

DARTMOUTH CITY COUNCIL

JANUARY 5, 1988

LOCATION: CITY COUNCIL CHAMBERS
TIME: 8:00 P.M.

MEMBERS PRESENT: MAYOR J. SAVAGE
ALDERMEN SARTO, THOMPSON
BILLARD, MACFARLANE
CONNORS, LEVANDIER
PYE, WOODS, HAWLEY
GREENOUGH, BREGANTE
MCCLUSKEY, HETHERINGTON

MEMBER ABSENT: ALDERMAN WITHERS

CITY ADMINISTRATOR: J. BURKE
CITY SOLICITOR: M. MOREASH
DEPUTY CITY CLERK: G.D. BRADY
DEPARTMENT HEADS & ASSISTANTS

MOTION: RATIFY ACTION TAKEN IN CAMERA

Moved: Ald. Hetherington
Second: Ald. Hawley
In Favour: All
Against: None
Motion Carried

SNOW CLEARANCE

Members expressed their concerns about this year's snow clearance program to date and complaints they have been receiving from residents about it. Particular concerns centered around the plowing of sidewalks, the time taken to clear residential streets, and what appears to be a general reduction in levels of service over other winters. The City Engineer responded to the questions from members about snow clearing procedures and the status of equipment available. He pointed out that during a snow storm, efforts are concentrated on keeping main arterials open, these routes being of primary importance.

Mr. Fougere was asked to prepare a report for Council, in time for the January 12th meeting, with a response to members' questions, including:

- 1) an explanation of snow clearing policies and clarification of service levels in relation to budget cuts previously approved by Council on Oct. 13/87.

- 2) information on the number of pieces of equipment sent out in the various zones.
- 3) how the snow clearing equipment is deployed.
- 4) information on the supervision provided in the various zones, and on the follow-up carried out by supervisory personnel.
- 5) the question of liaison between the Engineering Dept. and School Administration staff during storms, based on concerns expressed about children being able to get safely home from school.

Ald. Thompson also asked to have a question checked by the Solicitor, as to whether or not it is a motor vehicle offence to operate a car in winter without snow tires.

Ald. Hawley suggested that publicity should be given to the policy of clearing the snow route (main arterials) as a first priority during storms, and further, if the Works Dept. is having difficulty coping with conditions during and after storms, the public should be so advised. The Mayor said this is a good suggestion for future reference.

Ald. Sarto requested information on comparative snow clearance costs, between the City of Halifax and the City of Dartmouth. (Ald. Woods arrived for the meeting mid-way in the snow clearing discussion)

2.0

APPROVAL OF MINUTES

MOTION: Council approve minutes of meetings held on December 8, 15, 1987.

Moved: Ald. Bregante
Second: Ald. McCluskey
In Favour: All
Against: None
Motion Carried

3.0

BUSINESS ARISING OUT OF MINUTES

4.0

DELEGATIONS & HEARINGS OF PROTEST

Ald. Connors presented a petition from residents living in the Five Corners area, re traffic conditions and enforcement of the right-turn regulation at this intersection.

5.0 ORIGINAL COMMUNICATIONS

5.1 EXEMPTION FROM PROPERTY TAXES, LAKE CITY WOODWORKERS

A letter has been received from Lake City Woodworkers, requesting an exemption from property taxes for 386 Windmill Road. They are registered as a charitable organization, registration #0626630-09-03.

MOTION: That the request from Lake City Woodworkers be approved and the necessary by-law prepared.

Moved: Ald. Pye
Second: Ald. McCluskey
In Favour: All
Against: None
Motion Carried

6.0 REPORTS

6.1 CITY ADMINISTRATOR

6.1.1 APPLICATION - PLACE OF AMUSEMENT, 31 ATLANTIC STREET

Report submitted to Council from Mr. Burke on an application for a Place of Amusement to be located at 31 Atlantic Street. Council was requested to advise the Dept. of Consumer Affairs of any objection to the issuance of a license.

MOTION: Council indicates no objection to this application.

Moved: Ald. McCluskey
Second: Ald. Bregante
In Favour: All
Against: None
Motion Carried

AMENDMENT: That Council's motion applies only to the bowling alley and not to a video arcade.

Moved: Ald. Hetherington
Second: Ald. Bregante
In Favour: All
Against: None
Amendment Carried

6.1.2 APPLICATION - PLACE OF AMUSEMENT, 321 PORTLAND STREET

Report submitted to Council from Mr. Burke on an application for a Retail Video Outlet to be located at 321 Portland Street. Council was requested to advise the Dept. of Consumer Affairs of any objection

to the issuance of a license.

MOTION: Council indicates no objection to this application.

Moved: Ald. McCluskey
Second: Ald. Hetherington
In Favour: All
Against: None
Motion Carried

6.2 SOLICITOR

6.2.1 LEASE - 639 WINDMILL ROAD

Report from the Solicitor considered on the subject of a new lease with HRDA Enterprises Ltd. for space leased from the City at 639 Windmill Road. The lease is for a further one-year period at a rental of \$3,500., and gives HRDA an option to exercise an option for a further one-year period at a rental of \$3,850. This lease could be terminated by the City if the land is sold.

Resolution 88-02, authorizing the leasing arrangement with HRDA Enterprises Ltd., has been recommended by the Solicitor.

MOTION: That Council adopt Resolution 88-02, as per the recommendation of the Solicitor.

Moved: Ald. Hetherington
Second: Ald. Thompson
In Favour: All
Against: None
Motion Carried

6.2.2 TRANSIT COST SHARING FORMULA AMENDMENT

Report from the Solicitor before Council on the proposed change in cost-sharing method for Metro Transit, from the basis of mileage to assessment.

By-law C-644, to implement the change in cost-sharing formula, has been recommended by the Solicitor.

MOTION: To delete from By-law C-644, sections 2.(b) and 3., with reference to the ferry system.

Moved: Ald. Levandier
Second: Ald. Billard
In Favour: All
Against: None
Motion Carried

MOTION: That leave be given to introduce said By-law C-644 and that it now be read a first time.

Moved: Ald. Sarto
Second: Ald. Hetherington
In Favour: All
Against: None
Motion Carried

MOTION: That By-law C-644 be read a second time.

Moved: Ald. Hetherington
Second: Ald. Greenough
In Favour: All
Against: None
Motion Carried

Mr. Brian Smith of the Metropolitan Authority was present to answer questions from members of Council.

Ald. Greenough indicated concerns he has about lines of communication that will permit elected representatives to have some input when route changes are to be made that will result in reduced levels of transit service to specific areas. The Mayor noted that any Alderman has the opportunity to make representation to the Regional Transit Advisory Board for such purposes.

Unanimous consent was given by Council for third reading of By-law C-644.

MOTION: That By-law C-644 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.

Moved: Ald. Hetherington
Second: Ald. Woods
In Favour: All
Against: None
Motion Carried

6.3 FINANCE & PROGRAM REVIEW COMMITTEE

6.3.1 NATAL DAY FUNDING

Report submitted to Council from the Finance & Program Review Committee on the subject of Natal Day funding. The Committee recommends the projected \$42,000. requested as the City allocation, on the understanding that if

funding is received from corporate sponsors for the fireworks, the budget will be reduced by that amount. It is also understood that further staff examination is being given to the in-house costs.

MOTION: That Council adopt the recommendation of the Finance & Program Review Committee.

