

Dartmouth, N. S.

June 9/87.

Regularly called meeting of City Council
convened at 7:15 p.m. for a hearing under Section
14 (2) of By-law C-451.

Present - Mayor Savage

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

Council met prior to the regularly-called meeting for this date to hear an appeal from Ewan H. D. Taylor, of a decision made by the Dartmouth Taxi Commission, to suspend his taxi driver's license for a six-month period.

HEARING: SUSPENSION
OF TAXI LICENSE

The Mayor first outlined the procedure to be followed for the hearing. Several members of Council then declared a bias, due to the fact that they are members of the Taxi Commission, and they withdrew from their places on Council. Members declaring a bias were: Ald. Pye, Hetherington, and McCluskey.

CONFLICT OF INTEREST

Ald. Bregante declared a conflict of interest, based on the fact that his father is employed in the taxi industry, and he also withdrew from his place on Council to sit in the gallery.

Ald. Connors advised that he has received information from several parties, relative to the issue before Council. He therefore considered himself to be in a position of bias and withdrew from his place on Council.

Ald. Sarto noted that he has discussed the matter with a member of the Commission, but he was not present at the Taxi Commission meeting itself. The Mayor said that if Ald. Sarto has not made up his mind one way or the other about the matter, it would be reasonable to assume that he was not biased on the issue. Ald. Sarto remained to participate in the

Dartmouth, N. S.

June 9/87.

Regularly called meeting of City Council
convened at 7:15 p.m. for a hearing under Section
14 (2) of By-law C-451.

Present - Mayor Savage

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

Council met prior to the regularly-called meeting for this date to hear an appeal from Ewan H. D. Taylor, of a decision made by the Dartmouth Taxi Commission, to suspend his taxi driver's license for a six-month period.

HEARING: SUSPENSION
OF TAXI LICENSE

The Mayor first outlined the procedure to be followed for the hearing. Several members of Council then declared a bias, due to the fact that they are members of the Taxi Commission, and they withdrew from their places on Council. Members declaring a bias were: Ald. Pye, Hetherington, and McCluskey.

CONFLICT OF INTEREST

Ald. Bregante declared a conflict of interest, based on the fact that his father is employed in the taxi industry, and he also withdrew from his place on Council to sit in the gallery.

Ald. Connors advised that he has received information from several parties, relative to the issue before Council. He therefore considered himself to be in a position of bias and withdrew from his place on Council.

Ald. Sarto noted that he has discussed the matter with a member of the Commission, but he was not present at the Taxi Commission meeting itself. The Mayor said that if Ald. Sarto has not made up his mind one way or the other about the matter, it would be reasonable to assume that he was not biased on the issue. Ald. Sarto remained to participate in the

hearing, and with the other members of Council still remaining, a quorum was available to proceed.

Ald. Greenough arrived mid-way through the hearing and did not take his place on Council or participate in the hearing. Those members who made up the quorum were: Ald. Billard, Woods, Thompson, MacFarlane, Sarto, Levandier, and Hawley.

Mr. Taylor requested that the hearing be held in camera, but the Mayor stated that a public hearing has to take place at an open meeting of Council. The Solicitor referred to the requirement under Section 16 of the City Charter in this connection. He recommended, however, that the deliberations of Council be in camera, after which the ultimate decision on the appeal must be delivered in open meeting.

Council first heard from Cpl. Jack Matthews, who was until recently the Taxi Inspector, and is a member of the City Police Dept. He explained his responsibilities under the Taxi By-law (C-451), one of which is to revoke or suspend any licence granted under the by-law, as per section 5 (1) (i). In the case of Ewan Taylor, both his driver's licence and his owner's licence were revoked, based on the infractions outlined by Cpl. Matthews, one being the operation of a motor vehicle without insurance. Other infractions, involving the condition of his vehicle (a 1978 Plymouth) included: bald tires, emergency brake not working, right signal light not working, etc., and ⁱⁿaddition, the interior of the vehicle was described as being in a filthy condition.

Cpl. Matthews gave a chronological account of the course of events leading up to the decision of the Taxi Commission to suspend Mr. Taylor's licence for a six-month period, to be reinstated Oct. 14/87. This was a reduction from the twelve-month suspension Mr. Taylor received for infractions noted earlier in Cpl. Matthews' presentation. Mr. Taylor was duly advised of his right to appeal the decision of the Commission to

City Council, as was subsequently done.

When Mr. Taylor addressed Council, he took issue with statements made by Cpl. Matthews, maintaining that his high beam lights were working, contrary to statements made to the effect that they were not, and that there were 'several items of clothing' in the trunk of his car, and it was not 'full of clothing' as stated. He explained why he transferred to the Bluebell Taxi stand from the former taxi company he was with, and in describing the ensuing action that followed as a result of requirements he did not meet to comply with the Taxi By-law, he was critical of Cpl. Matthews in several areas of administration within the Taxi Inspection Division. Cpl. Matthews later had an opportunity to refute the points Mr. Taylor made about what he referred to as areas of 'incompetency' on Cpl. Matthews' part.

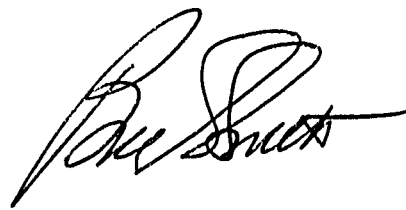
He said the reason he appealed his suspension to the Taxi Commission, was because of the fact that when his vehicle was inspected, it was not being operated as a taxi and therefore, did not contravene the regulations of the Taxi By-law.

After having heard twice from both Cpl. Matthews and Mr. Taylor, Council adjourned to deliberate in camera, and after reconvening in open meeting, it was moved by Ald. Levandier and Hawley that the decision of the Taxi Commission, based on an offence under Section 12 of By-law C-451, be upheld.

Ald. Thompson supported the motion and referred to the position of liability the City is placed in if taxis licensed and inspected by the City, do not maintain standards of safety expected. Ald. Hawley was also concerned that in this case, a vehicle was being operated without car insurance, also, that it was being driven with bald tires.

When the vote was taken on the motion, it carried. The Mayor declared the position of the Taxi Commission to be upheld, and then declared the hearing to be over.

Council then proceeded to the regular agenda
for this meeting date.



Bruce S. Smith,
City Clerk-Treasurer.

City Council, June 9/87

ITEM:

Hearing: Suspension of Taxi Licence, page 1 to 4.

Council then proceeded to the regular agenda
for this meeting date.



Bruce S. Smith,
City Clerk-Treasurer.

City Council, June 9/87

ITEM:

Hearing: Suspension of Taxi Licence, page 1. to 4.

Dartmouth, N. S.

June 9/87.

Regularly called meeting of City Council
held this date at 7:50 p.m.

Present - Mayor Savage

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

Following the invocation, Ald. MacFarlane reported on the success of the Clean & Green program, which took place on Sat., June 6th. He commended all those involved, as well as the citizens and school children who participated.

Ald. Hetherington noted the attendance of three members of the First Woodside Girl Guides troop, attending Council for their Citizenship badge. Council acknowledged their attendance and the Mayor welcomed them to the meeting.

Ald. Levandier said it has come to his attention that the Canada Day Fireworks taking place in Halifax, may be moved to the Wanderer's Grounds from their usual location on George's Island. He requested that the Mayor meet with Mayor Wallace and convey Council's wish to have the fireworks put off from the George's Island location instead of the Wanderer's Grounds.

A motion to this effect, moved by Ald. Levandier and seconded by Ald. Thompson, was adopted. Ald. Levandier requested a report back to Council for next Tuesday's meeting. Ald. Hetherington supported the motion, which carried,

MOTION: Moved by Ald. Levandier & Thompson that the Mayor meet with Mayor Wallace and convey Council's wish to have the Canada Day fireworks put off from the George's Island location instead of the Wanderer's Grounds.

On motion of Ald. Thompson and Greenough, Council approved the minutes of meetings held on May 5, 8, 12, and 26th.

CANADA DAY
FIREWORKS

MINUTES

PETITION: SIDEWALK
106-112 CRICHTON AVE.

A petition was before Council from residents of the properties at 106-112 Crichton Ave., seeking to have sidewalks installed in front of their residences.

Ald. Levandier and Sarto moved that the petition be received and filed, but Ald. McCluskey said there is a need for a sidewalk at this location, and she moved referral to staff for consideration of the petition, in conjunction with the 1988 capital budget. The motion was seconded by Ald. Sarto.

Ald. Levandier spoke against the motion, on the basis that such petitions should not be handled in this way, and that Council would be setting a precedent with the motion. When the vote was taken on the motion, it carried.

MOTION: Moved by Ald. McCluskey and Sarto that the petition for sidewalk installation at 106-112 Crichton Ave., be referred to staff for consideration in conjunction with the 1988 capital budget.

PETITION:
NUISANCE COMPLAINT
182 VICTORIA RD.

Residents in the area of the Green Gables store at 182 Victoria Road have submitted a petition, requesting Council to reconsider the hours of operation for this store, under the Nuisance By-law. They have requested that the hours of operation be restricted to 6:00 a.m. to 11:00 p.m., seven days a week.

The Solicitor cautioned Council that if there is to be a public hearing under the Nuisance By-law, Council should stick to the question of holding a hearing and not debate the merits of the issue at this point.

Ald. McCluskey noted that a number of area residents were present in connection with the petition, and she commended its presentation to Council.

Ald. MacFarlane and Greenough moved that Council set June 30th as the date for public hearing under the Nuisance By-law. Ald. Sarto asked about the review of Nuisance By-law proceedings and its status. The Solicitor advised that her report will be ready soon, but not before this public hearing date.

Ald. Pye asked if some discussions between the

parties involved would not be possible at this stage. The Mayor explained the difficult position he finds himself in when discussions are undertaken, and if he is placed in a conflict situation as a result, a problem could then occur in the event of a tie vote at Council when he would be called upon to vote as well.

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

MOTION: Moved by Ald. MacFarlane & Greenough that June 30th be set by Council as the date for public hearing under the Nuisance By-law, pursuant to the petition from area residents, seeking to have the hours of operation changed for the Green Gables store at 182 Victoria Road.

PETITION:
WOODSIDE FERRY
SCHEDULE

Ald. Hetherington presented a petition bearing 53 signatures of people requesting changes in the Woodside Ferry schedule. He moved referral of the petition to the Transit Advisory Board and to the Finance & Program Review Committee, for consideration. The motion was seconded by Ald. MacFarlane and it carried.

MOTION: Moved by Ald. Hetherington & MacFarlane that a petition from people requesting changes in the Woodside Ferry schedule, be referred to the Transit Advisory Bd. and to the Finance & Program Review Committee, for consideration.

PETITION:
VIEW STREET
RESIDENTS

Ald. Billard presented a petition from residents of View Street, who are asking to have their street paved while work is being done on Murray Hill Drive, if the cost of both streets would not exceed the cost of the Murray Hill Drive project alone. The petition was referred to the Engineering Dept., on motion of Ald. Billard and Greenough.

MOTION: Moved by Ald. Billard & Greenough that a petition from residents of View Street, seeking to have their street paved while work is being done on Murray Hill Drive, be referred to the Engineering Dept.

MARKET PROPOSAL:
PORTLAND ST.

A submission from the Downtown Dartmouth Corp. Ltd. was before Council, outlining the proposal for a Market to be held on a downtown section of Portland Street, each Saturday from June 20th to Sept. 5th, 1987. The proposal involves the closure of sections of the street on the 12 Saturdays from June until September,

in order to create a market-like pedestrian atmosphere. Further details are included in the Corporation submission to Council, dated June 3/87.

