

DARTMOUTH CITY COUNCIL

MARCH 1, 1988

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

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

MEMBER ABSENT: ALDERMAN WOODS

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

1.0 INVOCATION

The meeting opened with the Invocation.

COMMITTEE ON AIDS - PUBLIC HEARING

The Mayor informed Council of the first public hearing by the Committee on AIDS, which will take place in Dartmouth, at the Holiday Inn, on March 7th at 7:00 p.m. The Mayor will be making a presentation at that hearing.

2.0 APPROVAL OF MINUTES

MOTION: To approve the minutes of meetings held on Feb. 2, 10, 16 and 23rd.

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

3.0 BUSINESS ARISING OUT OF MINUTES

4.0 DELEGATIONS & HEARINGS OF PROTEST

5.0 ORIGINAL COMMUNICATIONS

5.1.1 TAX EXEMPTION - THE SCOTIAN KARATE CLUB - 223 WYSE ROAD

TAX  
EXEMPTION:  
SCOTIAN  
KARATE CLUB

The Mayor advised that this matter may be resolved within a few days, and it should therefore be deleted from this agenda.

APR 11

MOTION: To delete the item, Tax Exemption, Scotian Karate Club (223 Wyse Road) from this agenda.

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

6.0 REPORTS

6.1 CITY ADMINISTRATOR

6.1.1 AFFIRMATIVE ACTION REPORT

AFFIRMATIVE ACTION REPORT

The Mayor advised that a full Affirmative Action report will be coming to Council within a few weeks. In the meantime, it is recommended that Council proceed to set up the Community Committee proposed in paragraph 8 of the Memo of Understanding, previously approved by Council.

MOTION: To proceed with setting up of the Community Committee, as recommended, in keeping with the directive of paragraph 8 of the Memo of Understanding for the Affirmative Action Program.

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

A committee comprised of the Mayor, two Aldermen, Mr. Muzzin, and Ms. Carolyn Thomas of the Human Rights Commission, will prepare a list of names for appointment to the Community Committee, and these will come to Council for consideration in about six weeks time.

6.1.2 POLLUTION CONTROL FUND

POLLUTION CONTROL FUND

A report deferred from the Feb. 23rd meeting, on the subject of the Pollution Control Fund, was before Council. The report recommends:

- 1) that Council approve the revised schedule of user charges, as set out in the report.

APRIL

- 2) that Council approve the exemption of County of Halifax residents from the user fees.
- 3) that a public information meeting be held on April 13, 1988.

MOTION: To adopt the three recommendations from the Pollution Control Fund report, dated Feb. 8/88, as follows:

- 1) that Council approve the revised schedule of user charges, as set out in the report.
- 2) that Council approve the exemption of County of Halifax residents from the user fees.
- 3) that a public information meeting be held on April 13, 1988.

Moved: Ald. Thompson  
Second: Ald. Hetherington

Ald. Pye objected to any decision being made by Council on recommendations 1 and 2 before the public meeting is held, although it was pointed out that the meeting is intended to be an information session and not a public hearing as such.

MOTION: To defer a decision on recommendations 1 and 2 until after the public information meeting has taken place.

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

Mr. Corrigan was present for this item and provided information on the special reserve fund that will be set up and designated as the Pollution Control Fund. It will not be possible to withdraw money from this fund without Council's consent. This point addressed a concern raised by Ald. Hawley about other possible uses of fees collected for purposes other than what is intended.

APRIL

MOTION: To hold a public information meeting on April 13, 1988.

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

6.1.3 APPLICATION - MOBILE VIDEO UNIT - 14 CATHY CROSS DR.

APPLICATION:  
MOBILE  
VIDEO UNIT

An application for a license for a mobile video outlet, to be operated by an applicant living at 14 Cathy Cross Drive, was again before Council; the item was deferred from the Feb. 23rd meeting.

Ald. Sarto advised that concerns he had previously expressed about this application, have subsequently been clarified to his satisfaction.

MOTION: To indicate no objection on the part of Council to the application for a mobile video unit, 14 Cathy Cross Dr.

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

Ald. Hetherington raised a point of concern about the fact that it is possible for an Amusement License applicant to obtain permission for a video arcade, automatically, when a bowling alley application is granted. He felt these should be two separate applications, requiring separate approvals. The Mayor suggested that specific information be requested from the Dept. of Consumer Affairs, relative to this point, before Council takes the matter any further.

6.1.4 APPLICATION - RETAIL VIDEO OUTLET - 170 OCHTERLONEY ST.

APPLICATION:  
VIDEO OUTLET

Council was requested to advise the Dept. of Consumer Affairs of any objection to the issuance of a license for a retail video outlet to be located at 170 Ochterloney Street (New Release Video).