Moved: Ald. Hetherington
Second: Ald. Sarto
In Favour: All
Against: None
Motion Carried

PRESENTATION

A presentation was made by the Mayor to Mr. Orla Hardenberg, a Dartmouth resident who regularly attends meetings of Council, and who was previously named as an 'Honorary Alderman'. Mr. Hardenberg was presented with a book of Sherman Hines photos of Dartmouth.

6.4. LIBRARY SITE SELECTION COMMITTEE

6.4.1. PROPOSED SITE - NEW REGIONAL LIBRARY

The Mayor advised that this item will be deferred for thirty days, to give the City Administrator and the Economic Development Dept. time to look at possible sites and the possibility of private development potential in conjunction with public space requirements. A report will come to Council within this specified period.

7.0 MOTIONS

7.1 ALD. WOODS - WATER UTILITY COMMITTEE

MOTION: WHEREAS the City of Dartmouth Water Utility extends its services beyond the City limits, to provide water to County users;

AND WHEREAS residential and commercial development in a portion of the County is dependent upon this water supply;

AND WHEREAS sometimes this development occurs at the expense of the natural growth of Dartmouth;

BE IT RESOLVED that the City of Dartmouth establish a Water Utility Committee, as a standing committee of Council, which would

be responsible for advising Council on the impact of extending its water system, and, more importantly, would help restore Dartmouth's abilities in controlling development at its door-step.

Moved: Ald. Woods
Second: Ald. Thompson
In Favour: All
Against: None
Motion Carried

Members named to serve on this new Committee, in addition to Mayor Savage, were: Ald. Thompson, MacFarlane, Levandier, McCluskey, Woods, Hawley, and Hetherington.

7.2

ALD. CONNORS - NOISE CONTROL BY-LAW

MOTION: WHEREAS the operation of the CN railroad in Downtown Dartmouth involves unnecessarily loud and annoying noise, through whistles, horns, and bells;

AND WHEREAS other municipalities have by-laws to control the noise generated by railway operation within municipal boundaries, while at the same time, ensuring public safety;

THEREFORE BE IT RESOLVED that staff prepare and bring to Council, the appropriate by-law to control the noise generated by railway operation through whistles, horns and bells.

Moved: Ald. Connors
Second: Ald. Hetherington
In Favour: All
Against: None
Motion Carried

Ald. Connors' second motion was withdrawn.

7.3

ALD. THOMPSON - DREDGING CRANBERRY LAKE

MOTION: WHEREAS the Engineering Dept. plans to dredge Cranberry Lake;

AND WHEREAS the sediment will be deposited at the end of Cranberry Lake;

BE IT RESOLVED to have the Planning and Engineering Departments, and City Council, start the necessary requirements to close off the end of Mount Edward Road, to facilitate this project; a report to come back from Planning, Engineering, and the Legal Departments on the process required.

Moved: Ald. Thompson
Second: Ald. Sarto
In Favour: All
Against: None
Motion Carried

7.4

ALD. GREENOUGH - TRAFFIC SIGNALS (MONTEBELLO & WAVERLEY)

MOTION: WHEREAS the number of vehicles exiting and entering Montebello Drive and the Waverley Road, has increased substantially over the past couple of years;

AND WHEREAS there are a number of school children who travel through this busy intersection, to and from school;

THEREFORE BE IT RESOLVED that City Council authorize the installation of traffic signals at the intersection of Montebello Drive and the Waverley Road, this installation to be undertaken in 1988.

Moved: Ald. Greenough
Second: Ald. Sarto

Questions were raised as to whether or not there is provision in this year's capital budget for traffic signal installations, and it was further proposed that the motion should be referred to the T.M.G. for a recommendation. Ald. McCluskey felt that some sort of uniform criteria should exist for the determination of traffic light locations throughout the City, and Ald. Levandier was also of the opinion that traffic light decisions should not be political ones but instead, based on specific procedures.

MOTION: That the motion presented be referred to the T.M.G. for recommendation.

Moved: Ald. McCluskey
Second: Ald. Hetherington
In Favour: All
Against: None
Motion Carried

7.5

ALD. HETHERINGTON - RIGHT-TURN SIGN, PORTLAND & PLEASANT ST.

MOTION: WHEREAS the intersection of Five Corners is very well controlled by lights;

AND WHEREAS there is a school crosswalk guard at the intersection to help children cross the streets;

THEREFORE BE IT RESOLVED that the Police Dept. report back to Council as to the possibility of removing the No Right Turn Signs (8:00 a.m. to 4:00 p.m.) on Portland Street, at the Pleasant Street intersection.

Moved: Ald. Hetherington
Second: Ald. Thompson

MOTION: That the motion presented, along with the petition from area residents (item 4.0) be referred to the T.M.G. for consideration and recommendation.

Moved: Ald. Hetherington
Second: Ald. Connors
In Favour: All
Against: None
Motion Carried

ALD. HETHERINGTON - COST-SHARE WATER UTILITY

MOTION: That Dartmouth City Council request the County of Halifax to contribute seven million dollars (approx.) toward the twenty-million-dollar projected price for a water purification program, which is required by the City of Dartmouth Water Utility;

This project is to be carried out to improve the drinking water supplied by Dartmouth Water Utility, and since one-third the number of users are County of Halifax customers, then it is only fair that the County of Halifax cost-share in this water quality improvement.

Moved: Ald. Hetherington
Second: Ald. MacFarlane

MOTION: That the motion presented by referred to the new Water Utility Committee as an item for their first agenda.

Moved: Ald. Levandier
Second: Ald. Hawley
In Favour: All
Against: None
Motion Carried

7.6

ALD. MACFARLANE - RELOCATE OVERHEAD CROSSWALK & LIGHTS

MOTION: WHEREAS a number of children attend Southdale School for French Immersion, from lower Portland Street and the surrounding area, and cross Portland Street at the Maynard, Old Ferry Road intersection;

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BE IT RESOLVED that the existing crosswalk and overhead lights be moved to a safer location, which has been recommended by the Traffic Coordinator.

Moved: Ald. MacFarlane
Second: Ald. Hetherington
In Favour: All
Against: None
Motion Carried

MOTION: That paragraph 3 of the above motion be referred to the T.M.G. for recommendation. Paragraph 3 reads: AND BE IT FURTHER resolved that the City's crosswalk guard program allocate funds in its 1988 budget to provide this service at this very busy intersection.

Moved: Ald. MacFarlane
Second: Ald. Greenough
In Favour: All
Against: None
Motion Carried

ALD. MACFARLANE - PURCHASE LAND AT HIGHWOOD & WYNDHOLME

MOTION: WHEREAS a lot currently listed for sale at the intersection of Highwood and Wyndholme remains the only vacant land in this neighbourhood;
AND WHEREAS this land is adjacent to the green belt on Maynards Lake;
AND WHEREAS this land would at some time in the future be suitable for a tot lot or passive park;
BE IT RESOLVED that the City Administrator and Solicitor be authorized to initiate negotiations with the vendor for the purchase of this land, from the Sale of Land Account.

Moved: Ald. MacFarlane
Second: Ald. Levandier
In Favour: All
Against: None
Motion Carried

ALD. MACFARLANE - ACCESSIBILITY FOR THE HANDICAPPED

MOTION: To refer the following motion to the Recreation Advisory Committee:

WHEREAS the City of Dartmouth lacks a policy with respect to standards of accessibility for the handicapped;

BE IT RESOLVED that representatives of the Canadian Paraplegic Assn., the Cerebral Palsy Assn., and any others with an interest in full participation by handicapped persons in community life, be asked to assist a special committee of staff in the development of standards that could be implemented in City and public facilities; with a report to Council in the near future, outlining action required.