Council approved the downtown Market proposal, as submitted by the Downtown Dartmouth Corp. Ltd., on motion of Ald. Levandier and Thompson.

MOTION: Moved by Ald. Levandier & Thompson that Council approve the downtown Market proposal, as submitted by the Downtown Dartmouth Corp. Ltd., dated June 3/87.

DISTRIBUTION:
CITY FLAGS

A second communication from the Downtown Dartmouth Corp. Ltd. dealt with the subject of the distribution of City flags. The Corporation was given the exclusive right to produce and sell the flags for one year, and they are now requesting that Council extend the terms of the agreement for at least another year.

Ald. Sarto and Bregante moved that Council approve the extension as requested. Mr. Horner was present to respond to any questions from members of Council, one of which came from Ald. Woods. He was concerned about the cost of the large flags and discussed his inquiry further with Mr. Horner. Ald. Woods said he hoped the Corporation would try to reduce this cost of \$75. per flag. The motion carried.

MOTION: Moved by Ald. Sarto and Bregante that Council approve the extension of the exclusive right granted to the Downtown Dartmouth Corp. Ltd., to produce and sell the City flag, for at least another year, as they have requested.

REQUEST: DART.
INTERMEDIATE
FASTBALL ASSN.

A letter has been received from the Dartmouth Intermediate Fastball Assn., with regard to the increased charge for the use of the Maybank Softball Field #1 at night-time when lights are required. These fees were increased at budget time from \$25. per night to \$20. per hour.

Mr. Gary Holt, President of the Association, explained to Council why the increase is difficult for his group to absorb this year, coming as it did at a point in the year when budgets had already been set for the 1987 season. He felt the new charge is far

in excess of the lighting costs themselves, and he asked to have the increase rescinded for the year 1987.

Mr. Atkinson was asked about the actual lighting cost projected for this year, and advised that it is in the amount of \$1,980. Revenue in 1986 amounted to \$2,200. from this source.

Ald. Connors said that perhaps Council did not look carefully enough at the implications of rate increases such as this for the organizations affected. He moved that last year's rate continue to be applicable for 1987, and that the increase not take effect until next year. The motion was seconded by Ald. McCluskey. The motion was supported by Ald. Hawley and Pye, but other members were not willing to change the decision taken at budget time to increase the charge for 1987.

Ald. Greenough and Sarto moved in amendment that a figure of \$40. per night be set for 1987, on the understanding that the new charge will apply in the coming year. The amendment was defeated. The main motion was also defeated.

The previous decision of Council will therefore stand, with respect to the increase for 1987. On motion of Ald. Levandier and Thompson, Council referred the letter from the Dartmouth Intermediate Fastball Assn. to staff for consideration at the time of the 1988 budget deliberations.

MOTION: Moved by Ald. Levandier & Thompson that Council refer the letter from the Dartmouth Intermediate Fastball Assn. to staff for consideration at the time of the 1988 budget deliberations.

AWARD CONTRACT 87-02:
STREET CONSTRUCTION

Tenders have been received as follows for Contract 87-02, street construction (Linden Lea, Oakdale Cres., and Westbrook Ave.):

Ocean Contractors Ltd.	\$278,614.00
Municipal Contracting Ltd.	287,878.00
Steed & Evans Ltd.	308,304.50
Basin Contracting Ltd.	363,903.00

On motion of Ald. MacFarlane and Bregante,

Council awarded the tender to the low bidder, Ocean Contractors Ltd., as recommended by Mr. Purdy, with Mr. Smith's concurrence.

MOTION: Moved by Ald. MacFarlane & Bregante that the tender for Contract 87-02 be awarded to the low bidder, Ocean Contractors Ltd., as recommended by Mr. Purdy in his report to Council, with Mr. Smith's concurrence.

AWARD TENDER:
HYDRAULIC HAMMER

On motion of Ald. Hetherington and Greenough, Council awarded the tender for an hydraulic hammer for the Works Dept., to the third lowest bidder, Coastal Rentals, Sales & Services, in the amount of \$18,895., this being the bid that meets all of the City specifications. Acceptance of this bid has been recommended by Mr. Lalonde, with Mr. Moir's concurrence.

MOTION: Moved by Ald. Hetherington & Greenough that Council award the tender for an hydraulic hammer for the Works Dept., to Coastal Rentals, Sales & Services, as recommended by Mr. Lalonde, with Mr. Moir's concurrence.

EMERGENCY
MEASURES
AGREEMENT

Mr. Moir has submitted a report with an agreement between the City of Dartmouth and the Canada Employment Centre, which provides for the requesting of assistance in the event of an emergency situation where such assistance may be required by the City.

Mr. Moir has recommended that Council authorize the Mayor and the City Clerk to sign the agreement on behalf of the City. Council adopted the recommendation, on motion of Ald. Hetherington and Bregante.

MOTION: Moved by Ald. Hetherington & Bregante that Council adopt Mr. Moir's recommendation on the signing of an agreement between the City and the Canada Employment Centre, as explained above.

DART. COMMUNITY
CREDIT UNION:
BROOM STREET

A report from Mr. Moir was considered on negotiations with Dartmouth Community Credit Union and their interest in purchasing a portion of City land known as the Broom Street Reserve.

The recommendation to Council is that Council proceed with the closure of Broom Street Reserve, and agree to sell the parcel of land designated to Dartmouth Community Credit Union Ltd., for the price

of \$14,000., plus survey and legal costs.

Before the transaction is finalized, Council will have sufficient time to address the question of whether or not they want to recognize adjacent property owners' rights to continue to park on the City-owned property. (This point was later raised by Ald. Connors.)

Mr. Moir's recommendation to Council was adopted, on motion of Ald. Sarto and Greenough.

MOTION: Moved by Ald. Sarto & Greenough that Council adopt Mr. Moir's recommendation on the sale of a parcel of City land (Broom Street Reserve) to Dartmouth Community Credit Union Ltd., as per the details above and on page 6 of these minutes.

A report was before Council on the tenders received for computer hardware, to be used in conjunction with the City's existing computer system.

The low bidder has been recommended in the case of each item tendered, and where the same low bid has been received from two companies, the recommendation is in favour of the Dartmouth company, Panasonic Printers. All of the equipment items concerned have been included in budget estimates, and have been approved by the Information Services Steering Committee.

Council approved the tenders, as recommended by Mr. George of the Purchasing Dept., with Mr. Smith's concurrence, on motion of Ald. Hetherington and Sarto.

The Mayor asked Mr. Smith to arrange tours for Council in September of the computer system.

MOTION: Moved by Ald. Hetherington & Sarto that tenders be awarded for computer hardware, as recommended in the report to Council and noted above.

On motion of Ald. Greenough and Sarto, Council received and filed a report provided by staff on Water Utility Assets, prepared in response to questions from Mr. Colin May, in a letter to Council, dated March 25/87.

Ald. Connors asked when Council will have a chance to see the Water Utility budget. Mr. Moir said he will try to get it to Council before the end of the month.

COMPUTER
HARDWARE

WATER UTILITY
ASSETS

GUARANTEE OF
MORTGAGE:
LAKE CITY
INDUSTRIES ASSN.

Mr. Moir has reported to Council on a request from Lake City Industries Association, that the City guarantee the mortgage on property at 386 Windmill Road, so the Association can obtain a full mortgage on the property and thereby have their own building for their use. Accompanying documentation relating to this item has been circulated with Mr. Moir's report.

The recommendation to Council is that should Council agree to guarantee the mortgage, the City enter into an option to purchase the property exercisable by the City in the event that the City's guarantee is called upon and the City has to pay all or a portion of the indebtedness under the mortgage; the period of the option to be for the same period as the mortgage.

Council approved this recommendation, on motion of Ald. Levandier and Pye.

MOTION: Moved by Ald. Levandier and Pye that Council adopt the above recommendation with respect to a request from Lake City Industries Association, to have the City guarantee the mortgage on property at 386 Windmill Road.

Following a short break, members returned to the Council Chamber and at the request of Ald. McCluskey, a minute of silence was observed in memory of the late Murray Marvin, a former Alderman whose death occurred June 7th.

On motion of Ald. Hetherington and Thompson, Council approved Borrowing Resolution 87-19, prepared in accordance with Section 265(1) of the City Charter, as amended.

MOTION: Moved by Ald. Hetherington & Thompson that Council approve Borrowing Res. 87-19, prepared in accordance with Section 265(1) of the City Charter, as amended.

On motion of Ald. Hetherington and Sarto, Council approved Resolution 87-23, setting an interest rate of 10% for improvements installed in 1984.

Ald. Hetherington raised a point about interest charged for taxes owing while an appeal may be pending, and the fact that interest is not paid back to the

BORROWING
RESOLUTION 87-19

RESOLUTION 87-23:
INTEREST RATE FOR
IMPROVEMENTS

property owner in cases where taxes may be rolled back as a result of the appeal. The Mayor agreed this would be a good point for discussion at the Union of Nova Scotia Municipalities conference, since it affects other municipalities in the province as well.

On motion of Ald. Hetherington and Thompson, Mr. Smith was asked to prepare a resolution on this subject for submission to the regional meeting.

MOTIONS: Moved by Ald. Hetherington & Sarto that Council approve Resolution 87-23, setting an interest rate for improvements.

Moved by Ald. Hetherington & Thompson that Mr. Smith be asked to prepare a resolution on the subject raised by Ald. Hetherington (noted above), for submission to the regional meeting.

SPECIAL CST.:
LAKE SAFETY PATROL

On motion of Ald. Greenough and Hetherington, Council appointed Mark Francis Ring as Special Constable for the Lake Safety Patrol, pursuant to Section 15 (3) of the Police Act, Chapter 9, Statutes of Nova Scotia, and City By-law C-309, as amended. This appointment to expire on Sept. 20/87.

MOTION: Moved by Ald. Greenough & Hetherington that Council appoint Mark Francis Ring as Special Constable for the Lake Safety Patrol, this appointment to expire on Sept. 20/87.

BY-LAW C-621:
AMENDMENT TO
PRICING SCHEDULE
BURNSIDE PARK

The Solicitor has recommended that Council pass the proposed By-law C-621, which sets out the new pricing schedule for Burnside Industrial Park lands, including those in the City of Lakes Business Park.

It was moved by Ald. Greenough and Thompson and carried that leave be given to introduce the said By-law C-621 and that it now be read a first time.

It was moved by Ald. Hetherington and McCluskey and carried that By-law C-621 be read a second time.

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-621 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-621: amendment to pricing schedule, Burnside Industrial Park.

HONOURARY
CITIZENSHIP

The Solicitor has reported to Council on a motion recently adopted with respect to the bestowing of an honorary citizenship or keys to the City, and has indicated that in her opinion, Section 167 of the City Charter already provides for the granting of such recognition, without an amendment to the Charter being required.

The report was received and filed for information, on motion of Ald. Sarto and Hetherington.

MOTION: Moved by Ald. Sarto & Hetherington that a report from the Solicitor on the Charter provision for bestowing recognition (honourary citizenship or the keys to the City), be received and filed for information.

Ald. Pye asked if it would not be appropriate to make John Hughes the first recipient of these honours, following his return to Dartmouth on June 14th. He moved that the City proceed with such a presentation to the solo sailor John Hughes, a resident of Dartmouth. The motion was seconded by Ald. McCluskey and it carried.

Council later decided it would be appropriate to hold the honouring ceremony for John Hughes at the June 16th Council meeting, rather than on the 14th.

