anderson, Heustis & Jones), in yearly figures.

ALD. SARTO

Ald. Sarto asked if six or seven additional parking spaces could be reserved on Council nights

on the side of the parking lot opposite to the Alderman's parking area.

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

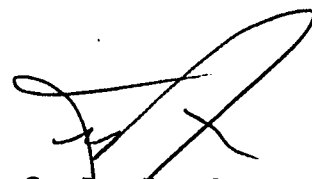
ALD. THOMPSON

Ald. Thompson requested a report from the Police Chief, for the next Police Commission meeting, on the number of protective vests now on hand for use in the Police Dept., and the cost of issuing these vests.

On motion of Ald. Bregante and Thompson, Council went into Committee, in order to meet in camera for several other items.

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

Meeting adjourned.



G. D. Brady,
Deputy City Clerk.

City Council, Feb. 3/87

ITEMS:

- 1) Petition: Crosswalk guard, Lyngby & Hillside, page 2.
- 2) Presentation: Regional Assessment office, page 2 to 4.
- 3) Harness Racing: Lake Banook, page 4 to 7.
- 4) Third reading: By-law C-605, page 7.
- 5) Tender recall: St. Peter's Grammar School, pg. 7.
- 6) Tender for insurance: Dart. ferries, page 8.
- 7) Mainstreet Program: Wyse Road, page 8.
- 8) M.P.S. Sub-Committee additions/resignations, page 9.
- 9) Notices of motion: Ald. Levandier page 10.
Hawley
- 10) Inquiries, page 10 to 12.

Dartmouth, N. S.

Feb. 17/87.

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

Present - Mayor Savage

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

(Ald. Hetherington was ill and unable to attend this meeting.)

APPOINTMENT OF
CITY ADMINISTRATOR

Mayor Savage read a press release, announcing that Council, sitting as a Selection Committee, has recommended the appointment of Mr. John Burke to the position of City Administrator for the City of Dartmouth. The salary for Mr. Burke will be \$85,000. per annum, and he will commence work on July 1/87. Mr. Moir has agreed to remain in the position until that time.

On motion of Ald. Billard and Hawley, Council ratified the action of appointing Mr. Burke as the new City Administrator.

MOTION: Moved by Ald. Billard and Hawley that Council ratify the appointment of Mr. John Burke to the position of City Administrator for the City of Dartmouth.

The Mayor brought to Council's attention, the invitation received by members to an event in the Burnside Park, sponsored jointly by the Dartmouth Chamber of Commerce and Symphony Nova Scotia, to be held on March 4th at noon.

Ald. Pye rose on a point of privilege to express dissatisfaction that an additional fee of \$3,500. was charged by the insurance company for the City, in connection with the harness racing event held on Lake Banook, as part of the Winter Carnival program. He felt a letter should go to the company in this connection.

Ald. Thompson extended thanks to those members of Council who took part in the Bowl for Millions fund-raising event for the Big Brothers & Big Sisters organization. He noted that the Dartmouth team defeated the

Halifax City Council team.

Ald. MacFarlane extended congratulations to the Winter Carnival Committee for their very successful program, just concluded. He said special thanks are due to Ald. Pye and Mr. Leo Greenwood for their efforts.

Ald. MacFarlane also raised a point about the reassessment and inadequacies that appear to exist in the assessment procedures. He felt that the Minister of Municipal Affairs should be asked to conduct an investigation into these procedures, so that improvements can be made in the future.

He suggested that a further comment should be conveyed to the Minister on the incongruous situation created when on the one hand, efforts are being made to keep senior citizens in their own homes, while on the other hand, they are being faced with major increases in assessment, which make it more difficult for them to do so.

Ald. Sarto requested that the item on Portland Street improvements be moved up on the agenda. Council agreed to this request.

MONTHLY REPORTS

Council dealt first with the monthly reports, referred directly without recommendation from Committee. They were approved as follows:

- 1) Social Services (Jan.): approved on motion of Ald. Pye and Thompson.
- 2) Development Officer (Jan.): approved on motion of Ald. Bregante and Pye.
- 3) Building Inspection (Jan.): approved on motion of Ald. Pye and Sarto.
- 4) Minimum Standards (Jan.): approved on motion of Ald. Withers and Thompson.
- 5) Fire Chief (Jan.): approved on motion of Ald. Greenough and McCluskey.

Ald. Levandier noted that this is the final report from Chief Patterson before his retirement. He acknowledged the service given to the City by Chief Patterson, and Mayor Savage added his own comments of thanks, noting that there will be other opportunities for expressing thanks to the Chief before he leaves. Chief Patterson responded by thanking Council for his association with the members.

Ald. Thompson asked if any further calls are being received about the odour problem in

the Dorothea Drive area. Mr. Fougere said this problem appears to be cleared up since the flushing of the system by the Fire Dept.

- 6) Dog Control (Jan.): approved on motion of Ald. MacFalrane and Sarto.

MOTIONS: To approve monthly reports as noted above and on page 2 of minutes.

PORTLAND STREET
IMPROVEMENTS

A Planning Dept. report, with other accompanying letters and information, was before Council on the subject of improvements proposed for the section of Portland Street between Woodlawn Road and Carver St.