Moved: Ald. MacFarlane
Second: Ald. Hetherington
In Favour: All
Against: None
Motion Carried

7.8 ALD. LEVANDIER - AFFAIRS OF PUBLIC UTILITY: Withdrawn

8.0 NOTICES OF MOTION: The following notices of motion were given for the next regular Council meeting:

1) Ald. McCluskey

WHEREAS the City of Dartmouth has adopted an Affirmative Action Policy;

AND WHEREAS the City believes in equal opportunity for all citizens;

AND WHEREAS the City provides assistance by way of grants to groups and agencies within the City;

AND WHEREAS the MicMac Aquatic Club is a recipient of financial assistance from the City;

AND WHEREAS the MicMac Club discriminates against women by not permitting them to sit on the Executive of their club;

THEREFORE BE IT RESOLVED that the City discontinue any assistance to this club until its' by-laws and/or policies are changed.

2) Ald. Billard

WHEREAS the salaries of the Dartmouth Mayor and members of Council are habitually set by motion of Council;

AND WHEREAS the issue of Aldermen setting their own annual rate of pay has been criticized widely by citizens of this City;

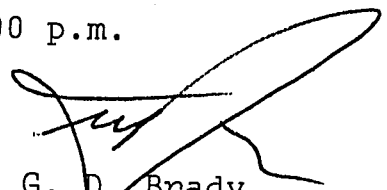
BE IT RESOLVED that the standing committee on Finance & Program Review be asked to recommend a fixed salary level for 1988 and beyond, to be adjusted on an annual basis, in accordance with the changes in the national rate of inflation.

3) Ald. MacFarlane

WHEREAS the intersection at Portland Street and Prince Arthur Drive, is deemed by the T.M.G. and residents to be dangerous for pedestrians, children, and motorists;

BE IT RESOLVED that City Council authorize the installation of traffic signals at this intersection, this installation to be undertaken in 1988.

The meeting adjourned at 11:00 p.m.



G. D. Brady,
Deputy City Clerk.

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ITEMS:

- Ratify Action Taken in Camera, page 1.
Snow Clearance, page 1 & 2.
- 2.0 Approval of Minutes, page 2.
- 3.0 Business Arising out of Minutes, page 2.
- 4.0 Delegations & Hearings of Protest, page 2.
- 5.0 Original Communications, page 3.
- 5.1 Exemption from Property Taxes, Lake City Woodworkers, pg. 3
- 6.0 Reports, page 3.
- 6.1 City Administrator, page 3.
- 6.1.1 Application - Place of Amusement, 31 Atlantic St., page 3.
- 6.1.2 Application - Place of Amusement, 321 Portland St., page 3.
- 6.2 Solicitor, page 4.
- 6.2.1 Lease - 639 Windmill Road, page 4.
- 6.2.2 Transit Cost-Sharing Formula Amendment, page 4.
- 6.3 Finance & Program Review Committee, page 5.
- 6.3.1 Natal Day Funding, page 5.
Presentation, page 6.
- 6.4 Library Site Selection Committee, page 6.
- 6.4.1 Proposed Site - New Regional Library, page 6.
- 7.0 Motions, page 6.
- 7.1 Ald. Woods - Water Utility Committee, page 6.
- 7.2 Ald. Connors - Noise Control By-law, page 7.
- 7.3 Ald. Thompson - Dredging Cranberry Lake, page 7.
- 7.4 Ald. Greenough - Traffic Signals (Montebello & Waverley)pg 8.
- 7.5 Ald. Hetherington - Right-Turn Sign, Portland & Pleasant
Street, page 8.
- Ald. Hetherington - Cost-Share Water Utility, page 9.
- 7.6 Ald. MacFarlane - Relocate Overhead Crosswalk & Lights,pg 9.
- Ald. MacFarlane - Purchase Land at Highwood & Wyndholme,pg 10
- Ald. MacFarlane - Accessibility for the Handicapped, page 11.
- 7.8 Ald. Levandier - Affairs of Public Utility, page 11.
- 8.0 Notices of Motion: Ald. McCluskey, page 11
Billard, page 11
MacFarlane, page 12.

LOCATION: CITY COUNCIL CHAMBERS
TIME: 7:30 P.M.

MEMBERS PRESENT: MAYOR J. SAVAGE
ALDERMEN THOMPSON, BILLARD
MACFARLANE, WITHERS
MCCLUSKEY, PYE, WOODS
HAWLEY, GREENOUGH
CONNORS, LEVANDIER
BREGANTE

MEMBERS ABSENT: ALDERMEN SARTO, HETHERINGTON

CITY ADMINISTRATOR: J. BURKE
CITY SOLICITOR: M. MOREASH
CITY CLERK-TREAS.: BRUCE S. SMITH
DEPARTMENT HEADS & ASSISTANTS

COMMEMORATION: W. NIEFORTH

At the opening of the meeting, a moment of silence was observed in commemoration of Mr. Weldon Nieforth, a prominent Dartmouth citizen, whose death occurred over the past weekend.

1.0 PRESENTATION OF PLAQUES - BEST DECORATED PROPERTIES

Plaques were presented by the Mayor to the following property owners who were judged to have the best decorated properties in the City at Christmas-time:

- Ward 1 Mr. Morgan Martin, 12 Day Ave.
- 2 Mr. Allister Byrne, 61 Peddars Way
- 3 Mr. Warren Wright, 29 Pelzant Street
- 4 Mr. David Millar, 55 Symonds Street
- 5 Mr. Charles Purdy, 44 Courtney Road
- 6 Mr. Alex Marks, 187 Caledonia Road
- 7 Mr. Leonard Sachko, 210 Pleasant Street

Ald. Pye, Chairman of the Committee responsible for the lighting contest, acknowledged the participation of all citizens throughout the City, and the Mayor thanked the Committee for their efforts on Council's behalf.

2.0 PUBLIC HEARING: MICMAC PLAZA

This date was set by Council for public hearing of an application from Markborough Properties for an M.P.S. amendment and an amendment to the Land Use By-law, to permit a proposed commercial development

on lands situated to the north of MicMac Mall, adjacent to the new fourteen-storey apartment building, and abutting Maritime Tel & Tel lands.

Members of Council absent for this public hearing were Ald. Sarto and Hetherington.

CONFLICT OF INTEREST

Ald. Connors declared a conflict of interest, based on the fact that one of the partners from his law firm represents a property owner in the area. He withdrew from his place on Council to sit in the gallery during the public hearing and while the item was before Council.

2.1 MUNICIPAL PLANNING STRATEGY AMENDMENT

The Planning Dept. presentation, in connection with the M.P.S. amendment, was made by Patricia Richards. Council was shown the location of the land in question, 12.7 acres of which is presently zoned R-3, 1.8 acres, Park, and 0.1 acres, I-1. The request is to rezone the entire land holding to C-3, thereby permitting construction of a 147,000 sq. ft. shopping plaza.

The Planning Dept. has recommended approval of the application, and that Council amend the M.P.S. Generalized Land Use Map, such that lands north of MicMac Mall, as shown on the map presented, be designated Commercial.

Members were permitted to ask questions of Planning Dept. staff, following the presentation, after which the Mayor opened the public hearing. He first called for speakers in favour of the M.P.S. amendment request.