MOTION: Moved by Ald. Pye and McCluskey that the City proceed with a presentation of honorary citizenship and the key to the City, to the solo sailor John Hughes, a resident of Dartmouth.

The Mayor provided additional information on the welcoming ceremonies planned for John Hughes' return on June 14th, noting that additional police services will be required on both that date and during the visit of Prince Edward at the end of the month. The cost of these services will be taken out of the special events fund. Members of Council concurred with this action.

AMENDMENTS TO
RETAIL BUSINESS
UNIFORM CLOSING
DAY ACT

Members have received copies of the recently-enacted Retail Business Uniform Closing Day Act, on which the Solicitor has indicated changes from the previous

legislation, including new sections added to the Act.

In the Solicitor's accompanying report, she has pointed out that the new Act removes the authority for municipalities to make by-laws pursuant to the Closing Day Act. Therefore, By-law C-556, passed by Council in July of 1985, is repealed, and the City will no longer be able to issue permits for certain stores to remain open on Sundays or for retail stores to be granted tourist area permits to remain open on specified holidays.

Ald. Hetherington and Greenough moved that the information report provided by the Solicitor, be received and filed. Ald. Levandier said he looked on this latest legislation as another example of the erosion of municipal responsibility in the province. Ald. Connors asked about the status of corner grocery stores, under the new legislation, and asked for a report from the Solicitor on the provision for them. Ald. Woods asked if the report could also include information about video rental outlets.

The motion to receive and file carried.

MOTION: Moved by Ald. Hetherington & Greenough that the information report provided by the Solicitor on the recently-enacted Retail Business Uniform Closing Day Act, be received and filed.

PROPOSED WALKWAY:
LORNE AVE. EXT.
TO JOFFRE STREET

In response to a motion introduced by Ald. MacFarlane, on the subject of a walkway from Lorne Ave. Extension to Joffre Street, the Planning Dept. has submitted a report on the various land holdings involved in this area and the portions that would need to be required to create a walkway. Total estimated cost of the project is \$40,000., including the necessary legal and survey work.

Ald. MacFarlane first moved referral to the City Administrator to determine what funds are available in the Land Purchase account to proceed with the necessary land acquisitions, and report back to Council; the motion was seconded by Ald. Billard.

Mr. L'Esperance advised Council that the owners of the property designated as Parcel "W" are prepared to deed an area for walkway purposes to the City, in exchange for the parcel of City-owned land shown as Parcel "G" on Map 2 circulated. Members considered this land swap to be in order and were willing to have it proceed. The motion was therefore changed to one of referral to Mr. Moir for action, based on the land exchange explained to Council. The vote was taken on the motion and it carried.

MOTION: Moved by Ald. MacFarlane & Billard that the motion of referral to Mr. Moir be for action, based on the proposed land exchange between the City and the owner of Parcel "W" (land swap for Parcel "G") to facilitate the walkway requested from Lorne Ave. Extension to Joffre Street.

1987/88 BUSINESS
IMPROVEMENT DISTRICT
COMMITTEE PROJECTS

The Business Improvement District Committee has recommended five projects to Council for application to the Mainstreet Program, listed in order of priority. The City's share in the projects listed amounts to \$36,150. and these funds are available from the 1982 Capital Budget (Downtown Program).

Ald. Hetherington and Hawley moved the approval of the projects, as recommended, in order of priority, for application in the 1987 Mainstreet Program. Ald. Levandier questioned item #4, suggesting that the money for this item (\$20,000.) could be spent to better advantage than for another study in the downtown. Ald. Connors agreed and moved the deletion of item #4 in amendment; the present item #5 then becomes priority item #4. Further, that the B.I.D.C. be requested to meet to propose an alternative project #5, for report back to Council within the next two weeks. The amendment was seconded by Ald. Levandier and it carried. The amended motion carried.

MOTION: Moved by Ald. Hetherington & Hawley that projects recommended by the B.I.D.C., for application to the Mainstreet Program, be approved in their order of priority.

AMENDMENT: Moved in amendment by Ald. Connors and Levandier that item #4 be deleted, present item #5 to become priority item #4. Further, that the B.I.D.C. be requested to meet to propose an alternative project #5, for report back to Council within the next two weeks.

Ald. Woods requested a copy of the guidelines for the Mainstreet Program. Mr. Moir said he would request the Planning Dept. to forward a copy of these to Ald. Woods.

NEW SIDEWALK
CONSTRUCTION:
WARD V

Sidewalk construction projects in Ward V have been recommended for 1987 by the City Engineer, as follows:

Brule Street: Pinecrest Dr. to end (north side)
Brule Street - Burke St. to end (south side)
Catherine Street - Courtney Rd. to Alfred
St. (east side)

The locations listed have been selected by Ald. Pye and Woods. The projects were approved, as recommended, in the total amount of \$77,000., on motion of Ald. Sarto and McCluskey.

MOTION: Moved by Ald. Sarto and McCluskey that sidewalk construction projects recommended for 1987 in Ward V, be approved, as listed above.

MOSQUITO PROBLEM:
KUHN MARSH AREA

A further report has been forwarded to Council on the mosquito problem in the Kuhn Marsh area, recommending in summary that if Council wishes to control mosquitoes at this location in 1987, professional pest control people be engaged to conduct the program. Further, if Council wishes to begin mosquito control programs, staff be instructed to include an item for mosquito control in the 1988 operating budget.

Ald. Greenough and Hawley moved that \$2,400. be allocated for mosquito control in the Kuhn Marsh area, as a pilot project for this year, the project to be evaluated at the end of the year to determine the benefits of it and whether it should be continued and provided for in future budgets. (The motion would represent first approval for an over-expenditure in the amount of \$2,400. for this purpose.)

Ald. Connors preferred to reallocate funds within the Engineering Dept. budget, rather than authorizing an over-expenditure, and he moved in amendment that this expenditure be funded out of the present Engineering budget by a reallocation of expenditures within the department, at the discretion of the City Engineer. The amendment was seconded by Ald. Billard and it carried. The amended motion carried.

MOTION: Moved by Ald. Greenough & Hawley that first approval be given for a \$2,400. allocation for mosquito control in the Kuhn Marsh area, as a pilot project for this year, the project to be evaluated at the end of this year to determine the benefits of it and whether it should be continued and provided for in future budgets.

AMENDMENT: Moved in amendment by Ald. Connors and Billard that this expenditure be funded out of the present Engineering budget by a reallocation of expenditures within the department, at the discretion of the City Engineer.

Ald. Sarto referred to other areas of the City with mosquito problems, and asked if staff would begin to have a look at these as well, in order to establish whether a budget item for control programs should be included in the future.

The Finance & Program Review Committee has been considering a report on Downtown Parking, and with respect to the section of the report that dealt with a Parking Development Fund, the Committee has made the following recommendation:

While recognizing the importance of adequate parking facilities for the downtown, the Committee was not prepared to recommend the establishment of a Parking Development Fund at this time, recommending instead that the development of improved parking facilities should be accomplished through the City's regular capital program and in relation to other City priorities.

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

MOTION: Moved by Ald. Greenough & Sarto that the recommendation of the Finance & Program Review Committee on a Parking Development Fund, be adopted. See text of recommendation above.

PARKING
DEVELOPMENT
FUND

PARKING RESTRICTION: The Finance & Program Review Committee has
DOWNTOWN
RESIDENTIAL STREETS discussed the problems faced by residents in the down-
town area, as a result of parking that takes place in
front of their homes.

The Committee has recommended that a one-hour parking restriction (10:00 a.m. to 11:00 a.m., Monday to Friday) be imposed on residential streets north of Ochterloney Street and including Shore Road, the streets concerned to be identified and listed by Mr. Bayer. A map accompanying the report to Council has shown the streets concerned, cross-hatched to designate them.

Ald. Hetherington and Thompson moved the adoption of the recommendation.

Ald. Levandier asked about other aspects of the downtown parking situation that have been discussed at Council, such as the feasibility of a multi-level parking garage. Ald. Greenough, chairman of the Finance & Program Review Committee, advised that a number of items, including those referred to by Ald. Levandier, are still under study by the Committee, and recommendations will come to Council in future on those as well.

Ald. Connors noted that several streets have been left out of the one-hour parking designation, and he moved in amendment that they be included, as follows: Park Ave. (north side), and Pine Street (both sides) between Dahlia Street and Ochterloney Street. The amendment was seconded by Ald. Hetherington and it carried. The amended motion carried.

MOTION: Moved by Ald. Hetherington & Thompson that Council adopt the recommendation of the Finance & Program Review Committee with respect to a one-hour parking restriction on downtown residential streets that have been designated.

AMENDMENT: Moved in amendment by Ald. Connors and Hetherington that streets noted above be included in the one-hour parking designation referred to in the motion.

WOODSIDE
FERRY SERVICE

The Finance & Program Review Committee has also given consideration to the new Woodside Ferry service, in conjunction with their study of downtown parking, and has recommended approval in principle for an advertising campaign to promote the ferry service and parking lot, pending a work-up of cost figures by staff, and further, to have possible improvements in the Woodside ferry schedule investigated from a feasibility and cost point of view, involving, if required, possible changes in the total ferry service.

Ald. Hetherington and Sarto moved the adoption of the Committee's recommendation, but Ald. Hetherington said it was his understanding that the Committee gave approval for promotional pamphlets to be prepared and distributed to the travelling public at the ferry terminals. He asked to have this followed up on, and the Mayor agreed to have a discussion with Mr. Corrigan. The motion carried.

MOTION: Moved by Ald. Hetherington & Sarto that the recommendation of the Finance & Program Review Committee, with respect to the new Woodside Ferry service and its promotion, etc., be adopted.
Text of motion as above.

COMMISSIONS ON LAND
SALES AND LEASES:
WOODSIDE IND. PARK

The Industrial Commission has asked Council to request the Provincial legislature to amend the City Charter, in order to provide authority for paying commissions, the value of which will be determined by resolution by Council, on land sales and leases in the Woodside Industrial Park. A complete report from Mr. Rath on this subject has been circulated in conjunction with the report from the Commission.

Ald. Greenough and Hetherington moved that Council comply with the request of the Commission, but Ald. Connors said he had some reservations about the payment of commissions; perhaps the City would be better off spending the money on advertising and other promotional material.

When the vote was taken, the motion carried with Ald. Levandier, MacFarlane, Connors and Billard voting against.

MOTION: Moved by Ald. Greenough & Hetherington that Council approve the request of the Industrial Commission to have the City Charter amended, to provide authority for paying commissions on land sales and leases in the Woodside Industrial Park.

1987 GRANT
COMMITTEE
RECOMMENDATIONS

The recommendations of the Grants Committee for 1987 were before Council, totalling \$967,200., including the grant to the Dartmouth General Hospital in the amount of \$500,000. and the grant to the Grace Maternity Hospital, in the amount of \$100,000.

It was moved by Ald. Hawley and Woods that the recommendations of the Committee be adopted as presented.

Ald. Hawley responded to a number of questions from members about individual recommendations, as chairman of the Committee. Ald. Sarto requested that next year, when these recommendations are made, a column be included to show the 1987 amounts and the percentage increase in those recommendations where an increase is being proposed.

The motion carried.

MOTION: Moved by Ald. Hawley and Woods that the recommendations of the Grants Committee for 1987 be adopted as presented.

PEDWAY: SPORTSPLEX
TO HOLIDAY INN

Council has been asked by the Sportsplex Commission to request Provincial cost-sharing in a feasibility study with regard to the possibility of constructing a pedway over Wyse Road, to connect the Sportsplex with the Holiday Inn, as discussed with the Minister of Development.