CONFLICT OF
INTEREST

Ald. Greenough declared a conflict of interest, based on the fact that a property belonging to his brother is involved in this issue, and he withdrew from his place on Council to sit in the gallery.

Mr. Bayer made the Planning Dept. presentation, explaining why there is some urgency in dealing with the item, in order not to miss the deadline for Provincial cost-sharing in the project. He used an overhead slide to show Council the street alignment and the improvements that are being proposed to improve traffic safety and for traffic control generally on what is presently a dangerous section of Portland Street. Numerous accidents have occurred on it and this fact was later verified by Deputy Chief Cole, who described one of the more serious accidents that took place.

The plan shown to Council involves a combination of raised medians, left-turn holding lanes, relocation of a driveway on the Capitol Stores property, and the closure of Settle Street at Portland. Objections originally raised by Capitol Stores Ltd. and the Tim Horton outlet, have been overcome, with certain modifications, and both are now in agreement with the plan. Objections to the plan are still indicated, however, from the Woodlawn Dental Clinic at 599 Portland Street, and from Mr. & Mrs. Ralph Greenough, the owners of property at 627 Portland St. In the case of the latter property, the left turn into it from Portland Street would be eliminated, and since they operate a Home Occupation Business from that location,

they are concerned about the impact on their business. The dental clinic owners have similar concerns, although it has been explained in the Planning Dept. report how people wishing to reach the clinic would get to it and by a safer route that would not take them far out of their way. Mr. Bayer pointed out to Council that a left turn to this business from Portland Street is already prohibited by signage, but drivers continue to disregard the sign.

Ald. Sarto presented a petition bearing 337 names of clients who use the dental clinic and are opposed to the plan, as it relates to the clinic access. The petition was tabled and members of Council then received copies of a letter from Mr. & Mrs. Greenough, which sets out the reasons for their concern about the proposed elimination of a left turn into their property on Portland Street.

Ald. Sarto suggested a modification to the plan that would eliminate the section of median in the area of the Greenough property, permitting a holding lane for left-turning traffic to enter their driveway. Mr. Bayer explained that while this could be done, it reduces the effectiveness of the plan from a safety point of view. Other members of Council tended to feel that some provision such as this should be made to retain the left-turn to the Greenough property, particularly when provision has been made to accommodate most of the businesses along this section of Portland St. and other homeowners on the same side of the street as the Greenough property. Ald. McCluskey raised a question about the possible devaluation of the City-owned property at this same location, which will not have left-turning access to it either. Ald. Thompson asked if any consideration has been given to the possibility of purchasing the Greenough property, if they are interested in selling it. Another question, from Ald. Connors, concerned the actual cost figure for the improvement plan, estimated

to be \$40,000. in total, in 1985 figures. He noted that projections contained in the Transportation Study, for improving the same section of street, are considerably higher than \$40,000. He and other members felt this point should be clarified.

Mr. Bayer responded to statements made by Ald. Hawley about the apparent attempt that has been made to accommodate the businesses on one side of the street, but not the owners of the Greenough property on the other side. Mr. Bayer pointed out that considerably higher traffic volumes are generated by the businesses such as Capitol Stores and Tim Horton, and the compromise driveway arrangement arrived at with the business owners is the best one that can be achieved, given the alignment of property ownership that exists and with the front portion of one property having been sold and thereby making an extension of Settle Street impossible.

In view of questions that came up about the possibility of purchasing the Greenough property, the possible devaluation of the abutting City property (by eliminating a left-hand turn into it), and the actual cost of the proposal in 1987 dollars (and as compared with projections in the Transportation Study), Council decided to defer any decision for answers to these questions, as well as whether or not the section of median could be removed to permit a holding lane for left-turning traffic into the Greenough property. A motion to defer, moved by Ald. Withers and Thompson, was adopted. Mr. Moir said it is not likely that a staff report can be ready until the March 3rd Council meeting.

MOTION: Moved by Ald. Withers and Thompson that a decision on the proposed improvements to Portland Street, be deferred for the answers to questions raised in discussion, as recorded in these minutes.

E.M.O. REPORT

The E.M.O. report to Council has been circulated, and various representatives were in attendance for its presentation. Ald. McCluskey asked why such a major

report has been included in a regular Council agenda. She felt a special session of Council should be set aside to deal with an item of such significance. Other members tended to share this opinion, and the Mayor agreed to consult with Deputy Chief Cole and Mr. Oldham, to select another evening for the item. Council will be duly informed of a new date.

ENVIRONMENTAL
INSPECTOR

A recommendation has been received from the Lakes Advisory Board, on the hiring of an Environmental Inspector for the City, commencing in the year 1987.

Ald. Levandier and Greenough moved referral to the City Administrator for advice to Council on whether or not such a position is required and the cost involved to establish and fill the position.