Council heard Mr. Don Logie, representing Markborough Properties, the applicants. He presented plans for the shopping plaza his company is proposing, which is intended to include a food store, cinemas, a family restaurant, a liquor outlet, and other retail space. A series of three, linked one-storey buildings is planned, and Mr. Logie stated the willingness of his company to provide a landscaped buffer between the development and abutting CanEuro lands. Also, the company would assume responsibility for improving the intersection on MicMac Blvd. at the existing main entrance point from MicMac Blvd. to MicMac Mall (to include the installation of underground conduit for the future installation of traffic lights).

Questions from members of Council to Mr. Logie concerned:

- 1) the accuracy of information details in the marketing analysis prepared for the developer.
- 2) expansion potential of the existing mall as an alternative to the proposed plaza development.
- 3) assurance that the type of businesses outlined for the plaza will, in fact, become a commitment.
- 4) hours of operation that will be permitted for businesses in the plaza.
- 5) the traffic impact on MicMac Blvd. and in the area of the MicMac Mall generally.

The Mayor called two more times for any speakers in favour of the application and there being none, he then called for speakers opposed. The following people present for the hearing addressed Council in opposition to the M.P.S. amendment:

- 1) Mr. Karl Demmons, President of the Ward 4 Residents Association.
- 2) Mr. Frank Reasor
- 3) Mr. Robert Fraser
- 4) Mr. John Young, Solicitor representing CanEuro.
- 5) Mr. Dennis Rogers
- 6) Mr. Bruce Widden
- 7) Mrs. Eleanor O'Hara
- 8) Mr. Harold Pilmer
- 9) Mr. Tom Burchell
- 10) Mrs. Carol Oliver
- 11) Mr. Gary Fraser
- 12) Mr. Vern Williams

The main objections were based on existing and anticipated traffic problems; an intrusion into the quality of life residents enjoy in the area; late-night problems associated with businesses likely to locate in 'strip' malls; environmental considerations; hours of operation.

Mr. Young's submission, on behalf of CanEuro, addressed more specifically the impact of an M.P.S. amendment on a section of the City, where up to now, the integrity of the original MicMac Mall/Village concept has been maintained through all the years of development.

At the conclusion of all the presentations, the Mayor again called twice more for any other speakers wanting to be heard, and when there were none, he declared the public hearing to be over.

MOTION: That the public hearing be closed.

Moved: Ald. Levandier
Second: Ald. Pye
In Favour: All
Against: None
Motion carried

2.2. LAND USE BY-LAW AMENDMENT

Council proceeded with the second public hearing set for this date, an application from Markborough Properties to amend the Land Use By-law, applicable to the same parcel of land previously considered in the M.P.S. amendment application.

The Mayor opened the public hearing and called three times for any speakers in favour of the Land Use By-law amendment being requested. There was no one wishing to be heard, so he called three times for speakers opposed. No speakers wished to be heard in opposition and the Mayor therefore declared the public hearing to be over.

By-law C-637, to accomplish the M.P.S. amendment, was before Council for consideration.

MOTION: That leave be given to introduce the said By-law C-637 and that it now be read a first time.

Moved: Ald. Greenough
Second: Ald. Thompson
In Favour: All
Against: None
Motion Carried

MOTION: That By-law C-637 be read a second time.

Moved: Ald. Greenough
Second: Ald. Thompson
In Favour: None
Against: All
Motion Defeated

Members were opposed to the motion for the various reasons stated by the area residents; they did not favour the concept of a plaza development and felt it would be preferable to expand the existing mall instead. The general opinion was that the quality

of MicMac Mall itself will be lessened with a 'strip' mall development next to it. Also, there is no guarantee that the businesses proposed at this time will, in fact, be located in the plaza once it is completed.

By-law C-638, to accomplish the Land Use By-law amendment, was before Council for consideration.

MOTION: That leave be given to introduce the said By-law C-638 and that it now be read a first time.

Moved: Ald. Greenough
Second: Ald. Thompson
In Favour: All
Against: None
Motion Carried

MOTION: That By-law C-638 be read a second time.

Moved: Ald. Thompson
Second: Ald. Pye
In Favour: None
Against: All
Motion Defeated

Ald. Connors resumed his place on Council at this time.

3.0 MONTHLY REPORTS

3.1.1. Social Services - Caseload & Expenditures

MOTION: To approve the Social Services - Caseload & Expenditures report for December, 1987.

Moved: Ald. Pye
Second: Ald. Thompson
In Favour: All
Against: None
Motion Carried

3.1.2. Development Officer

MOTION: To approve the Development Officer's report for December, 1987.

Moved: Ald. Withers
Second: Ald. Bregante
In Favour: All
Against: None
Motion Carried

3.1.3 Building Inspection

MOTION: To approve the Building Inspection report for December, 1987.

Moved: Ald. Pye
Second: Ald. Levandier
In Favour: All
Against: None
Motion Carried

3.1.4 Minimum Standards of Use & Maintenance

MOTION: To approve the Minimum Standards of Use and Maintenance report for December, 1987.

Moved: Ald. Bregante
Second: Ald. Pye
In Favour: All
Against: None
Motion Carried

Ald. Levandier requested that the owner of 3 Hare Street be asked to take further action to improve premises at that location.

3.1.5 Fire Chief

MOTION: To approve the Fire Chief's report for December, 1987.

Moved: Ald. Withers
Second: Ald. Thompson
In Favour: All
Against: None
Motion Carried

Fire Chief Greene responded to question from Ald Levandier about the hiring of civilian dispatchers.

4.0 REPORTS

4.1 CITY ADMINISTRATOR

4.1.1 HOUSING COORDINATOR

MOTION: That a report from Mr. Burke on the subject of a Housing Coordinator, be referred back to him for further attention.

Moved: Ald. Withers
Second: Ald. Thompson
In Favour: All
Against: None
Motion Carried

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4.1.2 CONSULTANTS PROPOSALS - LONG TERM BUSINESS PLAN,
DARTMOUTH TOURISM

Reports submitted to Council from Mr. Burke and Mr. Rath on the subject of consulting proposals received for the preparation of a long-term business plan for Dartmouth tourism. It is recommended:

- 1) that City Council approve the awarding of the consulting contract for the preparation of a long-term business plan for Dartmouth tourism, to Price Waterhouse Management Consultants, based on a time-frame to complete the study of six to eight weeks, at a cost of \$33,500.
- 2) that City Council recommend to the management committee of the Federal Tourism Industry Subagreement, funding in the amount of \$33,500. of the proposal submitted by Price Waterhouse Management Consultants.

MOTION: That the recommendations of Burke and Mr. Rath be adopted, as follows:

- 1) that Council approve the awarding of the consulting contract for the preparation of a long-term business plan for Dartmouth tourism, to Price Waterhouse Management Consultants, based on a timeframe to complete the study of six to eight weeks, at a cost of \$33,500.
- 2) that Council recommend to the management committee of the Federal Tourism Industry Subagreement, funding in the amount of \$33,500. of the proposal submitted by Price Waterhouse Management Consultants.

Moved: Ald. Greenough
Second: Ald. Withers
In Favour: All
Against: None
Motion Carried

Mr. Rath was available to comment further on the recommendations and to answer any questions from members of Council.

4.1.3 APPLICATION - RETAIL VIDEO OUTLET, 170 JOSEPH ZATZMAN DR.

MOTION: Council indicates no objection to this application.