This request from the Commission was approved, on motion of Ald. Levandier and Sarto.

MOTION: Moved by Ald. Levandier and Sarto that Council approve the request of the Sportsplex Commission, to seek Provincial cost-sharing in a feasibility study with regard to the possibility of constructing a pedway over Wyse Road, between the Sportsplex and the Holiday Inn, as discussed with the Minister of Development.

APPLICATION:
VIDEO OUTLET
228 PLEASANT ST.

On motion of Ald. Sarto and Hetherington,
Council indicated no objection to an application
for a retail video outlet at 228 Pleasant Street,
Woodside Grocery.

MOTION: Moved by Ald. Sarto & Hetherington
that Council indicate no objection
to an application for a retail video
outlet at 228 Pleasant St., Woodside
Grocery.

APPLICATION:
PLACE OF AMUSEMENT
394 C PORTLAND ST.

On motion of Ald. Bregante and Hetherington,
Council indicated a strong objection to an applic-
ation to operate a Place of Amusement (Neighbourhood
Arcade) at 394 C Portland Street.

Both Aldermen were very much opposed to this
type of arcade being operated in a proximity to the
Southdale and Prince Arthur Schools. They referred
to problems that have occurred elsewhere in the City
where video arcades have been permitted. Ald. Levandier
felt it is unfair for Council to make a judgement on
this application, based on past experiences only.

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

MOTION: Moved by Ald. Bregante & Hetherington
that Council indicate a strong objection
to an application to operate a Place
of Amusement (Neighbourhood Arcade)
at 394 C Portland Street.

NOTICES OF MOTION:

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

ALD. HETHERINGTON

1) Ald. Hetherington

WHEREAS there has been concern voiced over
the lack of admittance of emergency personnel
onto certain private properties within the City
limits;

THEREFORE BE IT RESOLVED that the City
Solicitor draft the necessary by-law that
would permit the entry into private property
if the City's E.M.O. Officer in his or her
evaluation, deems it be necessary.

ALD. LEVANDIER

2) Ald. Levandier

BE IT RESOLVED that one of the overhead
crosswalk lights allocated for 1987, be
installed at the intersection of Windmill
Road and Hare Lane.

ALD. PYE

3) Ald. Pye

WHEREAS Dawn Drive at present is a gravel street;

AND WHEREAS Dawn Drive is a City-owned street;

THEREFORE, BE IT RESOLVED that Council authorize the Engineering Dept. to prepare a cost estimate for street paving and curbs on Dawn Drive, with the intent of having this street placed within the 1988 Capital Expenditure Budget.

ALD. MCCLUSKEY

4) Ald. McCluskey

WHEREAS there is a brook which runs from Victoria Road along the boundary of Northbrook School grounds;

AND WHEREAS this brook runs rapidly, at times posing a threat to the lives of small children;

AND WHEREAS this brook is also a nuisance;

THEREFORE BE IT RESOLVED that money be allocated in the 1988 Capital Budget to pipe this brook.

(b) WHEREAS Albro Lake Road is a very busy street, as well as a truck route;

AND WHEREAS residents living on that street have a difficult time exiting from their driveways;

THEREFORE BE IT RESOLVED that Albro Lake Road, from Wyse Road to Victoria Road, be declared No Parking on either side of the street.

ALD. BILLARD

5) Ald. Billard

WHEREAS the corner of Hawthorne Street and Prince Albert Road was long the site of Charman's Grocery;

AND WHEREAS the corner became known as Charman's Corner by all those young and old who passed by during the pre and post-war years;

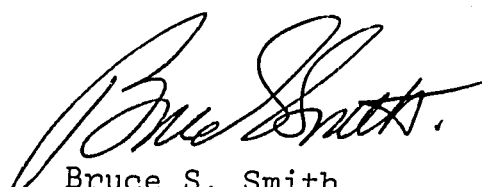
AND WHEREAS the former site of Charman's Grocery is now an attractive pocket park;

BE IT RESOLVED that the park be named Charman's Corner Park, and that a small sign be erected to so indicate.

Council went in camera on motion of Ald. Connors and Hetherington, to deal with an additional item on the agenda.

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

Meeting adjourned.


Bruce S. Smith,
City Clerk-Treasurer.

City Council, June 9/87

ITEMS:

- 1) Canada Day Fireworks, page 1.
 - 2) Petition: Sidewalk, 106-112 Crichton Ave., page 2.
 - 3) " : Nuisance complaint, 182 Victoria Rd., pg. 2.
 - 4) " : Woodside Ferry schedule, page 3.
 - 5) " : View Street residents, page 3.
 - 6) Market proposal: Portland St., page 3.
 - 7) Distribution: City flags, page 4.
 - 8) Request: Dart. Intermediate Fastball Assn, pg. 4 & 5.
 - 9) Award contract 87-02: Street Construction, page 5.
 - 10) Award tender: Hydraulic hammer, page 6.
 - 11) Emergency Measures Agreement, page 6.
 - 12) Dart. Community Credit Union: Broom St., page 6.
 - 13) Computer hardware, page 7.
 - 14) Water Utility assets, page 7.
 - 15) Guarantee of mortgage: Lake City Industries Assn, pg. 8.
 - 16) Borrowing Resolution 87-19, page 8.
 - 17) Resolution 87-23: Interest rate for improvements, pg. 8.
 - 18) Special Cst.: Lake Safety Patrol, page 9.
 - 19) By-law C-621: Amendment to pricing schedule,
Burnside Park, page 9.
 - 20) Honourary citizenship, page 10.
 - 21) Amendments to Retail Business Uniform Closing
Day Act, page 10.
 - 22) Proposed walkway: Lorne Ave. Ext. to Joffre St., pg 11.
 - 23) 1987/88 Business Improvement District Committee
projects, page 12.
 - 24) New sidewalk construction: Ward V, page 13.
 - 25) Mosquito problem: Kuhn Marsh area, page 13.
 - 26) Parking Development Fund, page 14.
 - 27) Parking restriction: Downtown Residential streets, pg 15.
 - 28) Woodside Ferry service, page 16.
 - 29) Commissions on land sales & leases: Woodside Ind.
Par, page 16.
 - 30) 1987 Grant Committee recommendations, page 17.
 - 31) Pedway: Sportsplex to Holiday Inn, page 17.
 - 32) Application: Video outlet, 228 Pleasant St., page 18.
 - 33) Application: Place of Amusement, 394 C Portland
Street, page 18.
 - 34) Notices of Motion: Ald. Hetherington, page 18.
Levandier, page 18.
Pye, page 19.
McCluskey, page 19.
Billard, page 19.
-

Dartmouth, N. S.

June 16/87.

Regularly called meeting of City Council
held this date at 7:00 p.m.

Present - Mayor Savage

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

PRESENTATION:
JOHN HUGHES

At the opening of the meeting, a presentation was made to John Hughes by Mayor Savage, on behalf of the City of Dartmouth. Mr. Hughes was the first citizen to receive a proclamation making him an honorary citizen, and to receive the key to the City, in recognition of his recent completion of the B.O.C. race, which took him 27,000 nautical miles around the world.

The proclamation was read by the Dartmouth Town Crier, and following the presentation, Mr. Hughes expressed his thanks to the City for the honor bestowed on him. Ald. Pye and McCluskey offered congratulations as members of Council, and welcomed him home.

PRESENTATION:
HALIFAX INLET
WATER QUALITY
STUDY

Following a recess, Council reconvened and the first item on the agenda for this meeting was a presentation of the Halifax Inlet Water Quality Study report, prepared by CBCL Ltd., in association with UMA Engineering Ltd, Gore & Storrie Ltd., and ASA Consulting Ltd. Present for this item were: Mr. Mort Jackson and Mr. Brian Smith of M.A.P.C., and Mr. Jim Axell and Mr. Michael Murphy of CBCL.

Introductory remarks were made by Mr. Smith, after which Mr. Murphy proceeded with a slide presentation, assisted by Mr. Axell. The slide presentation constituted an overview of the report which deals with the discharge of sewage into the Halifax Inlet and problems associated with this discharge of untreated wastewater into that body of water. The report outlines remedial improvements and treatment for improving the

water quality, and makes recommendations for the metropolitan municipalities to consider. As the result of a request from M.A.P.C., the report is being presented to each of the municipalities for their information and comment. M.A.P.C. is also requesting endorsement for their position that steps be taken to achieve a minimum of primary treatment throughout the inlet. A copy of the specific M.A.P.C. resolution to this effect, has been forwarded to Council, along with the report.

After the presentation was completed, members of Council had the opportunity to ask any questions they wished to; Mr. Axell and Mr. Murphy were available to respond. Questions pertained to the following:

- 1) the effectiveness of primary treatment.
Information was provided on the effectiveness of the Charlottetown treatment plant, which has resulted in water suitable for swimming in Charlottetown harbour.
Mr. Murphy explained the difference in a secondary level of treatment, which is more applicable to inland water situations where the removal of organic material is required.
- 2) problems associated with toxic waste materials entering the harbour waters.
Reference was made to the recommendation that industrial waste by-laws be adopted and enforced to deal with these problems.
- 3) disposal of sludge produced as a result of primary treatment.
It has been assumed in this study that dewatered sludge will be disposed of in the regional sanitary landfill. The estimation is that it would constitute about 12% of the current refuse disposal figure.
- 4) the possible malfunction of a treatment plant and resulting impact on the area where it is located.
Mr. Murphy acknowledged that there is this potential for plant breakdown, but there are steps that can be taken to provide for such an eventuality and to alleviate the impact of it.
- 5) funding assistance that can be expected.
The Mayor advised that there have been some preliminary discussions with Provincial representatives, and the indication is that attempts will be made to secure 50% Federal funding, and of the remaining 50%, perhaps 25% will be assumed by the Province and the other 25%, by the municipalities. It was pointed out that these percentages are not based on any specifics at this point and no firm commitment has been made on them.

- 6) the choice of Tufts Cove as one of three main treatment plant sites, if a decision were made in favour of three plants. Mr. Murphy explained why the Tufts Cove location meets criteria used in selecting the three sites recommended, and why it would be recommended over a south Dartmouth location.
- 7) a phased extension of outfalls to provide a more immediate improvement, without a major cost impact at the beginning. It was pointed out by the Mayor that primary treatment is being recommended as the first preference and most satisfactory overall solution.

Ald. Connors said there is a responsibility on those who live around the Halifax Inlet to clean it up and to improve the aesthetics of the entire harbour by doing so. The cost involved should be shared in a fair and equitable manner. He proceeded to move that Dartmouth strongly endorse the concept of primary treatment on a regional basis, and prefers a single primary treatment plant at Sandwich Point; further, that Dartmouth endorses the implementation of appropriate sewer by-laws and flow metering systems, under the auspices of M.A.P.C. The matter of Federal and Provincial funding assistance, as an associated requirement, was included with the wording of the motion. The motion was seconded by Ald. McCluskey and it carried unanimously.

MOTION: Moved by Ald. Connors & McCluskey that Dartmouth endorse the M.A.P.C. resolution with respect to primary treatment, as detailed above, with the inclusion of a preference for a single primary treatment plant at Sandwich Point, and including the requirement that Federal and Provincial funding assistance is to be provided.

Ald. Hawley asked that a letter be forwarded to Theresa Griffin, a City employee who was a recent winner in a Karate Black Belt competition.