Ald. Sarto and Pye felt that such a position is needed, and Ald. Pye said an inspector should be provided, no matter what the cost. Ald. Billard had a series of questions he wanted to have addressed, such as the department under whose jurisdiction the position would fall; would summer students be a viable alternative; would this person be a clerk or a technician; what problems have been experienced with the on-going monitoring of the lakes and with compliance with development regulations; what problems are being experienced now, as compared with the time when Mr. Bryson was on staff; why was Mr. Bryson not replaced; have there been any costly development mistakes because an inspector was not available, etc.

Ald. Hawley said it is important to find out exactly what authority a person in such a position would have, in view of enforcement difficulties that have been presented to Mr. Bernard in his efforts to do some of this inspection work. Ald. Greenough asked if the functions of an Environmental Inspector could be incorporated under the Building Inspection Dept., but with guidance from Mr. Bernard; he asked to have this possibility looked at also.

Ald. Woods wanted to have the following question addressed: Is it possible to develop legislation that would require a developer to engage a consultant to monitor lake protection during development? The consultant would report to the Lakes Advisory Board and would follow terms of reference established by Council.

Ald. Connors said that if there are concerns about the cost^{of} this additional staff position, it may be necessary to cut back in some other department to come up with the funds for it.

Ald. Withers considered that Mr. Mark Bernard is presently over-worked and there is certainly justification for the position of Environmental Inspector.

When the vote was taken on the motion to refer, it carried with Ald. McCluskey voting against.

MOTION: Moved by Ald. Levandier & Greenough that the proposed position of Environmental Inspector be referred to Mr. Moir for advice to Council on the need for such a position and the cost involved to establish and fill the position.

FCM ANNUAL
CONFERENCE

The Mayor asked for an indication within ten days time, of those members planning to attend the 1987 FCM Conference. Ald. McCluskey felt the number of representatives from Council should be limited and she suggested that consideration be given to this restriction on numbers.

HYDROPLANE RACES

The Mayor and Ald. Billard made a report to Council on the plans that are going forward for hydroplane races in the harbour off the Dartmouth waterfront, to be held next summer. The event will receive advance publicity in conjunction with the Natal Day parade.

AWARD TENDER:
SCHOOL BUSES

A report was before Council on the tenders received for the supply of two 66-passenger school buses. Acceptance of the low bid, received from Kiley Distributors Ltd., at a unit price of \$35,895 each, has been recommended by the Chief Buyer, with Mr. Moir's concurrence.

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

MOTION: Moved by Ald. Pye and Thompson that the tender for two school buses be awarded to the low bidder, Kiley Distributors Ltd., as recommended.

RESOLUTION 87-02:
SPECIAL CONSTABLE

On motion of Ald. MacFarlane and Pye, Council adopted Resolution 87-02, appointing Robert E. Crawford as Special Constable for the City, to issue parking tickets in the downtown Dartmouth area, for a twelve-month period.

MOTION: Moved by Ald. MacFarlane and Pye that Council adopt Resolution 87-02, appointing a Special Constable, as detailed above.

AMENDMENT TO
PROCEDURAL BY-LAW

On motion of Ald. Greenough and Thompson, Council received and filed a report from the Solicitor on the possibility of an amendment to the Procedure By-law, that would permit staff reports to be dealt with earlier in Council meetings. The report indicates the opinion that the sequence of the Council agenda should not be changed from its present format, which gives items involving the public first priority.

In response to further questions from Ald. Pye, with whom the motion originated, the Mayor advised that he will continue to watch for opportunities to let staff members leave those meetings at a point in the evening when it appears that their reports cannot be dealt with before adjournment.

MOTION: Moved by Ald. Greenough & Thompson that a report from the Solicitor on a possible amendment to the Procedure By-law, be received and filed.

REZONING
APPLICATION:
ALBRO LAKE
LANDS

Council has been asked to set a date for public hearing of an application from the Provincial Housing Department, to rezone 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.

CONFLICT OF
INTEREST

Ald. Withers declared a conflict of interest on this item, because of the position he holds with the MLA for the area of the City concerned. He withdrew from his place on Council to sit in the gallery.

On motion of Ald. Greenough and Thompson, Council set March 24th as the date for public hearing. Ald. McCluskey had questions about the streets on which homeowners will receive notification, and the Mayor

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suggested that she indicate the streets she wants to see included, to Mr. Bayer for the information of his department.

MOTION: Moved by Ald. Greenough & Thompson that Council set March 24th as the date for public hearing of an application to rezone part of the Albro Lake lands, as described on page 8 of these minutes.

PUBLIC HEARING
DATES: DEVELOPMENT
AGREEMENTS & PHASE II
HIGHFIELD PARK

On motion of Ald. Bregante and Sarto, Council set March 31st as the date for two public hearings: (1) for Development Agreements: Day Nurseries & Under-sized lots; and (2) Phase II, Highfield Park (parcels of land within Phase II, as outlined in the Planning Dept. report of Jan. 19/87).

MOTION: Moved by Ald. Bregante & Sarto that Council set March 31st as the date for two public hearings: (1) Development Agreements: Day Nurseries & Undersized Lots; and (2) parcels of land in Phase II, Highfield Park.

PERMIT TO BUILD:
31/33 JACKSON RD.