Moved: Ald. Levandier
Second: Ald. Thompson
In Favour: All
Against: None
Motion Carried

4.1.4 APPLICATION - PLACE OF AMUSEMENT, 269 WINDMILL ROAD

MOTION: Council indicates strong objection to this application.

Moved: Ald. Hawley
Second: Ald. Woods
In Favour: All
Against: None
Motion Carried

4.2 SOLICITOR

4.2.1 TAX EXEMPTION BY-LAW - LAKECITY WOODWORKERS

Report from the Solicitor circulated with the agenda on the tax exemption agreed to for LakeCity Woodworkers, for their property at 386 Windmill Road.

By-law C-645. to implement this tax exemption, has been recommended by the Solicitor.

MOTION: That leave be given to introduce the said By-law C-645 and that it now be read a first time.

Moved: Ald. Greenough
Second: Ald. Thompson
In Favour: All
Against: None
Motion Carried

MOTION: That By-law C-645 be read a second time.

Moved: Ald. MacFarlane
Second: Ald. Thompson
In Favour: All
Against: None
Motion Carried

The Solicitor was asked to add to the by-law, a provision for periodic review of the status of the organization, every three years. Mr. Moreash will make an addition to the by-law, as requested.

Unanimous consent was given by Council for third reading of By-law C-645.

MOTION: That By-law C-645 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.

Moved: Ald. Greenough
Second: Ald. Withers
In Favour: All
Against: None
Motion Carried

4.2.2

PENSION COMMITTEE MEMBERSHIP

Report from the Solicitor on additional representation on the Pension Committee, namely, a representative of Unit #2, N.S.U.P.E., and a representative of retired pensioners.

By-law C-643, to implement this change, has been recommended by the Solicitor.

MOTION: That leave be given to introduce the said By-law C-643 and that it now be read a first time.

Moved: Ald. Greenough
Second: Ald. MacFarlane
In Favour: All
Against: None
Motion Carried

MOTION: That By-law C-643 be read a second time.

Moved: Ald. Thompson
Second: Ald. Bregante
In Favour: All
Against: None
Motion Carried

Unanimous consent was given by Council for third reading of By-law C-643.

MOTION: That By-law C-643 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.

Moved: Ald. Greenough
Second: Ald. Thompson
In Favour: All
Against: None
Motion Carried

1988 WINTER CARNIVAL - HARNESS RACING

Report from the Recreation Director added to the agenda, dealing with harness racing, an event proposed again this year for inclusion in the Winter Carnival program.

If Council wishes to approve Harness Racing as part of the Winter Carnival, Mr. Atkinson recommends that approval be given, subject to the Recreation Dept. attempting to run the event within its present budget, but if circumstances warrant, the Department be permitted to incur an over-expenditure to a maximum of \$3,000.

MOTION: To adopt Mr. Atkinson's recommendation that if approval is given to include Harness Racing as a Winter Carnival event, it be subject to the Recreation Dept. attempting to run the event within its present budget, but if circumstances warrant, the Department be permitted to incur an over-expenditure to a maximum of \$3,000.

Moved: Ald. Levandier
Second: Ald. Bregante
In Favour: All
Against: None
Motion Carried

Mr. Sandy Fraser, organizer of this event, was present to answer questions about it and to comment on the feasibility of securing corporate sponsors.

SAFETY MEASURES

Ald. Hawley requested that safety measures be taken immediately to protect students who are crossing the overhead walkway to Main Street and walking from there to Admiral Westphal School. He said the present situation is dangerous without some kind of guard rail.

Mr. Fougere agreed to look into the request.

SNOW CLEARING

Report prepared by the City Engineer, as per Council's request, on snow clearing and ice control problems. The report indicates to Council that ' . . . the general policy regarding methods and procedures for Snow and Ice Control has not been changed by the new policy adopted by City Council.'

All members of Council had the opportunity to comment on the report and to ask further questions of the City Engineer. Comments and concerns were about: sidewalk plowing, the adequacy of City equipment, the time of year when contract rentals begin, the number of Works Dept. personnel on staff and whether staff levels are adequate for the snow clearance program, snow banks at intersections on arterial collectors, greater emphasis on supervision, the condition of the Rotary and the need to maintain a clear line of vision at the various points of entry to the Rotary, educating private plow operators who move snow from properties onto public streets.

Items for further attention:

- 1) further information on the six-inch policy, questioned by Ald. Woods.
- 2) the hiring of temporary Works Dept. personnel to augment the core staff complement.
- 3) No Parking signs on streets such as Park Ave. and Wentworth Street, already designated for No Parking in a recommendation on parking measures from the Finance & Program Review Committee.
- 4) suggestion that Metro Transit be asked to have someone other than the City clearing bus stops.
- 5) requested plowing of walkways as an equal priority with sidewalks.
- 6) requests that wider cuts be made by plows back to the curb, rather than the present practice of plowing residential streets several times and filling driveways each time.
- 7) before information is publicized about snow routes, it should come to Council first.
- 8) Ald. Levandier's motion on the setting up of a special reserve for snow clearance, in those years when all of the budget for snow clearance is not required.

Council continued to meet beyond 11:00 p.m. to complete the snow clearance discussion.

MOTION: To continue meeting beyond the hour of 11:00 p.m.

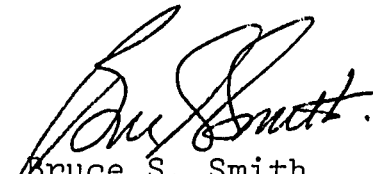
Moved: Ald. Bregante
Second: Ald. Thompson
In Favour: All
Against: None
Motion Carried

RATIFY ACTION TAKEN IN CAMERA

MOTION: To ratify action taken in camera on this date prior to the regular meeting.

Moved: Ald. Bregante
Second: Ald. Greenough
In Favour: All
Against: None
Motion Carried

The meeting adjourned at 11:45 p.m.


Bruce S. Smith,
City Clerk-Treasurer.

FEBRUARY
MARCH
APRIL

LOCATION: CITY COUNCIL CHAMBERS
TIME: 7:30 P.M.

MEMBERS PRESENT: DEPUTY MAYOR HETHERINGTON
ALDERMEN SARTO, THOMPSON, BILLARD
MACFARLANE, LEVANDIER
CONNORS, MCCLUSKEY
WITHERS, PYE, WOODS
HAWLEY, BREGANTE
GREENOUGH

CITY ADMINISTRATOR: J. BURKE
CITY SOLICITOR: M. MOREASH
DEPUTY CITY CLERK: G. D. BRADY
CITY STAFF MEMBERS

1.0 PUBLIC HEARING: DEVELOPMENT AGREEMENTS

1.1 M.P.S. AMENDMENT - COMMERCIAL ABUTTING RESIDENTIAL
AND EXPANSION OF NON-CONFORMING COMMERCIAL USES

At the Council meeting of Dec. 8/87, Council deferred By-law C-639 in second reading, being an amendment to the Municipal Development Strategy to permit Development Agreements in the two categories of (1) Commercial Abutting Residential and (2) Expansion of Non-Conforming Uses. An amendment was also on the floor at that time, to delete Section 4 of the by-law; section 4 is the one that pertains to Non-Conforming Uses. The motion to defer, subsequently presented on Dec. 8/87, was for the purpose of requesting staff to expand further on the criteria for development agreements in category (1).