MOTION: To indicate no objection by Council to an application for a retail video outlet (New Release Video) at 170 Ochterloney Street.

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

6.1.5 MARITIME MEDICAL CARE

MARITIME  
MEDICAL  
CARE

Report from Mr. Burke to Council on the City's medical/health coverage with Maritime Medical Care, recommending that Council extend the contract with Maritime Medical Care, at the following rates:

Single: from \$15.64 to \$17.74  
Married: from \$45.38 to \$50.74

MOTION: To adopt the recommendation on the extension of the contract with Maritime Medical Care for the City's medical/health coverage.

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

6.1.6 ACCIDENTAL DEATH & DISMEMBERMENT INSURANCE

A.D. & D.  
INSURANCE

Report from Mr. Burke to Council on Accidental Death & Dismemberment Insurance for City employees, recommending that Council accept a new A.D. & D. coverage, available from Citadel Assurance Co., and that staff enter into an agreement with Citadel Assurance Co. to provide the coverage at \$.035 per \$1,000., effective as soon as can be arranged.

MOTION: To adopt the recommendation on A.D. & D. coverage available from Citadel Assurance Co., and have staff enter into an agreement with the company to provide the coverage at \$.035 per \$1,000., effective as soon as can be arranged.

APRIL

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

6.2 BOARD OF HEALTH

6.2.1 DISPOSAL OF ASBESTOS

DISPOSAL  
OF ASBESTOS

The Board of Health has submitted a report to Council on the disposal of asbestos, recommending correspondence with the Minister of Environment and the Minister of Health, encouraging them in their efforts to find a permanent solution to asbestos storage in the metro area.

MOTION: To adopt the recommendation of the Board of Health on the subject of asbestos disposal.

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

A copy of the correspondence will also go to the Metropolitan Authority.

MOTIONS 7.0 MOTIONS

ALD. MCCLUSKEY 7.1.1 ALD. MCCLUSKEY - AFFIRMATIVE ACTION POLICY - MICMAC CLUB

Ald. McCluskey proposed a motion that was different in part from the notice of motion previously given by her. A vote was taken on the revised motion and the necessary two-thirds majority was not indicated to permit the introduction of the motion. Ald. McCluskey agreed to give a new notice of motion, with the wording change.

ALD. MCCLUSKEY 7.1.2 ALD. HETHERINGTON - WATER PROBLEM - CRAWFORD & OSBORNE AVE. AREA

ALD. HETHERINGTON

MOTION: WHEREAS there is a constant problem with water in the Crawford and Osborne Ave. area;

BE IT RESOLVED that the Engineering Dept. assess the problem and costs and report back to Council with a solution.

APRIL

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

7.1.3

ALD. MACFARLANE - NAMING OF PARKS & RECREATIONAL AREAS

ALD. MACFARLANE

MOTION: WHEREAS the City of Dartmouth currently lacks a policy with respect to the naming of parks and recreational areas;  
BE IT RESOLVED that City Council refer the matter to the Recreation Advisory Board for their consideration, with a view to establishing a policy and procedure for recommendation to City Council at a later date.

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

Ald. MacFarlane requested deferral of his second motion, pending the report that will be coming to Council on City-owned properties. Council agreed to defer the motion, as requested.

8.0

NOTICES OF MOTION

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 City Council is not familiar with the by-laws of the clubs/groups applying for assistance, and indeed, whether the by-laws/policies of the clubs/groups contain sections which are discriminatory;

THEREFORE, BE IT RESOLVED that the by-laws and/or policies of any club/group applying for assistance be reviewed before any assistance is given.

2) Ald. Withers

WHEREAS it has been a city policy of honoring mayors and former mayors of this city, by naming streets in the Burnside Industrial Park and Business Park after them;

AND WHEREAS a very limited number of such personages remain;

THEREFORE, BE IT RESOLVED that when such list has been depleted, that new streets in such industrial and business parks, be named in honor of those sons and daughters of the City of Dartmouth, who paid the supreme sacrifice in defense of our country during the great World Wars and in the Korean conflict.

3) Ald. MacFarlane

WHEREAS the Recreation Advisory Board is concerned over the environmental impact of leaded gas on the community;

AND WHEREAS a considerable body of scientific evidence has raised questions particularly in reference to child health;

BE IT RESOLVED that City Council forward a request to the Minister of the Environment to ask that the Minister have his department review the matter, with a view to adopting measures on a province-wide basis, to promote awareness and discourage the public from leaded fuel consumption.