An application has been received for permit to build a 17-unit apartment building at 31-33 Jackson Road, estimated value of construction: \$270,000. Ald. Sarto and Greenough moved that the permit be granted, subject to compliance with City requirements, as set out in the staff report of Feb. 11/87.

Ald. Woods was concerned that similar development will continue all the way along Jackson Road, and he asked for direction that he can take to the Ward Five Community Social Action Committee, in order to address what could be a future problem. He requested guidelines for starting the necessary procedures to prevent this development scenario from happening. The Mayor suggested that Ald. Woods meet with Planning Dept. staff for further discussions. The motion carried with Ald. Woods and Pye voting against.

MOTION: Moved by Ald. Sarto and Greenough that Council approve a building permit application for 31-33 Jackson Road, subject to compliance with City requirements, as outlined in the staff report of Feb. 11/87.

DEVELOPMENT AGREEMENTS On motion of Ald. Levandier and MacFarlane, Council received and filed a report from John Lukan,

explaining that the M.P.S. Review Committee is unable to report back to Council on the subject of Development Agreements, in time for this particular meeting, as Council had requested. A report will come to Council at a later date, together with minutes of the Review Committee meeting when discussion of the matter took place.

MOTION: Moved by Ald. Levandier & MacFarlane that a report from Mr. Lukan on the M.P.S. Review Committee with respect to their consideration of Development Agreements, be received and filed.

VIDEO RETAIL
APPLICATIONS:
RON'S GROCERY
BARGAIN HAROLDS

Council indicated no objection to the following video retail applications:

- 1) Ron's Grocery, 31 Rose Street, on motion of Ald. Hawley and Pye.
- 2) Bargain Harolds Ltd. (118 Wyse Rd. & 50 Tacoma Dr.), on motion of Ald. Withers and Greenough.

MOTIONS: To indicate no objection to video retail applications, as noted above.

FERRY OPERATIONS
REPORT

On motion of Ald. Hawley and Thompson, Council approved the Ferry operations report for December, 1986, forwarded from the Transit Advisory Board.

MOTION: Moved by Ald. Hawley & Thompson that Council approve the Ferry operations report for the month of Dec., 1986.

APPOINTMENT:
TRANSIT ADVISORY
BOARD

On motion of Ald. Bregante and MacFarlane, Council approved the appointment of Mr. Harry Taggart to the Transit Advisory Board, replacing the citizen representative, Mr. Art Russell.

MOTION: Moved by Ald. Bregante & MacFarlane that Council approve the appointment of Mr. Harry Taggart to the Transit Advisory Board, replacing Mr. Art Russell.

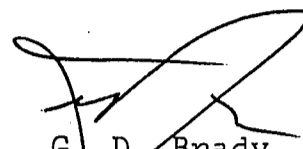
MEMBERSHIP:
TRANSIT ADVISORY
BOARD

On motion of Ald. Greenough and MacFarlane, Council adopted a recommendation from the Transit Advisory Board, to increase the Aldermanic representation on the Board, from six to seven Aldermen, one from each ward. Terms of reference for the Board would be changed accordingly.

MOTION: Moved by Ald. Greenough & MacFarlane that Council approve a recommendation from the Transit Advisory Board, to increase the Aldermanic representation on the Board to include one Alderman from each of the seven City wards.

On motion of Ald. Bregante and Levandier, Council adjourned to meet in camera as Committee-of-the-Whole. After reconvening in open Council, the action taken in camera was later ratified, on motion of Ald. Pye and Sarto.

Meeting adjourned.



G. D. Brady,
Deputy City Clerk.

City Council, Feb. 17/87

ITEMS:

- 1) Appointment of City Administrator, page 1.
 - 2) Monthly reports, page 2.
 - 3) Portland St. improvements, page 3 to 5.
 - 4) EMO Report, page 5.
 - 5) Environmental Inspector, page 6 & 7.
 - 6) FCM Annual Conference, page 7.
 - 7) Hydroplane Races, page 7.
 - 8) Award tender: School buses, page 7.
 - 9) Resolution 87-02: Special Constable, page 8.
 - 10) Amendment to Procedural By-law, page 8.
 - 11) Rezoning application: Albro Lake lands, page 8.
 - 12) Public hearing dates: Development Agreements
Highfield Park, Phase II page 9.
 - 13) Permit to build: 31-33 Jackson Rd., page 9.
 - 14) Development Agreements, page 9.
 - 15) Video Retail Applications: Ron's Grocery
Bargain Harolds page 10
 - 16) Ferry operations report, page 10
 - 17) Appointment: Transit Advisory Board, page 10.
 - 18) Membership: Transit Advisory Board, page 10.
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Dartmouth, N. S.

Feb. 24/87.

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

Present - Mayor Savage

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

A decision has been made to proceed with the E.M.O. presentation at this meeting. In attendance for the presentation were: Deputy Chief Cole, Cst. Spurr, Mr. John Perkins and Mr. E. Oldham.