Since Ald. Bregante was not present for the public hearing in connection with the M.P.S. amendment, he was not able to take part in the proceedings at this meeting with respect to the item, and he withdrew from his place on Council.

The criteria report requested has been provided by Mr. Burke, and he has recommended that Council instruct the Planning Dept. to provide, in its report to Council on each Development Agreement, specific information on how it has assessed the criteria set out in the M.P.S. relative to the proposal, in accordance with the above-mentioned criteria, as set out in the report. Mr. Burke, and later, the City Solicitor, explained to Council why it is preferable to deal with the criteria in this manner, instead of incorporating them within the by-law itself, since each application for a development agreement has specifics uniquely applicable to an individual location and situation.

In discussing additional concerns of members about adequate provision for resident input in the development agreement process, Ald. Connors advised Council of the neighborhood consultation meeting format that he and Ald. Woods are proposing, details of which will be presented to Council at a future meeting.

Following further debate on the amendment to By-law C-639 (to delete Section 4), the vote was taken.

AMENDMENT: To delete Section 4 from By-law C-639.

Moved: Ald. McCluskey
Second: Ald. Greenough
In Favour: All
Against: None
Amendment Carried

Debate resumed on second reading, as amended. Members in favour considered development agreements to be a useful mechanism in certain situations where it is desirable to establish specific requirements of a developer, not possible through general rezoning applications. Members opposed did not agree that enough protection can be afforded to people in residential areas through the development agreement process (ie. in relation to commercial abutting residential properties). Even with the criteria provided, they did not favour what they felt was an intrusion into residential zones.

The Solicitor advised Council that a majority of the whole Council is required in order for the motion on second reading to pass. In this instance, a majority of eight members voting in favour was required.

MOTION (AS AMENDED): To give second reading to By-law C-639.

Moved: Ald. Withers
Second: Ald. Greenough
In Favour: Ald. Sarto, Withers, Greenough
Levandier, Billard, Thompson
Hawley, Woods (8)
Against: Ald. Pye, Connors, McCluskey, MacFarlane
Motion, as amended, Carried

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

MOTION: That By-law C-639 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.

NOTICE OF RECONSIDERATION: Notice of reconsideration was later given by Ald. Connors and Pye.

Council next dealt with the criteria report from Mr. Burke, presented under the heading Reviewing Development Agreements.

MOTION: To adopt points 1 to 10 of the report and the recommendation that Council instruct the Planning Dept. to provide, in its report to Council on each Development Agreement, specific information on how it has assessed the criteria set out in the M.P.S. relative to the proposal, in accordance with the above-mentioned criteria, as set out in the report.

Moved: Ald. Greenough
Second: Ald. Withers

Ald. Connors felt the criteria may be unduly demanding in some instances, where staff discretion should be allowed instead. He favoured more flexibility in the criteria to allow for situations where stringent requirements are not warranted.

MOTION: To refer the criteria back to staff for review, in order to provide for some flexibility in the case of applications where it is warranted.

Moved: Ald. Connors
Second: Ald. Greenough
In Favour: All
Against: None
Motion Carried

1.2

LAND USE BY-LAW AMENDMENT - COMMERCIAL ABUTTING RESIDENTIAL

The public hearing adjourned for the Land Use By-law Amendment (Commercial Abutting Residential), from the Meeting of Dec. 8/87, was resumed at this time. Since Section 4 has been deleted, the amendment is now only applicable to the category, Commercial Abutting Residential.

Ald. Bregante, who had previously withdrawn from his place on Council, was not present in the Chamber, having left the meeting by this time. All other members of Council, recorded from the meeting of Dec. 8/87, were present.

The Deputy Mayor opened the public hearing and called three times for any speakers in favour of the Land Use By-law amendment. There being no speakers, he called for anyone wishing to be heard in opposition.

Speakers objecting to the amendment were:

- 1) Mr. Gary Fraser
- 2) Mr. Doug Trider

Both speakers were opposed to any commercial intrusion into residential zones, where citizens should expect protection for their properties.

The Deputy Mayor called a third time for any further speakers and when there were none, he declared the public hearing to be closed.

MOTION: That the public hearing be closed.

Moved: Ald. Greenough
Second: Ald. McCluskey
In Favour: All
Against: None
Motion Carried

By-law C-640, to accomplish the Land Use By-law Amendment (Commercial Abutting Residential) was before Council for consideration.

MOTION: That leave be given to introduce the said By-law C-640 and that it now be read a first time.

Moved: Ald. Greenough
Second: Ald. Thompson
In Favour: Ald. Sarto, Withers, Greenough
Levandier, Billard, Thompson
Hawley, Woods, Pye, Connors
McCluskey
Against: Ald. MacFarlane
Motion Carried

FEBRUARY

MARCH

APRIL

MOTION: That By-law C-640 be read a second time.

Moved: Ald. Greenough
Second: Ald. Thompson
In Favour: Ald. Withers, Greenough
Levandier, Billard, Thompson
Hawley, Woods, Pye, Connors (7)
Against: Ald. Sarto, Pye, Connors
McCluskey, MacFarlane
Motion Defeated

A legal problem was created by the fact that Council had already approved the M.P.S. Amendment and then subsequently defeated the Land Use By-law Amendment associated with it. The Solicitor will now have to seek advice from the Municipal Affairs Dept. on this matter, and will advise Council at the meeting of January 26th, when the notice of reconsideration for By-law C-639 will also be heard.

2.0 REPORTS

2.1 CITY ADMINISTRATOR

2.1.1 DARTMOUTH SOLID WASTE TRANSFER STATION

Report from Mr. Burke considered on additional cost of the access road from Victoria Road to the site of the Solid Waste Transfer Station. The final total cost to the City, in the amount of \$243,968.86, is \$23,558.86 over the original amount covered by Resolution 85-52, which authorized the withdrawal from the Special Reserve Fund of a sum not to exceed \$220,410. for construction of the access road.

Resolution 88-01, authorizing an additional \$23,558.86 to be withdrawn from the Special Reserve Fund, has been recommended by Mr. Burke in his report.

MOTION: That Council adopt Resolution 88-01 as per Mr. Burke's recommendation, authorizing an additional \$23,558.86 to be withdrawn from the Special Reserve Fund, as required for construction of the access road from Victoria Road to the site of the Solid Waste Transfer Station.

Moved: Ald. Greenough
Second: Ald. Withers
In Favour: All
Against: None
Motion Carried

2.2 SOLICITOR

2.2.1 AMENDMENT TO FIRE PREVENTION BY LAW

Report before Council from the Solicitor on proposed By-law C-642, to amend the Fire Prevention By-law. By-law C-642 has been recommended by the Solicitor.

MOTION: That leave be given to introduce said By-law C-642 and that it now be read a first time.

Moved: Ald. Levandier
Second: Ald. Thompson
In Favour: All
Against: None
Motion Carried

MOTION: That By-law C-642 be read a second time.

Moved: Ald. Sarto
Second: Ald. Hawley
In Favour: All
Against: None
Motion Carried

Unanimous consent was given by Council for third reading of By-law C-642.

MOTION: That By-law C-642 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.

Moved: Ald. Greenough
Second: Ald. Thompson
In Favour: All
Against: None
Motion Carried

2.2.2 CONTROL OF NOISE NUISANCES

A draft by-law with respect to the control of noise has been prepared and submitted by the City Solicitor. The proposed by-law, if adopted, will repeal By-law C-211.