4) Ald. Sarto

BE IT REQUESTED that Council authorize staff to evaluate the water problem that exists on the Jayden Drive cul-de-sac/Robert Drive area, and report back to Council with a recommendation to resolve the problem.



9.0 ENQUIRIES AND ANSWERS

ALD. PYE

Ald. Pye asked for a report on the sewage capacity of the system that serves Brule Street, Courtney Road, Lahey Road and Pinecrest Drive. Mr. Fougere commented on some of the recent problems experienced with the system during particularly heavy rainfalls and storm drainage runoff that followed. Some parts of this system are combined storm and sewage lines, adding to the problems.

ALD. LEVANDIER

Ald. Levandier asked what steps are being taken to deal with a run-off problem affecting Windmill Road properties located behind the Holiday Inn parking lot. These properties have never had flooding problems before the parking lot was there. Mr. Fougere acknowledged that a problem exists and it is being looked into further.

Ald. Levandier asked about the policy of advertising city jobs internally. He felt that a new position was not advertised satisfactorily within city departments. Mr. Burke explained the process followed and the way in which the job was posted internally, as well as being advertised externally.

ALD. THOMPSON

Ald. Thompson's inquiry was about the fire station location study and its status. Mr. Burke said he is waiting for the terms of reference from the Fire Dept. so the study can be started.

Ald. Thompson had a second question, concerning the flashing mode for traffic lights on weekends on heavily-travelled arterials such as Main Street and Portland Street at Spring Ave. The Mayor agreed that these lights should be fully operational on weekends.

ALD. SARTO

Ald. Sarto asked if the survey work has started for sidewalks on Christopher Ave. and Tobin Drive. Mr. Fougere advised that it has started.

Ald. Sarto asked to have attention given to the overhead pedestrian lights at Mount Edward Road & Spring Ave., and at Regal Road/Portland Street, which are not yet operational.

ALD. MACFARLANE Ald. MacFarlane asked if there is a schedule for the maintenance and cleaning of catchbasins. Mr. Fougere said it is an on-going program, with more extensive maintenance being done later in the year. Ald. MacFarlane was concerned about recent instances of flooding, as a result of blocked catchbasins. Mr. Fougere advised that recent problems occurred mainly because of ice.

ALD. MCCLUSKEY Ald. McCluskey requested a response to her question as to why the crosswalk light on Woodland Ave. has never been activated.

Ald. McCluskey asked what is being done to find out where the city is losing water from our system. Mr. Burke noted that a report in this connection will be included for the next meeting of the Water Utility Committee.

ALD. CONNORS Ald. Connors requested action on the zoning violation at 35 Pine Street, where there are three apartments in an R-2 zone building.

ALD. HAWLEY Ald. Hawley asked when work will start on the Montebello Field. Mr. Fougere said he has not received any plans from Mr. Atkinson, for the project, to date.

Ald. Hawley asked that arrangements be made to have the remainder of several power poles removed from Strath Lane. Ald. Hetherington said the Power Corp. should be asked to look at similar locations all over the city, where power poles have been replaced and the old ones not removed.

ALD. HETHERINGTON Ald. Hetherington inquired about the flooding conditions that continue to occur at the Windmill Road overpass. Mr. Fougere said the problem here is one of elevation, and was created back in 1948 when the overpass was originally built. Everything possible has been done to correct the situation, but in fact, the water level at this spot is controlled by the level of the tides in the nearby waterway.

Ald. Hetherington requested that a letter of congratulation be sent to Mayor Kline of Calgary on the success of that City in hosting the Winter Olympics. Council agreed unanimously with this request.

The Mayor advised Council that a civic reception will be held for Robert McCall when he returns to Dartmouth.

(Ald. Billard was present from this point in the meeting.)

ALD. GREENOUGH

Ald. Greenough requested an update on the letter of concern he brought forward some time ago, concerning the traffic situation at Michael Wallace School. He said he hoped that planning and engineering work is underway on capital works projects, which Council approved earlier than in previous years.

MOTION: To meet in camera for the purpose of dealing with additional items.

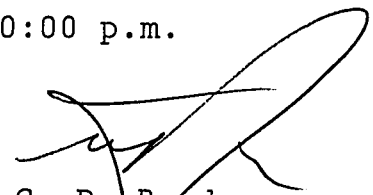
Moved: Ald. Hetherington  
Second: Ald. Bregante  
In Favour: All  
Against: None  
Motion Carried

Council later reconvened in open meeting to ratify the action taken in camera.

MOTION: To ratify the action taken in camera.

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

The meeting adjourned at 10:00 p.m.