E.M.O. PRESENTATION

Deputy Chief Cole, who has been serving since July of 1986 as the Interim E.M.O. Coordinator, began the presentation, assisted by Cst. Spurr. He advised Council that By-law C-593, establishing an Emergency Measures Organization for Dartmouth, has been approved by the Province and is now in effect. Also, a Mutual Aid Agreement has been signed by all four metropolitan municipalities in October of 1986 and is in place. He then took Council through the All Hazards Emergency Plan that has been prepared through the work of the Executive and Planning Committees, noting that the plan already has the approval of the Province, since their representative was able to be present for the meetings at which it was being put together.

Sections of the plan that were reviewed and given particular attention by Deputy Chief Cole included:

- 1) the organizational structure of the E.M.O.
- 2) the role of individual City departments, each of which will be formulating their own plan.
- 3) the Emergency Operations Centre, to be located at the City Works Dept. Operations Centre, in the Burnside Park, on Turner Drive. The alternate E.O.C. will be at Dartmouth City Hall.
- 4) the flow chart (page 8-1) showing the process for activating the emergency plan.
- 5) designation of an Emergency Site Manager, depending on the type of emergency that may occur at a given time.
- 6) areas of responsibility for the Mayor, the

City Administrator, the E.M.O. Co-ordinator, the Chief of Police, City Engineer, etc.

Deputy Chief Cole advised that a retired doctor, Dr. Fred Barton, has agreed to serve as Health Officer for the E.M.O., and he has attended meetings held to date and participated in the discussions.

Presentation of the Communications plan for the Emergency Operations Centre, was made by Mr. Oldham of Oldham Engineers Inc. He described the Communications Plan as a framework for the Emergency Plan to work within, and it is designed to operate as a layer over and above the regular communication system that already exists and not in place of it. Sections of the plan that he explained specifically were:

- 1) the communication needs in emergency situations.
- 2) the Incident Command Structure, with related diagrams to show how the structure works.
- 3) communication facilities.
- 4) proposed communication plan for the E.O.C.
- 5) duties of the Communications Officer.
- 6) equipment that will be needed to put a communication system in place in the E.O.C.

Further to the equipment requirements, Deputy Chief Cole presented capital estimates totalling nearly \$80,000. as far as City costs are concerned. Cost-sharing to the extent of 40% has been shown on the budget sheets, resulting in the net cost to the City of approx. \$80,000. Operating estimates have also been projected, in the amount of \$28,360. for 1987, and these include the full part-time position of an Emergency Measures Co-ordinator for six months, beginning in June of 1987. Estimates for 1988 would be for a full year and would increase accordingly. Deputy Chief Cole pointed out that it would be difficult to implement the Plans presented without the corresponding funding provisions, since the Plans are dependent on the necessary equipment being provided and on the Co-ordinator's position being in place.

A general question period followed when members had the chance to make specific inquiries and have them answered.

Ald. Connors asked about preparedness for various types of emergencies, and Deputy Chief Cole said these specifics will be covered in the individual department plans. All of these will eventually come to the Planning and Executive Committees, and be integrated with the main overall plan. Ultimately, all of this additional information will come to Council.

One of the other inquiries made by Ald. Connors pertained to the powers of the Executive Committee and whether the legal authority set out in the by-law actually coincides with what has been set out in the Plan. He felt the legal aspect should be reviewed by the Solicitor to confirm that it corresponds as it should. Mr. Perkins commented on the powers given the Executive Committee under the E.M.O. Act.

Ald. McCluskey asked about the choice of the Works Centre as the E.O.C. location, and in responding to this question, Deputy Chief Cole noted that when the new police station is built, provision will be made to have the E.O.C. located there. Ald. Thompson later suggested that this^{is} a point for consideration when the site for a new station is being selected and the Mayor agreed it is an important point.

Deputy Chief Cole said if it were necessary in an emergency to evacuate Burnside Park, and alternate E.O.C. in a neighboring municipality could be available for use; the possibility of alternate E.O.C. use is being explored further with the other local municipalities. This possibility is also being kept in mind when equipment is being purchased, so that it will be compatible with the other units locally.

Ald. MacFarlane had a question about the role of the military, and was advised by Deputy Chief Cole of the procedure established to be followed when military assistance is deemed to be necessary. If requested to assist, Deputy Chief Cole said they would respond.

Ald. Billard and Sarto moved the adoption of

the two recommendations contained in the accompanying report circulated with the two Plans. Deputy Chief Cole has recommended:

- 1) that Council, on the recommendation of the Executive Committee, approve the All Hazards Emergency Plan as the Emergency Plan for the City of Dartmouth.
- 2) that Council, on the recommendation of the Executive Committee, approve the Dartmouth Emergency Measures Communication Plan, as the Communications Plan for the City of Dartmouth.

Ald. Billard commented on the important factors in any emergency plan, such as training, communication equipment, printing and distribution of plans and so on. He said community awareness is important as well, not only informing citizens that we are trying to be prepared, but telling them exactly what is going on. He considered Dartmouth to be one of the best prepared cities in the country even now, with the number of Aldermen and staff who have been instructed and received the benefit of E.M.O. courses.

Ald. Withers commended the Mayor for the initiative he has taken on this matter, and also, the Deputy Chief for his work and for his general expertise in the whole E.M.O. field. Ald. Sarto asked about a completion date for implementation of the plan and Deputy Chief Cole said he would expect to see it completed in a year from now.