The Mayor advised Council that Ald. Greenough was absent from the meeting to represent the City at the 100th Anniversary of the Conservatory of Music. Ald. Withers and Ald. Thompson were both out of the City and therefore unable to attend the meeting.

MOTIONS:
ALD LEVANDIER

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

1) Ald. Levandier moved, seconded by Ald. Pye, that:

The 1987 Dartmouth District School budget contains the following note:

"In addition, the Board will receive from the Province of Nova Scotia, the amount of \$503,475. for funding of capital equipment and minor repairs.

In balance of the Board's 1986 surplus of \$424,080. will be utilized in the following manner:

- (a) \$90,000. to be placed in the long-term service award account which is currently underfunded;
- (b) \$235,580. to be utilized for major maintenance projects chosen from one or two new roof replacements (eg. Bi-centennial School at an estimated cost of \$200,000)."

The District School Board took \$98,500. of its previous year's surplus into operating revenue, thereby accounting for the \$424,080.

At the next regular meeting of City Council, I will move that the Dartmouth District School Board be asked to report on an on-going basis to City Council how they are spending the \$503,475. for funding of capital equipment and minor repairs, and to account for the \$235,580. to be utilized for major maintenance projects.

In previous years, appeals have been made by the Dartmouth District School Board to City Council for funds for maintenance of buildings, yet the school buildings, which are owned by the City, have not received proper maintenance.

I therefore request that the District School Board advise City Council on at least a quarterly basis, as to how these funds committed in the 1987 budget, are to be spent and the progress of the repairs.

Ald. Connors gave a brief verbal report to Council at this time, as Chairman of the District School Board, advising that the \$235,000. set aside for school roof repairs is being used for that purpose. He also gave a breakdown of the expenditures from the half-million-dollar allocation in capital out of revenue, which includes equipment purchases, maintenance projects, schoolground play equipment. A more detailed report will be provided as the motion has requested.

The motion on the floor carried.

MOTION: Moved by Ald. Levandier and Pye:
text as above.

ALD. MACFARLANE

2) Ald. MacFarlane moved, seconded by Ald.

McCluskey, that:

WHEREAS the City of Dartmouth has recently struck the tax rate for 1987;

AND WHEREAS residents want to know how their tax dollars are being spent;

BE IT RESOLVED that the City undertake to inform residents in a clear and open manner, with input from staff, as to ways this could be economically and effectively carried out during 1987.

Ald. MacFarlane explained why he felt it is important for residents to become better informed on the subject of how their money is being spent. The Mayor suggested that a joint committee of staff and Council members be formed to look at ways of accomplishing this, but members tended to feel that a committee is not needed for the purpose.

Ald. Sarto pointed out during the debate, that much of the financial information that would be useful to the public, is already on file in the library and easily accessible anyway. Ald. Hetherington suggested that a simple percentage breakdown, presented in a circle graph form, would show the allocation by City department adequately.

The vote was taken on the motion, as presented, and it carried.

MOTION: Moved by Ald. MacFarlane & McCluskey: text as above.

3) Ald. MacFarlane moved, seconded by Ald.

Hawley, that:

WHEREAS the City has recently completed budgetary deliberations;

AND WHEREAS the City Administrator, Mayor and members of Council, acknowledge the need for program review and improvements in the budgetary planning process;

BE IT RESOLVED that Council, as a whole, or the Finance & Program Review Committee, on referral from Council, commence a thorough review of existing programs in all departments, to recommend priorities for funding in 1988, as well as savings to be achieved from eliminating low-priority items.

After Ald. MacFarlane had explained the intent of his motion and the reason for introducing it, Ald. Levandier proposed deferral of it until the new City

Administrator is on the job, so he can have some input into the discussions. He moved deferral, seconded by Ald. Sarto.

Several members spoke against deferral and the motion was defeated. Ald. Connors then moved referral to the Finance & Program Review Committee, to consider the matter of budgetary improvements, in conjunction with the new City Administrator, and to recommend such improvements back to Council in a report to be presented in the early fall. The motion to refer was seconded by Ald. Hetherington, and it carried by a vote of 7 to 4.

MOTION: Moved by Ald. Connors & Hetherington that the matter of budgetary improvements (ie. in the budgetary process) be referred to the Finance & Program Review Committee for consideration and recommendation back to Council, in a report to be presented in the early fall.

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

WHEREAS recent deliberations over the sale of land by the City to Burnside Marina, have been delayed for an inordinate length of time; AND WHEREAS the reasons for this delay remain unclear;

BE IT RESOLVED that outstanding land transactions approved by a resolution of Council, should be reviewed on a quarterly basis, so that Council will be appraised of their status and progress toward completion.

This motion was put and carried.

MOTION: Moved by Ald. MacFarlane and Pye: text as above.

In his absence, Ald. Thompson's motion was deferred to the first July meeting of Council

ALD. THOMPSON:
DEFERRED

ALD. BILLARD

5) Ald. Billard moved, seconded by Ald. Connors, that:

WHEREAS there has been a long-standing problem at 84 Hawthorne Street, and the City-owned lot adjacent, including rubbish, litter and derelict automobiles, trailers, and motorbikes;

AND WHEREAS there has been little the City Building Inspection Dept. has been able to do to prevent the tenants of 84 Hawthorne Street from allowing their trash to flow over to the City-owned lot adjacent;

BE IT RESOLVED that the City Water Dept. erect a three-to-four-foot fence along the property line between their lot and that of 84 Hawthorne Street, this fence to be about 80 feet in total length and costing approx. \$800.

Ald. Billard explained how a fence will benefit the neighborhood surroundings in the area of 84 Hawthorne Street. Ald. Hawley opposed the motion on the basis that it will set a precedent to provide a fence in this situation, when there are other similar locations that require fences elsewhere in the City. Ald. Bregante said the fence will not achieve what is intended, unless it is extended to the front of the property as well. Ald. Billard said this is intended in the motion.

There was some further debate on the motion and when the vote was taken, it carried with Ald. Hawley voting against.

MOTION: Moved by Ald. Billard and Connors:
text above and on page 6 of minutes.

ALD. SARTO:
DEFERRED

At Ald. Sarto's request, his motion was deferred to the first July meeting, along with Ald. Thompson's.

NOTICES OF
MOTION:

The Mayor permitted two additional notices of motion to be given for the July meeting, in addition to the two just noted and those given at the June 9th Council meeting. They are as follows:

ALD. HAWLEY

1) Ald. Hawley

BE IT RESOLVED that the monies granted to the Crusader Swim Club be transferred from the Parks & Recreation account, and be placed in the Grants account for dispersal, beginning in the year 1988.

ALD. PYE

2) Ald. Pye

WHEREAS the strip of land between the residents of Monique Ave. and the Highfield Park development, now belongs to the City;

AND WHEREAS residents on Monique Ave. have experienced people short-cutting, damaging, and stealing personal property, since this land has been cleared;

THEREFORE, BE IT RESOLVED that City Council authorize the Engineering Dept. to prepare a cost for having a fence erected, with the intent of having it placed in the 1988 Capital Expenditure Budget.

REQUEST: DARTMOUTH
HIGHLANDS RALLY

Ald. Hetherington brought to the attention of Council, a letter he has received from Nelson Ellsworth of the Board of Directors for the Dartmouth

Highlands Rally, proposed to be started this year in the Woodside Industrial Park, and requesting street useage on the day of the Rally, July 11/87, between the hours of 9:30 a.m. and 12:00 noon.

Ald. Hetherington moved that Council approve the closure of the streets outlined in yellow on the street map submitted with Mr. Ellsworth's letter, on the date of the Rally, July 11/87, and if agreed to by the Minister of Transportation, speed limits be removed during race time. The motion was seconded by Ald. MacFarlane and it carried. Streets involved are:

Ragus Road, Neptune Crescent, Mount Hope Ave.
Orion Court, Estates Road, Atlantic Street.

The motion presented by Ald. Hetherington carried.

MOTION: Moved by Ald. Hetherington & MacFarlane that Council approve the closure of streets outlined in yellow on the street map submitted with Mr. Ellsworth's letter, on the date of the Dartmouth Highlands Car Rally, July 11/87, and if agreed to by the Minister of Transportation, speed limits be removed during race time.

REQUEST:
TEMPORARY
CLOSURE
LOUISE COURT

Ald. Connors presented a request for the temporary closure of the Louise Court cul-de-sac on the evening of Sat., June 20th, to permit a street dance planned by the senior citizens. He moved that Council approve this temporary street closure, seconded by Ald. MacFarlane. The motion carried.

MOTION: Moved by Ald. Connors and MacFarlane that Council approve the temporary street closure of the Louise Court cul-de-sac, to permit a street dance to be held on the evening of Sat., June 20th.

INQUIRIES:
ALD. MCCLUSKEY

Ald. McCluskey requested information on the meeting with Mayor Wallace to discuss the location of fireworks on Canada Day. The Mayor reported on his meeting, advising that Halifax is reluctant to change the location back to George's Island, now that plans have gone ahead for the Wanderer's Grounds.

Ald. McCluskey also inquired about the Burnside Marina development and its present status. Mr. Moir said a cheque for \$1,000. has been received from the

developer; the closing on the property they are purchasing is expected to take place within a few days time.

ALD. PYE

Ald. Pye asked if students are being employed this year to work on the by-law handbook. Mr. Moreash advised that most of the work involved has been completed, except for proof-reading.

Ald. Pye's second inquiry concerned water services for residents living in the Greenbank Court/ Cove Lane area. Mr. Fougere gave a verbal report on discussions with National Gypsum to date. He said his department is doing the best they can to resolve this matter.

ALD. WOODS

Ald. Woods asked if there is a policy for giving out information to citizens at the Planning Dept. and Building Inspection desks. Mr. Bayer said there is, and Ald. Woods requested a written response from Mr. Bayer, indicating what the policy is.

ALD. SARTO

Ald. Sarto reminded members that they have been asked to indicate first and second choices for bus shelters in their wards; he requested a response as soon as possible.

MONTHLY REPORTS

The regular monthly reports to Council were approved as follows:

- 1) Social Services (May): approved on motion of Ald. Pye and Sarto.
- 2) Development Officer (May): approved on motion of Ald. Hetherington and McCluskey
- 3) Building Inspector (May): approved on motion of Ald. McCluskey and Bregante.
- 4) Minimum Standards (May): approved on motion of Ald. Bregante and Sarto.

Ald. Hetherington asked to have 196 Pleasant Street on the list for the July Council meeting.

- 5) Fire Chief (May): approved on motion of Ald. McCluskey and Sarto.

Ald. Hetherington thanked Chief Greene for his report on false alarms.

- 6) Dog Control (May): approved on motion of Ald. Sarto and Hetherington.

Ald. Woods requested information on the status of a by-law to control cats.

7) Summary of Revenue & Expenditures to May 30/87: received and filed on motion of Ald. Bregante and Sarto.

MOTIONS: To approve monthly reports as detailed on page 9 and above.

AWARD TENDER:
RECORDING &
CALL BACK
EQUIPMENT

The following tenders have been received for recording and call back equipment for the Fire Dept.:

Halifax Office Equipment	\$26,179.
Dictaphone Canada Ltd.	34,459.

Acceptance of the bid received from Dictaphone Canada Ltd., the low bid that meets specifications, has been recommended. Mr. Moir has also recommended approval of an over-expenditure in the amount of \$2,459. to make up the difference between the bid recommended and the amount projected in the capital budget (\$32,000.) for this item.