MOTION: To refer the draft by-law to Committee-of-the-Whole for consideration.

Moved Ald. Levandier
Second Ald. Sarto
In Favour: All
Against: None
Motion Carried

2.3 TRANSIT ADVISORY BOARD

2.3.1 FERRY REPORTS - OCTOBER & NOVEMBER

Ferry Operation reports for the months of October and November, 1987, have been approved by the Transit Advisory Board, and forwarded to Council, with the recommendation that they be adopted.


MOTION: To adopt the Ferry Operation reports for the months of October and November, 1987.

Moved: Ald. Sarto
Second: Ald. Hawley
In Favour: All
Against: None
Motion Carried

RATIFY ACTION TAKEN IN CAMERA

MOTION: To ratify action taken in camera on this date, prior to the regular meeting.

The meeting adjourned at 10:45 p.m.



G. D. Brady,
Deputy City Clerk.

DARTMOUTH CITY COUNCIL

JANUARY 19, 1988

ITEMS:

- 1.0 Public Hearing: Development Agreements, page 1.
- 1.1 M.P.S. Amendment - Commercial Abutting Residential & Expansion of Non-Conforming Commercial Uses, page 1 to 3 incl.
- 1.2 Land Use By-law Amendment - Commercial Abutting Residential, page 4 & 5.
- 2.0 Reports, page 5.
- 2.1 City Administrator, page 5.
- 2.1.1 Dartmouth Solid Waste Transfer Station, page 5.
- 2.2 Solicitor, page 6.
- 2.2.1 Amendment to Fire Prevention By-law, page 6.
- 2.2.2 Control of Noise Nuisances, page 6.
- 2.3 Transit Advisory Board, page 7.
- 2.3.1 Ferry Reports - October & November, page 7.

LOCATION: CITY COUNCIL CHAMBERS
 TIME: 7:30 P.M.

MEMBERS PRESENT: MAYOR J. SAVAGE
 LDERMEN SARTO, THOMPSON
 BILLARD, MACFARLANE
 CONNORS, LEVANDIER
 MCCLUSKEY, WITHERS
 PYE, WOODS, HAWLEY
 GREENOUGH, BREGANTE
 HETHERINGTON

CITY ADMINISTRATOR: J. BURKE
 CITY SOLICITOR: S. HOOD
 DEPUTY CITY CLERK G. D. BRADY
 DEPARTMENT HEADS & ASSISTANTS

WELCOME - CUB & SCOUT TROOPS

The Mayor welcomed to the meeting the First Port Wallis Wolf Cubs and the First Imperoyal Scout Troop, with their leaders.

POINTS OF PRIVILEGE

Members rising with points of privilege were:

- 1) Ald. Thompson - He requested Council's participation in the Bowl-for-Millions fund-raising project, to be held on Feb. 13th, in aid of the Big Brothers/Big Sisters organization.
- 2) Ald. Bregante - Advised Council that he has tickets available for the Snow Ball on Jan. 30th, one of the upcoming Winter Carnival events.
- 3) Ald. Greenough - Asked to have an item added to the agenda, dealing with the cancellation of Saturday evening bus service, after 7:00 p.m., on Route 55, which serves the Port Wallis area. Council agreed to add this item to the agenda.

1.0 BRIEFING FROM REPRESENTATIVES OF CN RAILWAY

1.1.1 RE PROPOSED CHANGES IN THE TRUCKING INDUSTRY

CHANGES IN
 TRUCKING
 INDUSTRY

Mr. M. Blackwell and Mr. Yves Bourdon made a presentation to Council on deregulation in the trucking industry and the impact of regulatory recommendations on CN service in the Atlantic Region. The presentation outlined concerns about resulting damage to the transportation infra-structure of

this region, and a lessening in the competitive position of shippers and receivers in Atlantic Canada.

After commenting on the impact of the legislative changes being proposed, Mr. Bourdon offered several alternatives being proposed by CN. Mr. Blackwell referred to studies in this connection that have been initiated by the Province, indicating that CN is pleased to see this response and is awaiting the outcome of the studies.

A copy of the CN presentation was left with Mr. Brady and the Mayor requested additional copies for members of Council.

Members of Council had the opportunity to express their views on the subject and to ask questions of the CN representatives. Ald. Hawley indicated to Council the concerns of municipal officials across Canada about the regulatory changes being recommended, because of the implications for cities and towns in relation to highways and streets and their ability to accommodate eighty-two-foot trucks with the considerably heavier weight they are able to transport.

It was felt by some members that Council should not take a position on this matter until hearing some expression of opinion from any group that may be in favour of the legislative changes. The Mayor noted the difficulty in finding any such opinion in favour, but said he would try to find someone willing to present an opposite viewpoint, to assist Council in reaching a decision.

MOTION: To receive the presentation with appreciation, but not to take a position one way or the other on the issue at this time.

Moved: Ald. Connors
Second: Ald. MacFarlane
In Favour: All
Against: None
Motion Carried

The Mayor thanked the CN representatives for their attendance and for their presentation to Council.

2.0 NOTICE OF RECONSIDERATION

2.1.1
NOTICE OF
RECONSIDER-
ATION

ALD. CONNORS & ALD. PYE - BY-LAW C-639

At the January 19th Council meeting, notice of reconsideration was given by Ald. Connors and Pye, with respect to third reading of By-law C-639 (Land Use By-law Amendment, Development Agreements).

The Solicitor has reported to Council on the action taken at that time in approving an M.P.S. Amendment and then subsequently, not approving the Land Use By-law to implement the M.P.S. Amendment. She has advised that since ' . . . Council has not completed the procedure necessary to implement development agreements, . . . the development agreement package has been rejected by Council'.

In view of the advice given by the Solicitor, Ald. Connors proceeded to withdraw the notice of reconsideration previously given.

3.0 REPORTS

3.1 CITY ADMINISTRATOR

3.1.1 DRAINAGE PROBLEM - CHITTICK AVE.

DRAINAGE:
CHITTICK AVE.

Report submitted by Mr. Fougere and Mr. Burke on a drainage problem on Chittick Ave. Council's approval is recommended for the installation of a 200 mm perforated drainage pipe along the south side of Chittick Ave., at an estimated cost of \$15,000. Also, that funding for the project be taken from the Activity in the 1988 Capital Budget entitled Drainage Unspecified Locations.

MOTION: To adopt the recommendation of the City Engineer and the City Administrator, that is, to give approval for the installation of a 200 mm perforated drainage pipe along the south side of Chittick Ave., at an estimated cost of \$15,000. Also, that funding for the project be taken from the Activity in the 1988 Capital Budget entitled Drainage - Unspecified Locations.

FEBRUARY

MARCH

APRIL

Moved: Ald. Billard
Second: Ald. MacFarlane
In Favour: All
Against: None
Motion Carried

Ald. MacFarlane requested that another problem on the same street be looked at to see if both projects might be done at the same time. Mr. Fougere noted the request and if further work is to be done on the same street, a further report will come to Council

3.1.2 REVIEWING DEVELOPMENT AGREEMENTS

REVIEWING
DEVELOPMENT
AGREEMENTS

Report previously circulated from Mr. Burke entitled Reviewing Development Agreements, no longer applicable in view of the Solicitor's advice on the M.P.S. and Land Use Amendment (item 2.1.1).

MOTION: To receive and file the report.