The vote was taken on the motion and it carried unanimously. The Mayor thanked Deputy Chief Cole, Mr. Perkins and Mr. Oldham for the time and effort they have put into the E.M.O. project.

MOTION: Moved by Ald. Billard and Sarto that Council adopt the two above-noted recommendations from Deputy Chief Cole's report of Jan. 23/87.

AFFIRMATIVE
ACTION PROGRAM

A Memorandum of Understanding and Affirmative Action Plan for the City, on recommendation of the Finance & Program Review Committee, ^{have been prepared} and in an accompanying letter from the Mayor, he has recommended that Council approve both these documents and authorize the execution of the Memorandum of Understanding by the Mayor and the City Clerk. Letters in this connection have also been

circulated from the Nova Scotia Union of Public Employees, the Dartmouth Firefighters Assn., and the Police Assn. of Nova Scotia.

Ald. McCluskey and Sarto moved the adoption of the recommendation from Mayor Savage. Ald. McCluskey, with whom the Affirmative Action initiative originated, commended staff and the Finance Committee for the way in which this matter has been followed up to a successful conclusion. She spoke about the aims of Affirmative Action and said it is hoped that the City will set an example with this undertaking that will encourage other municipalities to take a similar course of action, plus the private sector as well. Ald. Greenough, chairman of the Finance & Program Review Committee, commended the motion to Council and acknowledged the assistance the Committee received from Ms. Thomas of the Human Rights Commission in bringing about the step that has been taken toward an Affirmative Action Program for Dartmouth.

Other members speaking in favour were Ald. Withers, Sarto and Connors. Ald. Connors said it should be noted that the emphasis here is on equal opportunity, and a quota system is not involved. The aim is to insure that there is no discrimination against women and minority groups in the community. He commended in particular the creation of a Human Rights Advisory Committee in the City, considering this to be a worthwhile part of the Memorandum of Understanding. Ald. Withers requested one change in the wording of the Memorandum: wherever the term 'the disabled' appears, he asked to have the words changed to read 'disabled persons'. This change was duly noted and agreed to. The vote was taken on the motion and it carried unanimously.

MOTION: Moved by Ald. McCluskey and Sarto that Council, approve the Memorandum of Understanding and Affirmative Action plan, recommended by Mayor Savage and the Finance & Program Review Committee, and authorize the execution of the Memorandum by the Mayor and the City Clerk.

The Mayor noted the assistance of Ms. Thomas of the Human Rights Commission and said he would extend thanks to her personally.

PERMIT TO BUILD:
REAL ATLANTIC
SUPERSTORE
650 PORTLAND ST.

An application for permit to build the Real Atlantic Superstore, has been received from Atlantic Wholesalers Ltd., for the property at 650 Portland St. Estimated value of construction is ten million dollars.

In addition to the regular staff report submitted for building permit applications, Mr. Purdy has included a report on the extension of water service to this site, advising that plans for water service extension have been revised, eliminating 845 feet of watermain on Eisener Blvd. and two fire hydrants. This extension of watermain would be required for Phases 3 and 4 of the Portland Estates development, and if the street is completed and paved in the meantime, will require excavation of a newly-paved street, with the additional construction costs involved. Mr. Purdy has noted that the present proposal for water servicing reduces the number of fire hydrants available at the front of the store, and eliminates a substantial portion of watermain which will be required for future development of adjacent lands. Also, a newly-constructed street will have to be torn up later, in order to install the watermain.

CONFLICT OF
INTEREST

Ald. McCluskey declared a conflict of interest on this item, since she does work for Bonaventure Homes, and she withdrew from her place on Council to sit in the gallery.

Ald. Hetherington and Thompson moved referral of this item back to staff for information on additional points of concern, one of these being the removal of two fire hydrants and the safety factor this entails.

Council heard from Mr. Jim Stevenson, representing Atlantic Wholesalers Ltd., the applicants. He advised that the \$100,000. requirement for a water supply main (Woodlawn Road to Portland St. via Day Ave. & Carver St.) has already been complied with by the developer, as agreed to at the public hearing. It is the feeling of the company,

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that the necessary requirements have been adhered to as far as this particular water extension is concerned, in that the developer is willing to extend water services to the property being developed, for purposes of their own building. If water services are extended beyond that requirement, it is felt by the developer that the party who receives the benefit of that extension should also bear the cost. On that basis, the plans were amended by the developer (Atlantic Wholesalers).

Council then heard from Mr. Tony Robinson, representing Portland Estates who are developers of the abutting lands in question. A plan was presented to show Council the point of the 800-foot extension and the effect of not carrying through with this water extension, although it is recognized that there is not a legal requirement to do so. Mr. Robinson said he has been instructed that should the necessity arise, Portland Estates will be forced to pay the \$50,000. amount required to engineer this extension.

Ald. Sarto asked about the opinion of the Fire Dept. with respect to the deletion of two fire hydrants, a point previously brought to Council's attention by Ald. Hetherington. Mr. Purdy said they do have some reservations, but the plans, as presented, still provide for three hydrants, and it was stated by Mr. Bayer that before any permit is issued to the developer, there will have to be compliance with the National Fire Code. All such details will continue to be assessed and monitored as planning details and drawings are received.