Ald. Sarto and Bregante moved the adoption of the recommendation. Ald. Levandier and some other members felt this difference should be made up from capital budget allocations for the Fire Dept., rather than from any other portion of the capital budget. Mr. Moir agreed to attempt to have this done, but said he could not guarantee it. The motion carried.

MOTION: Moved by Ald. Sarto and Bregante that the tender for recording & call back equipment (Fire Dept.) be awarded to Dictaphone Canada Ltd., the low bid that meets specifications.

AWARD CONTRACT:
CONTRACT 87-01

Tenders for Contract 87-01 (Water Transmission Main, Woodlawn Road to Portland Street) have been received, as per the list of bids in Mr. Purdy's report of June 9/87. Acceptance of the low bid received from Harbour Construction Co. Ltd., in the amount of \$107,140., has been recommended by Mr. Purdy, with Mr. Moir's concurrence.

The tender was awarded by Council, as recommended, on motion of Ald. Hetherington and Hawley.

MOTION: Moved by Ald. Hetherington & Hawley that Council award the tender for Contract 87-01, to Harbour Construction Co. Ltd., in the amount of \$107,140., as recommended by Mr. Purdy & Mr. Moir

AWARD CONTRACT:
CONTRACT 87-03

Tenders have been received as follows for
Contract 87-03 (Street Construction: Craighburn Court,
Craighburn Dr., Garshan Road, Lakecrest Drive, and
Sunset Drive):

Municipal Contracting Ltd	\$326,380.
Ocean Contractors Ltd.	358,775.
Steed & Evans Ltd.	413,610.

It has been recommended that the tender be
awarded to the low bidder, Municipal Contracting Ltd.;
Mr. Moir has concurred with this recommendation.

The tender for Contract 87-03 was awarded,
as recommended, on motion of Ald. McCluskey and Sarto.

MOTION: Moved by Ald. McCluskey and Sarto
that the tender for Contract 87-03
be awarded to the low bidder, Municipal
Contracting Ltd., as recommended.

SMALL DRAINAGE
PROJECTS

Four proposed small drainage projects have
been recommended to Council, to be funded from the
1986 capital budget item 'Drainage, Unspecified
Locations', totalling \$76,000. in cost. They are:

Mountain Ave. project	\$23,000.
Banook Ave. project	29,000.
Stewart Harris Dr. project	11,000.
Eric Graves School	13,000.

The projects were approved, as recommended,
on motion of Ald. Levandier and Sarto.

Ald. Connors requested a list of unexpended
items from previous capital budgets, which he said
he had asked for at another Council meeting.

MOTION: Moved by Ald. Levandier and Sarto
that the four small drainage projects
recommended, as listed above, be approved.

ASBESTOS:
FINDLAY
COMMUNITY
CENTRE

Mr. Moir has circulated a report on the matter
of asbestos in the Findlay Community Centre building,
for the information of Council.

The Mayor reported verbally to Council on
the situation, advising that he has been in contact
with the Health Officer, Dr. MacLean, and he has advised
that there is no risk posed either to the people working
in the building or to people taking part in activities
at the Centre.

APPLICATION TO
AMEND LAND USE
BY-LAW:
33 OCHTERLONEY ST.

An application to amend the Land Use By-law, with respect to 33 Ochterloney Street, in order to permit the construction of a three-storey office building instead of two, has been received by the Planning Dept., and the Department has recommended that staff be instructed to proceed with a neighbourhood information meeting in this connection.

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

MOTION: Moved by Ald. Hetherington & Hawley that Planning Dept. staff be instructed to proceed with a neighbourhood information meeting in connection with an application to amend the Land Use By-law, involving the property at 33 Ochterloney Street.

MEMBERSHIP
CHANGE: TRANSIT
ADVISORY BOARD

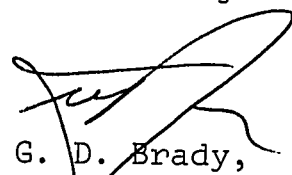
Further to a memo on the subject of membership on the Transit Advisory Board, which has been increased to seven Aldermen, Ald. Sarto noted that this change will not take place until November when the appointments to Boards and Commissions take place.

The memo received by Council on this subject was therefore received and filed, on motion of Ald. Sarto and Hawley.

MOTION: Moved by Ald. Sarto and Hawley that the memo on the subject of Transit Advisory Board membership, be received and filed.

On motion of Ald. Hawley and Pye, Council went in camera to deal with an additional item.

Council later reconvened to adjourn the meeting.


G. D. Brady,
Deputy City Clerk.

City Council, June 16/87

ITEMS:

- 1) Presentation: John Hughes, page 1.
- 2) Presentation: Halifax Inlet Water Quality Study, page 1
to page 3 incl.
- 3) Motions: Ald. Levandier, page 4.
MacFarlane, page 5 & 6.
Billard, page 5.
- 4) Notices of Motion: Ald. Hawley, page 7
Pye, page 7.
- 5) Request: Dartmouth Highlands Rally, page 7.
- 6) Request: Temporary Closure, Louise Court, page 8.
- 7) Inquiries, page 8 & 9.
- 8) Monthly reports, page 9.
- 9) Award tender: Recording & call back equipment, pg. 10.
- 10) Award contract: Contract 87-01, page 10.
- 11) " " : Contract 87-03, page 11.
- 12) Small Drainage projects, page 11.
- 13) Asbestos: Findlay Community Centre, page 11.
- 14) Application to amend Land Use By-law, page 12.
33 Ochterloney Street
- 15) Membership change: Transit Advisory Board, page 12.

Dartmouth, N.S.

June 30, 1987

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

Present - Mayor Savage

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

It was moved by Ald. Hetherington and seconded by
Ald. Sarto that the last two weeks of July and first two
weeks of August not have Council sessions. The motion
carried.

MOTION: Moved by Ald. Hetherington and Ald. Sarto
that no Council meetings be held the
last two weeks of July and first two weeks
of August. (July 20th to August 14th)

Reference was made to Ald. Withers being in a car
accident last evening. The Mayor will be expressing Council's
sympathy to him.

Ald. Sarto, Chairman of the Transit Advisory Board,
reported that the response has been good in terms of site
selection for bus shelters. However, two wards have not
yet replied and the deadline is Friday.

This date was set by Council for the public hearing
on an application for Development Agreement at 3 Bruce Street.
Mr. L'Esperance noted that Mr. Michael Klaume has applied
to rezone the property formerly occupied by the R.C.M.P.
station from R-1 (Single Family) so he can relocate his
meat market business to this location.

Since this property was vacated two years ago there
have been many enquiries about rezoning this property for
other uses. However, since the property is adjacent to
single family homes, it was felt that a commercial development
on the site could have a serious impact, therefore there
was hesitation in recommending a blank cheque commercial zone.

Mr. Klaume has however applied for a Development Agreement
which would specifically address the kinds of concerns
the Planning Department has and the neighbourhood. The
items contained in the Agreement should provide maximum
protection of the neighbourhood. Six major items are contained

COUNCIL'S
SUMMER
BREAK

EXPRESSION
OF SYMPATHY
TO ALD. WITHERS

SITE SELECTION FOR
BUS SHELTERS

PUBLIC HEARINGS:
3 BRUCE STREET

in this agreement and staff now has no difficulty in recommending in favour of the application. It is their recommendation that Resolution 27-24 be approved.

Ald. Hetherington had some question to pose re the agreement and Ms. Hood confirmed that it would be appropriate for him to ask them now.

One of the questions related to the hours of operation. It is proposed that the hours be restricted to 8:00 a.m. to 10:00 p.m., seven days a week. He wondered if a 7:00 a.m. opening hour would be more appropriate.

Secondly, he expressed concern about point (3) that no vehicular access shall be permitted from Bruce Street. He felt the intersection where the vehicles will be forced to exit is already very dangerous and this problem might be reduced by allowing some traffic from the convenience store onto Bruce Street.

Mr. L'Esperance noted that it is a difficult situation to come up with a perfect solution. After discussing the situation, he indicated that staff would recommend against vehicular access onto Bruce Street, if this change was recommended by Council.

Mayor Savage noted that residents from the area were not present at this evening's public hearing, as they probably did not think any change to the development agreement re vehicular access would be raised this evening. He suggested that the traffic situation be monitored for a three month period to see if Ald. Hetherington's concerns are justified. Ald. Sarto was of the impression the residents of Bruce Street did not wish vehicular access to their street.

The Mayor called for representations from anyone in favour of the application.

Mr. Michael Klayme rose to speak in favour of the Development Agreement. Ald. Hetherington wondered if Mr. Klayme had any particular preference re opening hours. He did not, so the terms of the Development Agreement, i.e. 8:00 a.m. opening were left unchanged. The issue of access to Bruce Street was also addressed and it was decided to leave this matter, as is for the time being.

The Mayor called twice more for people to speak in favour of the agreement, but there was no other response.

The Mayor called for speakers opposed to the application. There was no response to his three calls.

It was thus moved by Ald. Levandier that the public hearing be closed.

The adoption of Resolution 27-24 was moved by Ald. Thompson and seconded by Ald. Sarto.

During debate of the above motion, Ald. Thompson expressed his concurrence with the suggestion that traffic in the area be monitored for three months following opening of the facility. He also wondered how the proposed changes to Woodlawn Road would effect the intersection. Mr. Fougere advised that the designs for the street are not finalized, but four lanes/traffic are intended.

Ald. Sarto also spoke in favour of the resolution, making particular reference to^a petition from area residents supporting a convenience store at this location and he felt the residents concerns have been addressed in the Development Agreement.

He emphasized to Council that Woodlawn Road is one of the last roads not upgraded from collector road status to meet the specifications of arterial status.

Ald. Greenough noted that Waverley Road is in a similar category. Ald. Greenough was in favour of the resolution, noting the support for the application. He cautioned that it was not appropriate to have considered any changes in the agreement at this time, i.e. hours of opening and vehicular access, as a public hearing would have to called again to deal with the amended agreement.

He questioned Mr. Fougere on when Waverley Road was slated for widening. Mr. Fougere indicated it was slated for 1988.

Referring to the proposed improvements to Woodlawn Road, Ald. Hetherington expressed concern that the City could lose money in the form of expropriation costs due to lost

business during the improvements. Mr. Fougere did not feel any land will be required at this location, however.

Although expressing concern about the potentially dangerous traffic situation, Ald. Hawley indicated he would support the motion. He also supported Ald. Greenough's earlier remarks that it would be inappropriate at this time to consider any changes to the Development Agreement.

Ald. Woods posed several queries to Mr. L'Esperance about the public participation process in the development of the agreement. Mr. L'Esperance noted that essentially the items negotiated were done at the Planning Department level.

Ald. Woods made reference to a report on expanding the role of public participation, i.e. how many residents of a neighbourhood to be involved in the negotiations etc. Mr. L'Esperance did not know the status of this report but confirmed it is hard to determine who should represent a neighbourhood. If you invite all the neighbourhood, for instance, you have the same process as the Neighbourhood Information Meetings.

Mayor Savage felt this whole issue is something the M.P.S. Review should be looking into, as well.

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

MOTION: Moved by Ald. Thompson and Ald. Sarto that Resolution 27-24 be adopted.

This was also the date set for a Nuisance Complaint to be heard re Green Gables, Victoria Road.

A letter dated June 29th, 1987 from Mr. Harvey Bourbonniere, 5 Vanessa Drive re the Green Gables at Victoria Road was circulated to Council prior the commencement of the hearing. Mr. Bourbonniere advised that the residents who signed the petition leading to the Nuisance Complaint have all been contacted about the proposal made by Mr. O'Neill re changes in store hours and have accepted his proposal and therefore withdraw their request for a public hearing under the Nuisance By-law.