  
G. D. Brady,  
Deputy City Clerk.

ITEMS:

- 1.0 Invocation, page 1.
- 2.0 Committee on AIDS - Public hearing, page 1.
- 2.0 Approval of minutes, page 1.
- 3.0 Business Arising out of minutes, page 1.
- 4.0 Delegations & Hearings of Protest, page 1.
- 5.0 Original Communications, page 1.
- 5.1.1 Tax exemption - the Scotian Karate Club - 223 Wyse Rd., pg.1.
- 6.0 Reports, page 2.
- 6.1 City Administrator, page 2.
- 6.1.1 Affirmative Action Report, page 2.
- 6.1.2 Pollution Control Fund, page 2 & 3.
- 6.1.3 Application - Mobile Video Unit - 14 Cathy Cross Dr., pg.4.
- 6.1.4 Application - Retail Video Outlet - 170 Ochterloney St.,pg.4.
- 6.1.5 Maritime Medical Care, page 5.
- 6.1.6 Accidental Death & Dismemberment Insurance, page 5.
- 6.2 Board of Health, page 6.
- 6.2.1 Disposal of asbestos, pg. 6.
- 7.0 Motions, page 6.
- 7.1.1 Ald. McCluskey - Affirmative Action Policy - Micmac Club,pg.6
- 7.1.2 Ald. Hetherington - Water Problem - Crawford & Osborne Ave. area, pg.6
- 7.1.3 Ald. MacFarlane - Naming of parks & recreational areas, page 7.
- 8.0 Notices of Motion, page 7 & 8.
- 9.0 Enquiries & Answers, page 9 to 11 incl.

APRIL

DARTMOUTH CITY COUNCIL

MARCH 8, 1988

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

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

MEMBER ABSENT: ALD. THOMPSON

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

Council agreed to deal first with item 4.2.1 Taxi License Appeal - Charles Christopher Diggs.

4.2.1. TAXI LICENSE APPEAL - CHARLES CHRISTOPHER DIGGS

DECLARATION OF BIAS

Members of the Taxi Commission, who have previously rendered a decision on the revocation of a taxi driver's licence held by Mr. Charles Diggs, declared a bias on this item and withdrew from their places on Council. Aldermen declaring a bias were: Ald. Hetherington, McCluskey, Sarto, Pye and Greenough.

CONFLICT OF INTEREST

Ald. Bregante declared a conflict of interest on this item, being the manager of a taxi company in the City, and he also withdrew from his place on Council.

The Mayor outlined the procedure to be followed in the appeal process.

Council first heard Cst. Gary MacDonald, Taxi Licence Inspector and a member of the Dartmouth police force. Cst. MacDonald referred to the relevant sections of the Taxi By-law, which set out the duties and authority of the Taxi Licence Inspector. He then provided details of the Motor Vehicle Act infractions which occasioned the revocation of both the taxi driver and taxi owner licences held by Mr. Charles Christopher Diggs. One of these infractions occurred on Sept. 15/87, when Mr. Diggs

APRIL

was charged with driving imprudently, and the other, on June 22/87, when he was charged with driving dangerously. The charge for driving imprudently has been subsequently dismissed, and the dangerous driving charge has still to be heard.

Cst. MacDonald referred to a number of other charges against Mr. Diggs, which were listed as reasons for revocation of his licence. These were subsequently itemized and detailed for Council's information, at Ald. Connors' request. Most of the incidents took place in Ontario and several of the charges had been dismissed or withdrawn. Ald. Withers asked if Mr. Diggs' licence had ever been revoked in Toronto; Cst. MacDonald said he did not know if it had.

Mr. Diggs was represented by Mr. Coughlan of the Metro Community Law Clinic, Agricola Street in Halifax. He took the position that there are only two grounds on which Mr. Diggs could have his licence revoked, one being the charge of driving imprudently (dismissed), and secondly, the charge of operating a cab in a dangerous manner, which has not yet come to trial. The Taxi Commission has granted Mr. Diggs' appeal against the revocation of his taxi owner's license, but has upheld the revocation of his taxi driver's license.

Mr. Coughlan pointed out that while Mr. Diggs was charged with dangerous driving, his trial has not yet taken place, and he is therefore presumed to be innocent until proven guilty. To have judged him before the case comes to trial is unfair, and Mr. Coughlan requested that Council restore Mr. Diggs' license to him.

Council adjourned to give further consideration to this appeal, and later reconvened, when the following decision of Council was rendered by the Mayor:

"Council has decided to uphold the decision of the Taxi Commission to revoke the Taxi Drivers Licence of Mr. Charles Christopher Diggs.