Ald. Levandier felt a report from the City Administrator is warranted, in view of the issues that have come up in connection with this application. He suggested there has been a deliberate attempt to stifle Portland Estates development and said he wanted to see these highly irregular procedures investigated. Ald. Thompson suggested there should be some verification as to just exactly what was approved at the time of the public hearing and this should form part of the staff report.

Ald. Greenough also questioned whether the noise abatement requirement has been adequately addressed and felt there is not sufficient reference to it in the staff report Council has received.

Responding to questions from Ald. Hawley about compliance on the part of the developer with requirements for water extension to his property, Mr. Bayer pointed out that in this case, the developer owns one block of land and as required, water has been extended to service it. Once the street has been completed, however, and we get into a subdivision, a water extension will be required to the property boundary. Until the subdivision occurs, the developer cannot be forced to undertake the water extension to the boundary. Ald. Hawley asked about the City's acceptance of the paved street, without the water line being extended and any responsibility we will have to assume later if that is done. It was suggested that perhaps City regulations applicable to situations such as this will have to be reviewed, in the light of difficulties that have arisen with this particular major development and major land holding.

Mr. Stevenson was again heard by Council, and while he felt the application before Council meets all the necessary requirements in order to be approved, he said that under duress, his company would be willing to proceed with the additional water extension in order to get the building permit approved. Mr. Stockall also addressed Council at this point, stating that he had instructed his Solicitor to indicate a willingness to pay the necessary \$50,000. for the extension as well. Then, he said, if the subdivision takes place at a later time, his company could recoup this amount from the developer.

At this point, the Mayor suggested that the principals for both companies, plus the necessary staff representatives, meet outside the Council Chamber for fifteen minutes to try to settle the issue, so it can be resolved at this meeting of Council, with^{no} further delay.

Council was agreeable to have this kind of mutual discussion take place. After having reconvened, Mr. Moir made a report to Council on behalf of those who took place in the discussions. He advised that agreement has been reached, and the developer (Atlantic Wholesalers) are willing to proceed with the installation of water services to the property boundary, at their own cost. Approval of the building permit has therefore been recommended on the basis of this mutually-acceptable agreement, subject to the various conditions and requirements that are set out in the staff report to Council.

The vote was taken on the motion to refer and it was defeated.

Ald. Greenough and Hetherington then moved that the building permit be issued to Atlantic Wholesalers, subject to compliance with the City requirements detailed in the staff report dated Feb. 19/87. Ald. Levandier still felt that a report from Mr. Moir is warranted on this item, and Ald. Hetherington said that all the necessary groundwork should have been done before this item even came to Council. Ald. Connors suggested it may be necessary to refine our building permit process where such large-scale developments are concerned, a point raised earlier in the debate. Mr. Moir said he would take this point up further with staff. The vote was taken on the motion on the floor and it carried unanimously.

MOTION: Moved by Ald. Greenough & Hetherington that the building permit be issued to Atlantic Wholesalers for the Super Store at 650 Portland Street, subject to compliance with City requirements, as detailed in the staff report dated Feb. 19/87.

BY-LAW C-610:
TAXI BY-LAW
AMENDMENTS

Proposed By-law C-610, which incorporates a number of housekeeping amendments to the Taxi By-law, has been recommended to Council for approval. One of the amendments is to implement a uniform taxi roof light, an example of which was available in the Council Chamber for viewing by Council.

CONFLICT OF INTEREST

Ald. Bregante declared a conflict of interest on this item, since his father is employed in the taxi industry. He withdrew from his place on Council to sit in the gallery.

It was moved by Ald. Hetherington and McCluskey and carried that leave be given to introduce the said By-law C-610 and that it now be read a first time.

It was moved by Ald. Hetherington and Withers that By-law C-610 be read a second time.

Ald. Connors and Billard were not in favour of a uniform taxi roof light and did not consider this requirement to be necessary for the City. Ald. Connors said he objected to government wasting time and money on a project like this. Ald. Hetherington supported the position of the Taxi Commission in this instance. He pointed out that the taxi industry itself favours this standardization, and there is a numbering advantage with uniform lights for taxis. Ald. Greenough and Pye also spoke in favour of a new uniform roof light system.

The motion for second reading carried.

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

It was moved by Ald. Hetherington and Thompson and carried that By-law C-610 be read a third time and that the Mayor and the City Clerk sign and seal the said by-law on behalf of the City.

MOTIONS: Three readings given to By-law C-610.

PROPOSAL: COUGAR
HELICOPTERS INC.

The Industrial Commission has recommended the use of a one-acre parcel of land (part of Site C-67) in the Burnside Park, by Cougar Helicopters Inc., on a three-month trial basis, at no cost, to assess the potential for establishing a heliport in the Park. In his report to Council on this item, Mr. Rath recommends that Council approve the entering into of an agreement with Cougar Helicopters to provide a heliport and helicopter service from the site designated (or a suitable alternate one) in the Park. The agreement would be subject to the various terms and conditions set out in the report, dated Feb. 18/87.