Ald. McCluskey extended thanks to Mayor Savage and Mr. O'Neill from the residents for the resolution of the conflict.

NUISANCE COMPLAINT
GREEN GABLES
VICTORIA ROAD

Mayor Savage noted that this time was advertised for a Public Hearing and he wondered if anyone in the audience was present to speak on the nuisance complaint. No reply came from the gallery to this request.

Ald. McCluskey also made reference to the fact that a number of residents expressed concern to her about the news coverage this matter received.

Ald. Levandier referred to the problems created by the Nuisance by-law itself and suggested that in future an attempt to mediate such situations be made before a public hearing date is set. He was of the understanding that a report on the Nuisance By-law will be submitted to Council shortly. Ms. Hood did not feel that Ald. Levandier's suggestion for mediation^{should} be included in the by-law. She felt it best to leave this step informal, or the by-law will have to be amended. She cautioned that if a mediation is unsuccessful, the mediator can't participate in the subsequent public hearing.

Ald. Hetherington questioned whether or not a Public Hearing was taking place. Mayor Savage felt that due to the acceptance of residents of the proposal, one was not required. Ald. Hetherington expressed concern about the procedure which has taken place. He noted that once the date was set, aldermen are not supposed to discuss the matter. Mayor Savage confirmed that if a satisfactory conclusion had not been reached, he would undoubtedly have had to leave the Chair. He nevertheless argued that it seemed the logical thing to do, although it might have disqualified him from participation.

A report on the Nuisance by-law should be available to Council on their return in August.

In conclusion, Ald. McCluskey noted that there have been an instance(s) in the past where this common sense approach has been used.

It was moved by Ald. Levandier and seconded by Ald. Thompson that Council accept the request from Mr. Bourbonniere that the public hearing be withdrawn. The motion carried.

MOTION: Moved by Ald. Levandier and Ald. Thompson that Council accept the request from Mr. Bourbonniere (on behalf of residents who signed the petition) that the public hearing under the Nuisance By-law be withdrawn.

LEASE OF PLAYGROUND
PROPERTY BETWEEN

42 and 44 PRIMROSE
Mayor Savage explained that the Ward 5 Social Action Committee had been looking for a site for playground equipment.

The Bell brothers, owners of several apartment complexes in the northend have generously offered to lease to the City a piece of land on Primrose Street for \$1.00 a year. Should the owners or occupants of abutting or adjacent properties be disturbed by the operation of the playground, the lease can be terminated.

Ald. Hawley expressed concern that a description of the property did not accompany the lease document. Ms. Hood will provide this description in due course.

Thanks were expressed by Ald. Pye and Ald. Woods to Mayor Savage for the good work he and the Ward 5 Social Action Committee has done. Several aldermen also thanked the Bell brothers for this very generous gesture.

It was subsequently moved by Ald. Pye and seconded by Ald. Thompson that the City enter into the lease with Bell Enterprises for the purpose of setting up a temporary playground. The motion carried unanimously.

MOTION: Moved by Ald. Pye and Ald. Thompson that the City enter into the lease with Bell Enterprises for the purpose of setting up a temporary playground.

FINDLAY COMMUNITY
CENTRE - ABSESTOS
PROBLEM

A report was before Council from Mr. Moir re the costs to carryout a cleanup of the Centre. Mr. Moir recommends that the tender submitted by Guildfords Limited in the amount of \$54,026.47 be accepted. He further recommends that the City Engineering Department discuss with the Consultants the need for continuous monitoring with the thought in mind that the amount of monitoring be reduced as suggested in the last paragraph of Monenco Maritimes Letter of June 23rd. Mr. Moir also recommended that Council authorize a maximum over-expenditure of \$80,000 to carryout this cleanup.

Ald. Hetherington and Ald. Hawley moved the above recommendations. The motion carried unanimously.

FIRST APPROVAL OF
OVER-EXPENDITURE
FINDLAY CENTRE
CLEANUP

This being an over-expenditure, Ald. Thompson and Ald. Hetherington moved its first reading. The motion carried unanimously.

MOTIONS: Moved by Ald. Hetherington and Ald. Hawley that the tender submitted by Guildfords Limited in the amount of \$54,026.37 be accepted; and that the City Engineering Department discuss with the Consultants the need for continuous monitoring with the thought in mind that the amount of monitoring be reduced as suggested in the last paragraph of Monenco Maritimes Ltd. letter of June 23rd.

Also, that City Council authorize a maximum over-expenditure of \$80,000 to carryout this cleanup.

Moved by Ald. Thompson and Ald. Hetherington first reading for the overexpenditure of \$80,000 to carryout the cleanup of absestos at Findlay Centre.

TENDERING FOR
CROSSWALK GUARD
SERVICES

A report from Mr. Moir dated June 23rd re tendering for crosswalk guard services was before Council.

It was moved by Ald. Levandier and seconded by Ald. Pye that the report be received and filed. Ald. Levandier did not feel that for a saving of \$33,600.00, Council should risk losing the excellent service the City now has. He felt the savings small versus the excellent service and benefits the present system has to offer Dartmouth residents.

Ald. Pye did not feel the security services would be able to provide the same calibre of guards as those presently doing the job, who due to there relatively low turnover, are well known to the children of the community.

Ald. Sarto also felt there was a benefit in the present system, as some of the older students are involved in the process and learn responsibility.

Concern was also expressed by Ald. McCluskey that the people presently conducting this work will not be hired by the security companies. She noted that some of the individuals involved only have this job as a source of income or it helps to supplement their income. The rates of pay quoted in the tenders would reduce their weekly income from \$100.00 to \$75.00 if they were accepted. Ms. Hood confirmed that there is no way to ensure these individuals have an opportunity

to work for these companies. The best the City could do is suggest they look at these people as potential employees.

It was pointed out that one positive aspect of tendering out the service is that police time presently involved in the program could be used more effectively elsewhere. The Chief of Police has expressed his strong support of a change in the present practice.

Ald. Greenough, although supporting the motion on the floor, indicated he would like to know why it costs the City \$33,000 more than a private firm to do this work. He requested that this enquiry be referred to staff*for a report back to Council. *(new City Administrator)

As also stated by previous speakers, Ald. Greenough felt the key issue was the safety of the children.

A motion to refer was moved by Ald. Greenough and seconded by Ald. Billard.

Ald. Connors supported the referral motion and was of the opinion that the quality of service might not be effected by tendering out. He felt by drafting a tender package with very specific requirements for the level of service the City wants, this concern could be addressed.

Ald. Hawley emphasized that the officer presently supervising this program is very special to the children and they respect his uniform and his personality. He has an ongoing program with the schools, visiting 2 or 3 times annually, plus a training program for student crosswalk guards. He felt this is a very important aspect of the present system. He noted reference to the fact that the police would oversee the security company to see an adequate job is being done. No saving in supervision would be achieved.

Another concern expressed was that by the second year of a contract, the costs would increase, as hidden costs of managing this program become apparent.

It was noted by Ald. Thompson that police officers are sometimes required to fill-in for absent crosswalk guards. He would like to know if this cost is charged to the program or

that
the Police Department. He felt confident/in similar
circumstances, a private enterprise would ensure replacement
for such individuals.

When the vote on the referral was taken, it carried
with 7 voting for and 6 against.

MOTION: Moved by Ald. Greenough and Ald. Billard
that the reason for the cost difference
between the crosswalk guard service being
provided by the City and a private contractor
be referred to staff (new City Administrator)
for a report back to Council.

LEASE OF LAND
- 441 WINDMILL
ROAD

A report on a proposal to lease land to Heritage
Motors Limited at 441 Windmill Road was before Council
from Mr. Moir.

Mr. Moir recommends that this land be leased to
Heritage Motors Limited, provided the City can be adequately
protected in the terms of the lease from problems at such
time as the right-of-way is required for road widening or
other City related purpose. It is also recommended that
another clause in the lease provide that, if Heritage Motors
Ltd. is able to run a more efficient business because of the
acquisition of the land, the City must be absolutely assured
that when and if the City regains the land for purposes,
Heritage Motors Limited will not seek any sort of business
disturbance damages from the City. If City Council agrees
to the above, the land will be appraised; the cost of which
will be borne by Heritage Motors Ltd. and the square footage
rate for rental of the land will be based on that appraisal.

A motion to adopt the above-noted recommendations was
moved by Ald. McCluskey and Ald. Sarto.

Ald. McCluskey noted that in this instance Heritage
Motors is being required to pay for the appraisal. This
was not the procedure followed in a recent decision on
the Burnside Marina and she felt the City should not be
required to pay for such appraisals in any instance. Ald.
Hetherington suggested that a copy of the resultant appraisal
be sent to Ald. McCluskey.

Ald. Woods requested that the area have some landscaping,
with a reasonable amount of scrubs and grass being planted
and the landscaping proposal be approved by Parks and Recreation

When the vote was taken, the above motion carried.

MOTION: Moved by Ald. McCluskey and Ald. Sarto that Mr. Moir's recommendations detailed on page 9 of these minutes be adopted, re the lease of land by the City to Heritage Motors Limited, at 441 Windmill Road.

TENDER FOR
STREET LINE
PAINTING

The following two tenders were received for street line painting:

Sea Side Line Marking Ltd.	\$76,300
City Pavement Markings Ltd.	83,200

The City Administrator recommended the awarding to the lowest bidder Sea Side Line Marking Ltd. in the amount of \$76,300.00. Ald. McCluskey moved a motion, seconded by Ald. MacFarlane that the tender be awarded to Sea Side Line Marking Ltd. The motion carried unanimously.

MOTION: Moved by Ald. McCluskey and Ald. MacFarlane that the tender for street line painting be awarded to Sea Side Line Marking Ltd. in the amount of \$76,300.00.

Ald. McCluskey noted that she has received a lot of complaints about the condition of the street line paint and hoped the work would commence soon.

TENDER - SOLID
WASTE COLLECTION

The following tenders were received on the Solid Waste Collection contract:

Ed Dewolfe Trucking Ltd.	\$2,416,710.00
Browning-Ferris Industries Ltd.	3,316,010.00
Lantz Leasing & Rentals Ltd.	4,058,347.50

Mr. Fougere's report recommends the award of the Tender for the Collection of Residential Solid Waste to Ed Dewolfe Trucking Limited for a total price of \$2,416,710.00. They also recommended acceptance of the rider clause with the proviso that the City conversely will have the right to renegotiate the contract price should the cost of diesel fuel decrease by 5% per year, and that the re-negotiation be based only on the increase or decrease over and above the 5% per year.

The tender period is for August 4th, 1987 to December 31st, 1991 (4 1/2 years).

Ald. Hawley moved a motion seconded by Ald. Levandier that the contract be awarded to Ed Dewolfe Trucking Ltd. with the rider indicated above.

Ald. Connors wondered what the present annual cost was. Mr. Fougere indicated that the remainder of this year will cost \$214,000 or \$9,735 a week.

Mr. Fougere, in response to a question from Ald. Billard, noted that the City approved a budget of approximately \$519,000 a year for this service. Ald. Billard noted that this contract did not represent any particular savings for the City. Mr. Fougere assured Ald. Billard that it is felt that the City receives the best possible service for the best price from Dewolfe Trucking. Even when the tender process was used, Dewolfe put in the lowest bid. Ald. Billard still wondered how Dewolfe can provide the service so much more cheaply than the other two bidders. It was felt that it is because Dewolfe is so well established and maintenance is done in Dartmouth.