This decision is based on a concern of this Council for public safety and a finding that Mr. Diggs operated Blue Bell Cab #125 in a dangerous manner, contrary to the Criminal Code, on June 22/87.

This decision was based on a simple majority vote."

POINT OF PRIVILEGE

Ald. Pye brought to the attention of Council, a notice from CN, recently published, with regard to the charging of trespassers on CN rights-of-way. He asked that Mr. Burke and the Mayor determine the intent of this action as it applies to Dartmouth citizens, in view of the location of CN lines and crossings through the downtown area, travelled by large numbers of people every day.

At this point, Council went into Committee to deal with the Committee agenda for this date.

MOTION: To go into Committee  
from Council.

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

Council later reconvened, following the Committee meeting, and resumed the Council agenda for this date.

4.0

REPORTS

4.1.

CITY ADMINISTRATOR

4.1.1

TABLE 1987 AUDITED FINANCIAL STATEMENTS

1987  
FINANCIAL  
STATEMENTS

Members received copies of the 1987 audited Financial Statements, as prepared by Doane Raymond. It was agreed that a meeting with the Auditors will be scheduled some time in April to review the statements and give them approval.

MOTION: To table the 1987 audited Financial Statements, to be reviewed with the Auditors in April.

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

POINT OF PRIVILEGE

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At this point, Council went into Committee to deal with the Committee agenda for this date.

MOTION: To go into Committee  
from Council.

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

Council later reconvened, following the Committee meeting, and resumed the Council agenda for this date.

4.0

REPORTS

4.1.

CITY ADMINISTRATOR

4.1.1

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MOTION: To table the 1987 audited Financial Statements, to be reviewed with the Auditors in April.

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



POINT OF PRIVILEGE

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At this point, Council went into Committee to deal with the Committee agenda for this date.

MOTION: To go into Committee  
from Council.

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

Council later reconvened, following the Committee meeting, and resumed the Council agenda for this date.

4.0

REPORTS

4.1.

CITY ADMINISTRATOR

4.1.1

TABLE 1987 AUDITED FINANCIAL STATEMENTS

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MOTION: To table the 1987 audited Financial Statements, to be reviewed with the Auditors in April.

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

4.1.2 TENDER 88-01 - STORM SEWER WESTBROOK AVE. & VICTORIA RD.TENDER 88-01:  
STORM SEWER

Report from the City Administrator on tenders received for Contract 88-01, storm sewer between Westbrook Ave. and Victoria Road.

Mr. Burke has recommended the awarding of the tender to the lowest bidder, Empire Excavators Ltd., with a bid price of \$86,592.00.

MOTION: To award the tender for Contract 88-01 (Storm Sewer, Westbrook Ave. & Victoria Road) to the low bidder, Empire Excavators, as recommended.

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

Ald. Withers requested a staff report on the cost of replacing trees and shrubbery that will be destroyed in conjunction with this project, so that consideration can be given to the possible reinstatement of this buffer area. He made this request in view of the saving on the tender, between the low bid approved and the budget allocation for this project.

Ald. Sarto asked about funding for capital projects we are likely to receive from the province. Mr. Burke advised that there will be a capital grant program for the city, and a report will come to Council later on this subject. Ald. Sarto asked for a complete listing of capital projects originally before Council, when this item does come up again.

4.1.3 TENDER 88-02 - STREET CONSTRUCTION - CRICHTON AVE.TENDER 88-02:  
STREET  
CONSTRUCTION

Report from the City Administrator on tenders received for Contract 88-02, street construction, Crichton Ave.

Mr. Burke has recommended the awarding of the tender to the lowest bidder, Municipal Contracting Ltd., with a bid price of \$43,890.00

MOTION: To award the tender for Contract 88-02 (street construction, Crichton Ave.) to the low bidder, Municipal Contracting Ltd.

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

4.1.4 TENDER - TANDEM TRUCK

TENDER:  
 TANDEM TRUCK

Report from the City Administrator on the bid received for one tandem truck, from Mack Maritime Ltd., at a total price of \$98,038. less trade-in allowance of \$7,169.00, for a net total cost of \$90,869.00.

Mr. Burke has recommended the awarding of the tender to the single bidder, Mack Maritime Ltd., in the total net amount of \$90,869.00.

MOTION: To award the tender for a tandem truck to the single bidder, Mack Maritime Ltd., as recommended.

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

4.1.5 APPLICATION FOR AMENDMENT TO LAND USE BY-LAW - 73/77 LAKECREST DRIVE

APPLICATION:  
 TO AMEND LAND  
 USE BY-LAW  
 73/77 LAKECREST  
 DRIVE

Staff report submitted on an application for amendment to the Land Use By-law, to have property at 73/77 Lakecrest Drive rezoned from R-2 to R-3 Zone.