Ald. Sarto and Pye moved the adoption of these recommendations. Ald. Levandier asked that the company

be requested to fly routes that do not take them over residential areas; Mr. Rath agreed to bring this point to their attention.

Ald. Pye was in favour of the motion, but wondered if three months would be a sufficiently-long period of time to assess the success of a helicopter service. The Mayor suggested that if the company feels it is not adequate, they will probably come back with a request for an extension. The motion carried.

MOTION: Moved by Ald. Sarto and Pye that recommendations be adopted on the use of land in the Burnside Park by Cougar Helicopters Inc., at no cost to them, for a three-month trial basis, while they assess the potential for establishing a heliport in the Park.

AWARD TENDER:
JANITORIAL
SERVICES

Tenders have been received as follows for janitorial services for City Hall, the Ferry Terminal buildings, the Ferries, Social Services, and the O'Brien building:

Clean It Services	\$68,900.00
Allied Maintenance	73,821.52
Federated Bldg. Maintenance	79,800.00
C & D Cleaning Services	80,000.00
HRDA Enterprises Ltd.	135,600.00

Due to the fact that the low bidder did not include a certified cheque as required in the tendering specs, Mr. Moir has recommended that the tender be awarded to the second low bidder, Allied Maintenance.

CONFLICT OF
INTEREST

Ald. Bregante declared a conflict of interest on this item, due to the fact that he is involved in janitorial business. He withdrew from his place on Council and sat in the gallery while the item was before Council.

Ald. Hetherington and MacFarlane moved that the tender be awarded to Allied Maintenance, as Mr. Moir has recommended. Ald. Pye advised that the low bidder would be prepared by Friday of this week to provide the necessary certified cheque, but Mr. Moir noted that he has also been speaking with the representative in this connection. Council wished to proceed with the awarding of the tender at this time.

Ald. Thompson and McCluskey were concerned about the quality of cleaning that is being provided in the Ferry Terminal buildings, especially on the Halifax side. Mr. Moir said that if the performance of Allied is not satisfactory, the matter will be taken up with them.

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

MOTION: Moved by Ald. Pye and Withers that the tender for janitorial services for the Ferries and the buildings noted on page 11 of these minutes, be awarded to the second low bidder, Allied Maintenance, as recommended by Mr. Moir. The low bidder does not meet spec requirements.

HEALTH PROGRAM:
MARITIME
MEDICAL CARE

A report from Mr. Moir was considered on the health program for City employees, the recommendation being that Council agree to extend the contract between the City and Maritime Medical Care for this program. Relevant information on rates, etc. has been attached to Mr. Moir's report, for information.

The recommendation was adopted, on motion of Ald. MacFarlane and Hawley.

MOTION: Moved by Ald. MacFarlane and Hawley that Mr. Moir's recommendation be adopted on the extension of the contract between the City and Maritime Medical Care for the health program for City employees.

SURPLUS CITY
LANDS: 334, 336 &
338 WINDMILL RD.

RESOLUTIONS 87-03
& 87-04

The City Solicitor has reported to Council on settlements reached with Mr. Ken Asprey and Mr. Jim Karam, for their acquisition of surplus lands owned by the City on Windmill Road and including provision for them to landscape ten-foot strips of land along the front of the properties, to be retained by the City.

Resolutions 87-03 and 87-04 have been prepared to accomplish these land conveyances, and they were before Council for approval.

CONFLICT
OF INTEREST

Both Ald. Bregante and McCluskey declared conflict of interest on this item, due to the fact that they both do business with Mr. Karam. They withdrew from their places on Council to sit in the gallery.

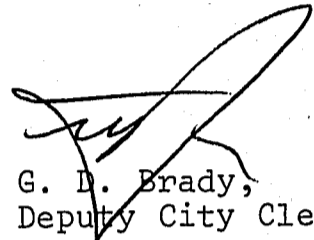
On motion of Ald. Sarto and MacFarlane, Council adopted the two resolutions being recommended for approval, Resolutions 87-03 and 87-04

MOTION: Moved by Ald. Sarto and MacFarlane that Council adopt Resolutions 87-03 and 87-04: land conveyance, 334, 336, & 338 Windmill Road.

On motion of Ald. Hetherington and Withers, Council adjourned to meet in camera as Committee-of-the-Whole.

Council later reconvened in open meeting, and the action taken in camera was ratified, on motion of Ald. Hetherington and Hawley.

Meeting adjourned.



G. D. Brady,
Deputy City Clerk.

City Council, Feb. 24/87

ITEMS:

- 1) E.M.O. Presentation, page 1 to 4.
 - 2) Affirmative Action Program, page 4 to 6.
 - 3) Permit to build: Real Atlantic Super Store,
650 Portland St., page 6 to 9.
 - 4) By-law C-610: Taxi By-law amendments, page 9.
 - 5) Proposal: Cougar Helicopters Inc., page 10.
 - 6) Award tender: Janitorial services, page 11.
 - 7) Health Program: Maritime Medical Care, page 12.
 - 8) Surplus City lands: 334, 336, 338 Windmill Rd., pg. 12
Resolutions 87-03 & 87-04, page 12.
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