Mayor Savage also felt that due to their experience, Dewolfe can give a more accurate assessment.

A number of aldermen remarked on the excellent service provided by the company and how pleased they were with the continuous pickup service.

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

MOTION: Moved by Ald. Hawley and Ald. Levandier that the tender for the collection of residential solid waste be awarded to Ed Dewolfe Trucking Ltd. for a total price of \$2,416,710.00, for the period August 4, 1987 to December 31st, 1991 (4 1/2 years). City Council also accepts the rider clause with the proviso that the City conversely will have the right to renegotiate the contract price, should the cost of diesel fuel decrease by 5% per year, and that the re-negotiation be based only on the increase or decrease over and above the 5% per year.

BURNSIDE SALE OF
LAND ACCOUNT & SPECIAL
RESERVE FUND
RESOLUTION 87-27
87-28
87-29

A report dated June 19th from the Solicitor was before Council on the Burnside Sale of Land Account. Attached to the report were Resolution nos. 87-27 and 87-28. Resolution 87-29 was attached to Mr. Moreash's memorandum of June 26, re the Special Reserve Fund.

Ms. Hood advised Council that the blank figure in Resolution 87-28 should read \$1,663,990, the figure as of June 30th. Anything after today will automatically go

into the Burnside Sale of Land Account.

It was moved by Ald. Sarto and seconded by Ald. Hetherington that Resolution 87-29 be adopted to rescind Resolution 86-77 (a duplication of withdrawal from the Special Reserve Fund in the amount of \$447,250.00). The motion carried unanimously.

It was also moved by Ald. Hawley and Ald. Hetherington that Resolution 87-27 be adopted, which established the Burnside Sale of Land Account and provides for all funds from the sale of Burnside Industrial Park lands to be paid into this account. The motion carried unanimously.

It was moved by Ald. Sarto and Ald. Hetherington that Council adopt Resolution 87-28, which authorizes the withdrawal from the present Capital Reserve Section of the Special Reserve Fund the sums previously earmarked as Burnside Sale of Land Account Funds and authorizes that they be placed in the Burnside Sale of Land Account established by Resolution 87-27. The motion carried unanimously.

MOTIONS: Moved by Ald. Sarto and Ald. Hetherington that Council adopt Resolution No. 87-29.

Moved by Ald. Hawley and Ald. Hetherington that Council adopt Resolution 87-27.

Moved by Ald. Sarto and Ald. Hetherington that Council adopt Resolution 87-28.

A motion to receive and file Ms. Hood's report on City Charter amendments was moved by Ald. Sarto and Ald. Greenough. The motion carried unanimously.

MOTION: Moved by Ald. Sarto and Ald. Greenough to receive and file Ms. Hood's report dated June 18th on City Charter Amendments.

Ald. Hawley, Chairman of the Salaries Committee reviewed their June 23rd report on salaries for Heads and Assistant Department Heads. Essentially the report recommends a 4% increase for Department Heads and Asst. Department Heads effective January 1, 1987, except in three instances where a reclassification is recommended for the Parks and Recreation Department Director and Assistant Director and in order to retain a differential between the position of Fire Chief and Deputy Fire Chief.

CITY CHARTER
AMENDMENTS

SALARIES: DEPT.
HEADS & ASST.
DEPT. HEADS

Two errors were noted in the report. The third line of paragraph 4 on the first page should read "the slotting at Level 12 and Level 10.....".

On the second page the fourth position listed should read Deputy Treasurer rather than Deputy City Clerk-Treasurer.

Referring to the salary scales of the dept. heads and asst. dept. heads, Ald. Hawley noted that no change has been recommended for the Purchasing Agent as he has been off ill for sometime.

The last recommendation contained on page 2 re four positions listed, refers to the granting of a step increase after reassessment by the new City Administrator.

Ald. Pye questioned whether the Tourism Director's position is part-time. Ald. Hawley understood this to be the case, however Mr. Brady indicated it was a full-time job.

Reference was made by Ald. Pye to the excellent job done by the Museum Director and he was not sure his performance was reflected in the salary scales being proposed.

In conclusion, Ald. Pye requested further information on the actual hours of work for which the Tourism Director is hired. He felt the pay scales should be more reflective of the level of responsibility these positions entail. Ald. Hawley discussed with Ald. Pye how these salary scales were arrived at by Mr. Vincent and Mr. Moir.

Even though the Purchasing Agent is absent due to illness, Ald. Sarto could not see the rationale for not giving an increase.

In conclusion, a motion by Ald. Hawley and Ald. Thompson to adopt the Salaries Committee's recommendations was voted on and carried unanimously.

MOTION: Moved by Ald. Hawley and Ald. Thompson that the Director of Parks and Recreation salary scale be slotted at Level 12 and the Assistant Director's at Level 10, with the salary being retroactive to January 1, 1987.

Also that the Fire Chief receive a 4% increase effective July 1, 1987.

And that the Director of Parks and Recreation, Asst. Director of Parks and Recreation, City Clerk-Treasurer and Deputy Treasurer be granted a step increase, effective January 1, 1988 subject to satisfactory Employee Performance Review.

MAITLAND STREET
PARKING LOT

A report was before Council on the Maitland Street Parking Lot. Ald. Greenough reviewed the report with Council. It was noted that although the report from Mr. Corrigan indicates 15 parking spots made available for the Mayor and aldermen, only 6 spaces are presently designated for aldermen.

If the Maitland Street Parking Lot was used for staff parking, a lease would have to be entered into, which is subject to termination and the Committee did not feel the City would have enough control.

In conclusion, it was moved by Ald. Greenough and seconded by Ald. Hetherington that there be no change at this time in the policy with respect to employee parking at the Ferry Terminal lot, as recommended by the Finance & Program Review Committee. The motion carried unanimously.

MOTION: Moved by Ald. Greenough and Ald. Hetherington that there be no change at this time in the policy with respect to employee parking at the Ferry Terminal lot.

WOODSIDE FERRY
SCHEDULE

It was moved by Ald. Hetherington and Ald. Sarto that a response be solicited (from patrons) on the Woodside ferry schedule, and that it be recommended to Council that the Transit Advisory Board be asked to consider minor scheduling changes, provided there is no cost involved to make such changes. This recommendation came forward from the Finance and Program Review Committee and was contained in their report dated June 24, 1987.

Ald. Greenough explained that both he and Ald. Hetherington are also members of the above mentioned committee and the Transit Advisory Board and have already brought the matter to the attention of the Transit Advisory Board. Staff was instructed to look into the matter of scheduling changes and will bring a report back to Council.

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

MOTION: Moved by Ald. Hetherington and Sarto that a response be solicited (from patrons) on the Woodside ferry schedule, and the Transit Advisory Board be asked by Council to consider minor scheduling changes, provided there is no cost involved to make such changes.

APPOINTMENT
TO HERITAGE
ADVISORY COMMITTEE

It is recommended in the Heritage Advisory Committee's memo of June 16th that Ms. Suzanne Lewis be added as a member at large to the Heritage Advisory Committee. This recommendation was moved by Ald. Hetherington and Ald. Hawley. The motion carried unanimously.

MOTION: Moved by Ald. Hetherington and Ald. Hawley that Ms. Suzanne Lewis be added as a member at large to the Heritage Advisory Committee.

STREET NAMES
FOR BURNSIDE

Council was in receipt of a report from the Heritage Advisory Committee, dated June 4th recommending that when considering names for streets in Burnside, consideration be given to the names recommended by Ms. Trevail in her letter of May 28th.

It was moved by Ald. Pye and Sarto that this report be referred to the Industrial Committee.

Ald. Levandier expressed his support of the referral noting that a number of other individuals have served the City more significantly than those named on Ms. Trevail's list and should be considered first, i.e. Fraser Conrad, C.A. Moir, etc. Ald. Pye felt this an excellent idea as did Ald. McCluskey.

When the motion was taken on the referral, it carried unanimously.

MOTION: Moved by Ald. Pye and Ald. Sarto that the Heritage Advisory Committee's report of June 4th be referred to the Industrial Sub-Committee.

CRICKETS
APPLICATION
TO LIQUOR
LICENSING
BOARD

Ald. Thompson requested that this item be added to this evening's agenda and received general consensus that it be added.

It was moved by Ald. Thompson and seconded by Ald. Hawley that the City have a legal representative at the Liquor Licencing Board to voice opposition to the Crickets' application.

Ald. McCluskey expressed concern that the City is setting a precedent if it sends a legal representative to the Board on behalf of the area residents. She noted there have been problems in other areas of the City where the residents hired their own solicitor.

If Council were to send a legal representative, Ald. Levandier wondered what arguments the solicitor could put forward. Ms. Hood indicated that she would have to review Council's statement at the last meeting on the matter. She noted that no matter how divided the vote might have been on the matter, the whole Council is bound by the decision.

Ald. Connors did not support the sending of a solicitor and suggested the Mayor or an alderman could just as effectively put forward the reasons why Council is objecting to the application.

Ald. Hawley noted that in similar cases in the past, it has been the City's tradition to send a solicitor, who is more effective at representing the City in such a forum. He did not feel this would be setting a precedent. The matter of representation at the Provincial Appeals Board was also referred to. Ald. McCluskey noted that in such instances where a rezoning has been turned down the City is obliged to send a solicitor. She suggested a motion to the effect that every group, in every part of the City, who are upset about similar matters could ask for similar representation. She did not feel Council should be picking and choosing which cases warranted such representation.

Ald. Hetherington noted that it is sometime difficult for the aldermen in such hearing to be seen as representing the City, while this doesn't present a problem to the City's Solicitor.

When the vote was taken on the motion, it carried with Ald. Levandier, Billard, McCluskey, Woods and Connors voting against.

MOTION: Moved by Ald. Thompson and Ald. Hawley that the City have a legal representative at the Liquor Licencing Board to voice opposition to the Crickets' application.

On motion of Ald. Hetherington and Ald. Greenough Council went in camera to deal with contract negotiations with the Fire Fighters, etc.

Meeting adjourned.



G.D. Brady,
Deputy City Clerk

City Council, June 30, 1987

ITEMS:

- 1) Council's Summer Break, page 1.
- 2) Expression of Sympathy to Ald. Withers, page 1.
- 3) Site Selection for Bus Shelters, page 1.
- 4) Public Hearing - 3 Bruce Street, pages 1 to 4.
- 5) Public Hearing - Green Gables, Victoria Rd., Nuisance Complaint, pages 4 to 6.
- 6) Lease of Playground Property, page 6.
- 7) Findlay Community Centre - Absbestos Problem, pages 6 & 7.
- 8) First Approval of an over-expenditure for Findlay Centre Cleanup, page 7.
- 9) Tendering for Crosswalk Guard Services, pages 7 to 9.
- 10) Lease of Land - 441 Windmill Road, pages 9 & 10.
- 11) Tender for Street Line Painting, page 10.
- 12) Tender for Solid Waste Collection, page 10 & 11.
- 13) Burnside Sale of Land Account, Resolutions 87-27 and 87-28, pages 11 and 12.
- 14) Resolution 87-29, Special Reserve Fund, pages 11 and 12.
- 15) City Charter Amendments, page 12.
- 16) Salaries: Dept. Heads and Asst. Dept. Heads, pages 12 & 13.
- 17) Maitland Street Parking Lot, page 14.
- 18) Woodside Ferry Schedule, page 14.
- 19) Appointment to Heritage Advisory Committee, page 15.
- 20) Street Names for Burnside, page 15.
- 21) Crickets Application to Liquor Licensing Board, pages 15 and 16.