Mr. Burke recommends, in his accompanying report, that Council not proceed with this application at this time, and further, that the applicant be encouraged to re-submit the application following the adoption by the City of the revised M.P.S. and associated Land Use By-laws.

MOTION: To approve the recommendation that Council not proceed with the application to amend the Land Use By-law (73/77 Lakecrest Dr.) at this time, and further, that the applicant be encouraged to re-submit the application following the adoption by the City of the revised M.P.S. and associated Land Use By-laws.

Moved: Ald. Greenough  
Second: Ald. Hawley

Ald. Pye opposed the recommendation and the procedure followed in presenting it to Council. He felt that each application such as this one should be dealt with by Council on its own merit, and not delayed or deferred for completion of the M.P.S. Mr. Burke explained the basis for the recommendation, and Ald. Woods considered the rationale for recommending postponement, to be a good one. He said the Planning Dept. should indicate to Council which applications, in future, should be deferred until after the M.P.S. has been completed and approved. The Mayor suggested that this information come to Council in conjunction with the next M.P.S. Review Committee update, planned for March 22nd.

Ald. Levandier's opinion was that Council should be encouraging development and the creation of additional housing units. He was opposed to the motion on this basis.

The vote was taken on the motion

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

4.2 SOLICITOR

4.2.2 LEASE - ABENAKI AQUATIC CLUB

LEASE:  
ABENAKI  
AQUATIC CLUB

Report from the Solicitor was presented on the renewal of a lease of City land to the Abenaki Aquatic Club for their use. The land is located on the shores of Bell Lake, and the lease term proposed is for 20 years (less a day), at a rental of \$1.00 per year.

The Solicitor has recommended approval of Resolution 88-06, authorizing the execution of a lease to Abenaki Aquatic Club, for a period of 20 years.

MOTION: To approve Resolution 88-06, authorizing the execution of a lease to Abenaki Aquatic Club, for a period of 20 years, as recommended by the Solicitor.

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

Ald. McCluskey first had reservations about approving the resolution without Council seeing the club by-laws, but Ald. Sarto produced a copy he had obtained and provided information satisfactory to Ald. McCluskey on the composition of the club executive and Board of Directors. Male and female members serve on both. Ald. McCluskey indicated that she was satisfied that there is no discrimination in the Abenaki Club membership.

4.2.3

CHARTER AMENDMENT - WASTE WATER MAINTENANCE CHARGE

CHARTER  
 AMENDMENT:  
 WASTE WATER  
 MAINTENANCE  
 CHARGE

A report from the Solicitor was before Council on the subject of a waste water maintenance charge, approved at the time when Council approved the pollution control charge. A Charter amendment is proposed to provide for the establishment of a waste water maintenance charge upon users of the city sewage system, based upon water consumption.

The Solicitor has recommended approval of Resolution 88-07, authorizing the introduction of legislation required in order to permit Council to pass the necessary by-law in the future, to provide for a waste water maintenance charge.

MOTION: To approve Resolution 88-07, authorizing the introduction of legislation required in order to permit Council to pass the necessary by-law, to provide for a waste water maintenance charge.

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

4.3 FINANCE & PROGRAM REVIEW COMMITTEE

4.3.1 REQUEST FOR TAX EXEMPTION - ASSN. FOR WOMEN'S  
RESIDENTIAL FACILITIES

REQUEST:  
TAX  
EXEMPTION

Report from the Finance & Program Review Committee to Council on a request from the Association for Women's Residential Facilities, for a tax exemption for their two properties at 250 Victoria Road and 101 Albro Lake Road.

The Committee recommends to Council that the tax exemption request be granted.

MOTION: To adopt the recommendation of the Finance & Program Review Committee, that a tax exemption request for two properties at 250 Victoria Road and 101 Albro Lake Road, be granted. The request is from the Assn. for Women's Residential Facilities.

Moved: Ald. Pye  
Second: Ald. Connors

Ald. Hetherington considered that this organization is already being assisted in a major financial way by the City, without going any further in granting a tax exemption.

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

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

Ald. Levandier was also opposed to the motion and to granting the tax exemption.

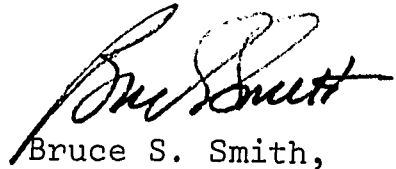
At this point in the meeting, a power failure occurred and it was necessary for the meeting to be adjourned without completing this item or the remaining item following it.

MOTION: To defer the item before Council and the other remaining item after it, until the March 29th meeting.