Moved: Ald. Sarto
Second: Ald. Hetherington
In Favour: All
Against: None
Motion Carried

3.2 NEIGHBOURHOOD CONSULTATION MEETING COMMITTEE

3.2.1. DEVELOPMENT AGREEMENTS

DEVELOPMENT
AGREEMENTS

Report to Council from the Neighbourhood Consultation Meeting Committee on the proposed policy for Neighbourhood Consultation Meetings, applicable to Development Agreement applications in the categories previously approved by Council.

The Committee recommends that the existing policy with respect to neighbourhood meetings be revised to include a 'Neighbourhood Consultation Meeting'.

MOTION: To adopt the recommendation of the Neighbourhood Consultation Meeting Committee, that is, that the existing policy with respect to neighbourhood meetings be revised to include a 'Neighbourhood Consultation Meeting'.

Moved: Ald. Sarto
Second: Ald. MacFarlane
In Favour: All
Against: None
Motion Carried

3.3 WATER UTILITY COMMITTEE

3.3.1 TERMS OF REFERENCE

TERMS OF
REFERENCE

Terms of reference have been recommended for the Water Utility Committee by the Committee, as per the Chairman's report of Jan. 21/88.

MOTION: To approve the terms of reference for the Water Utility Committee, as recommended:

- 1) To study the history of the Dartmouth Water Utility from the year 1969 to the present, examine reasons for extending water services outside City limits, and identify both the advantages and disadvantages that have manifested themselves as a direct result of extending water services.
- 2) Consider the implications of allowing the present water utility practices to continue, and develop policies and strategies which will ensure an effective utilization of the water utility.
- 3) Provide evaluation of the various activities and aspects of the water utility, such as quality of water, quantity of water, Public Utilities Board submissions, protection and potential of watershed lands, water treatment, condition of water lines, fire flows, water pressures, physical plant, financial statements, operating practices, and any other matter that affects water service to customers of the utility.
- 4) Advise Council on all matters that relate to the Water Utility.

Moved: Ald. Levandier
Second: Ald. MacFarlane
In Favour: All
Against: None
Motion Carried

3.3 WATER UTILITY COMMITTEE

3.3.1 TERMS OF REFERENCE

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MOTION: To approve the terms of reference for the Water Utility Committee, as recommended:

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- 2) Consider the implications of allowing the present water utility practices to continue, and develop policies and strategies which will ensure an effective utilization of the water utility.
- 3) Provide evaluation of the various activities and aspects of the water utility, such as quality of water, quantity of water, Public Utilities Board submissions, protection and potential of watershed lands, water treatment, condition of water lines, fire flows, water pressures, physical plant, financial statements, operating practices, and any other matter that affects water service to customers of the utility.
- 4) Advise Council on all matters that relate to the Water Utility.

Moved: Ald. Levandier
Second: Ald. MacFarlane
In Favour: All
Against: None
Motion Carried

3.3.2 WATER EXTENSIONS

WATER
EXTENSIONS

The Water Utility Committee has presented a recommendation to Council on the discontinuation of water extensions to the County of Halifax until certain investigative measures have been carried out by the Committee. At the suggestion of the Mayor, it was agreed that the words '. . . to the County of Halifax' should be removed from the text of the motion; the recommendation would then be applicable to all water extensions, both in the City itself and to the County. Lateral connections, in cases where extensions have already been approved, would not be affected; the moratorium applies to further extensions of main water lines.

Mr. Burke explained to Council the need for a determination of the point we are reaching relative to our design capacity. The points about capacity use were further explained with the assistance of a water consumption graph, copies of which were circulated. Also circulated, was a report from the Solicitor, with a summary of the legal obligations of the City in operating the water utility.

The other relative factor referred to by Mr. Burke was the upcoming water treatment report, expected to be tabled within two weeks. The questions of proceeding with water treatment and/or upgrading of the water system, will then have to be addressed by Council.

MOTION: To adopt the following recommendation of the Water Utility Committee:

That the Committee recommend to Council, support for the City Administrator in his decision of Jan. 12/88, and recommend to Council that all water extensions from the Dartmouth Water Utility be placed in abeyance until the Committee has had the opportunity to examine the sewer and water agreement which was sanctioned by Council in the early 1970's, and which was eventually signed in 1976.

FEBRUARY

MARCH

APRIL

Moved: Ald. Woods
Second: Ald. Hetherington
In Favour: Ald. Sarto, Thompson
MacFarlane, Pye
Levandier, Woods
McCluskey, Withers
Hawley, Greenough
Bregante, Hetherington
Against: Ald. Billard, Connors
Motion Carried

It was requested: (1) that future notices of Water Utility Committee meetings be sent to all members of Council.

(2) that copies of the Water Utility Committee minutes be sent to all members of Council.

Ald. Hawley asked to have the following questions addressed, in conjunction with information being prepared for the Water Utility Committee:

(1) does the City have a legal right to make decisions in favour of a water extension within the City, over a County extension, given that both requests were received at the same time.

(2) what administrative costs are associated with the operation of the Water Utility, and are these borne only by the City.

A question raised by Ald. Woods, which he felt the Municipal Affairs Dept. should start to address, pertained to the implications of City and County planning in neighboring boundary areas and the compatibility of this planning, taking into account the population projections for the County vs. the City, that have been provided for the M.P.S. review. The Mayor suggested that Ald. Woods also take these concerns back to the M.P.S. Review Committee for their consideration.

TRANSIT:
ROUTE 55

TRANSIT SERVICE - ROUTE 55

Council dealt with an item added to the agenda, at the request of Ald. Greenough, in connection with the reduction of service on Route 55 to the Port Wallis area. Service on that route is to be cancelled on Saturday evenings after the hour of 7:00 p.m.

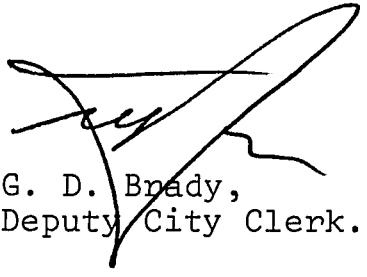
MOTION: That Council authorize the continuation of service on Route 55 and the expenditure of \$12,500. required to do so.

Moved: Ald. Greenough
Second: Ald. Sarto

MOTION: To refer the motion to the Transit Advisory Board for consideration and recommendation to Council.

Moved: Ald. Withers
Second: Ald. Hetherington
In Favour: All
Against: None
Motion Carried

The meeting adjourned at 10:45 p.m.


G. D. Brady,
Deputy City Clerk.

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ITEMS:

- Welcome - Cub & Scout Troops, page 1.
- Points of Privilege, page 1.
- 1.0 Briefing from representatives of CN Railway, page 1.
- 1.1.1 Re proposed changes in the trucking industry, page 1 & 2.
- 2.0 Notice of Reconsideration, page 3.
- 2.1.1 Ald. Connors & Ald. Pye - By-law C-639, page 3.
- 3.0 Reports, page 3.
- 3.1 City Administrator, page 3.
- 3.1.1 Drainage problem - Chittick Ave., page 3.
- 3.1.2 Reviewing Development Agreements, page 4.
- 3.2 Neighbourhood Consultation Meeting Committee, page 4.
- 3.2.1 Development Agreements, page 4.
- 3.3 Water Utility Committee, page 5.
- 3.3.1 Terms of Reference, page 5.
- 3.3.2 Water Extensions, page 6 & 7.
- Transit service - Route 55, page 8.

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