APRIL

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

Meeting adjourned at 11:10 p.m.



Bruce S. Smith,  
City Clerk-Treasurer.

APRIL

ITEMS:

- 4.2.1 Taxi License Appeal - Charles C. Diggs, page 1 & 2.  
Point of privilege, page 3.
- 4.0 Reports, page 3.
- 4.1 City Administrator, page 3.
- 4.1.1 Table 1987 Audited Financial Statements, page 3.
- 4.1.2 Tender 88-01 - Storm sewer, Westbrook Ave. & Victoria  
Road, page 4.
- 4.1.3 Tender 88-02 - Street Construction, Crichton Ave., pg. 4.
- 4.1.4 Tender - Tandem truck, page 5.
- 4.1.5 Application for amendment to Land Use By-law - 73/77  
Lakecrest Dr., page 5.
- 4.2 Solicitor, page 6.
- 4.2.2 Lease - Abenaki Aquatic Club, page 6.
- 4.2.3 Charter amendment - Waste Water Maintenance Charge, pg. 7.
- 4.3 Finance & Program Review Committee, page 8.
- 4.3.1 Request for tax exemption - Assn. for Women's  
Residential Facilities, page 8 & 9.

APRIL



DARTMOUTH CITY COUNCIL

MARCH 22, 1988

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

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

MEMBER ABSENT: ALDERMAN HETHERINGTON

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

APPOINTMENT: DIRECTOR OF SOCIAL SERVICES

At the opening of the meeting, the Mayor announced the appointment of Mr. Paul Greene as the new Director of Social Services for the City of Dartmouth. The decision on Mr. Greene's appointment was confirmed just prior to this regular meeting.

RATIFY ACTION TAKEN IN CAMERA

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

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

1.0

PRESENTATION - FIRST BAPTIST CHURCH

PRESENTATION:  
FIRST  
BAPTIST  
CHURCH

A large representation was present from the Dartmouth Emergency Food Relief Co-ordinating Committee, and a presentation to Council proceeded. The Rev. James Chang first addressed Council on behalf of the Committee, explaining that the prime focus of the organization is to help needy individuals and families with emergency food relief. He spoke of the increasing need within the community for emergency food assistance, caused partly by the fact that people in need are having to subsidize their rent/heat/power costs with food money.

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BILLARD, MACFARLANE  
CONNORS, LEVANDIER  
WITHERS, MCCLUSKEY  
PYE, WOODS, HAWLEY  
BREGANTE, GREENOUGH

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

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

1.0

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APRIL

MARCH 22/88

Also heard during the presentation were Mr. Dillman and Mrs. Joan Carter, representing the Committee. They recounted to Council specific instances of need where they have been personally involved, and they commented on the extreme levels of stress that families in want are facing as a result of the crisis situations in their lives.

Rev. Chang concluded the presentation on behalf of the Committee with six recommendations being made to Council, as set out in a written submission circulated with the agenda for this Council meeting.

As a follow-up to the recommendations, Mr. Harold Crowell, Social Services Director for the City of Halifax, and Mr. Dan Hunter, representing the Human Development Resources Assn., presented information on the work of H.D.R.A. and the success achieved in the Halifax experience in providing employment to people who would otherwise be on social assistance. Mr. Hunter made use of a slide presentation to show the kind of projects that have been undertaken through H.D.R.A. He noted that people in the H.D.R.A. program are able to get a job ethic and this is a major accomplishment in itself and enables them to go on to other jobs in the workplace.

Ald. Levandier was the first member of Council to speak on the presentation. He commended the work of the Committee, and introduced a motion in response to their request.

MOTION: To refer the recommendations of the Dartmouth Emergency Food Relief Co-ordinating Committee to Mr. Paul Greene and his department, for review and report back to Council as quickly as possible. The recommendations are:

- 1) That rent scales and food scales of our municipal social assistance program be increased to adequately meet the basic needs of persons and families on social assistance.
- 2) That realistic and varied incentives be built into our social assistance program to encourage work.

- 3) That immediate and serious considerations be given to work cooperatively with Human Resources Development Assn. to assist welfare recipients back into the labour force.
- 4) That City government will seek ways to generate initiatives aimed at job creation, job training and re-training, to enhance the employability of every welfare recipient for economic independence.
- 5) That day-care centers and other support systems be established to enable unmarried mothers and heads of single-parent families to work.
- 6) That the City of Dartmouth would do everything possible to ensure that a whole spectrum of affordable housing options are made available to those on social assistance and the working poor in our community.

Moved: Ald. Levandier  
Second: Ald. MacFarlane

Members of Council acknowledged the problems that people on social assistance and the working poor are facing, and they commended the Coordinating Committee for the initiative that has been taken to help these people. It was agreed that employment initiatives are particularly important and should be supported. It was pointed out that the City has been undertaking programs in a number of areas, such as housing, to address some of the more pressing needs within the community. It was also noted that our food scale allowance is one of the highest in the province.

Mr. Greene responded to questions from Ald. Woods about the adequacy of the food scale, pointing out as he did at budget time that people on social assistance often have to take part of their food money for other costs, such as rent. When this happens, there is not sufficient money left over to buy food. Mr. Greene provided figures on the increasing number of able-bodied unemployed on the caseload

of his department, and agreed that the challenge is to provide jobs and get people back into the work-force.

Ald. McCluskey asked if a committee could be set up in conjunction with the businessmen from the downtown and Burnside areas, to assist with employment initiatives. It was noted that all possible approaches such as this will be looked at by Mr. Greene and the other staff members who will be dealing with the recommendations of the Coordinating Committee.

After members of Council had spoken on the motion, the vote was taken.

In Favour: All  
Against: None  
Motion Carried

The Mayor thanked Rev. Chang and members of the Coordinating Committee for their work and for their concern.

2.0 PUBLIC HEARING

2.1. SEX-AID SHOPS

PUBLIC HEARING:  
SEX-AID SHOPS

This date was set by Council for public hearing of an M.P.S. and Land Use By-law Amendment with respect to sex-aid shops and the control of their establishment in Dartmouth.

CONFLICT OF INTEREST

Ald. Connors stated that an associate of his has been engaged to challenge the City of Halifax legislation applicable to sex-aid shops in that municipality, and since the legislation is similar to that of Dartmouth, he declared a conflict of interest position and withdrew from his place on Council.

The Mayor explained the public hearing procedures to be followed, and asked the Planning Dept. to first make their presentation to Council.

Mr. L'Esperance reviewed the definition of a sex-aid shop, for purposes of proposed By-laws C-647 and C-648 (M.P.S. and Land Use By-law Amendments respectively). The approach taken with the location

of sex-aid shops is basically the same as for massage parlours, that is, they can only be permitted in a C-4 Zone, and at present, there are no C-4 Zones in Dartmouth. Therefore, anyone wanting to open a sex-aid shop would have to make application for C-4 zoning.

Ald. McCluskey had several questions about the inclusion of pornographic materials, such as magazines and videos, in the same C-4 Zone requirement. The Solicitor noted that these categories have not been included in the Dartmouth by-law, as it is proposed. It was later pointed out that the entire rezoning process would have to be commenced again if the categories referred to were to be added. This public hearing was only advertised for sex-aid shops.

All members of Council were recorded as being present for the public hearing, with the exception of Ald. Hetherington. Ald. Connors did not participate, having previously declared a conflict of interest.

The Mayor declared the public hearing to be open and called for speakers in favour of the M.P.S. and Land Use By-law Amendments, which were dealt with jointly.

Ms. Sandra Bonner addressed Council, and took the position that there is a difference in the description of such shops as 'sex' or 'adult' shops. She considered the one in Halifax to have been properly operated and to have provided adequate protection against the admittance of young people and children.

The Mayor called twice more for speakers in favour, and when there were none, he called for speakers opposed to the amendments.

The one speaker who was against the proposed amendments, was Mr. Colin May. He felt the by-laws will not stand up in court if they are tested, and he referred to a precedent decision on the west coast, in which the Vancouver legislation applicable to such establishments, was not upheld in the courts. He did not feel the City has the power to prohibit this kind of product.

The Mayor called twice more for any speakers opposed to the amendments. When there were none, the Mayor declared the public hearing closed and a motion to this effect was adopted.

MOTION: To declare the public hearing on Sex-Aid Shops (amendments to the M.P.S. and the Land Use By-law) closed.

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

By-law C-647, to accomplish the M.P.S. amendment, was before Council for consideration.

MOTION: That leave be given to introduce said By-law C-647 and that it now be read a first time.

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

MOTION: That By-law C-647 be read a second time.

Moved: Ald. MacFarlane  
Second: Ald. Greenough

Ald. McCluskey felt there are other more serious situations that should be addressed, such as the sale of pornographic magazines, videos, and the establishments on Portland Street and in Ward 4 that feature undesirable entertainment. It was her opinion that all three are more harmful than sex-aid shops.

Other members opposed to the by-law, questioned its enforceability and its ability to stand up in court, given the fact that the Halifax by-law is already being challenged. Members in favour felt the City has to start somewhere to try to control sex-aid shops, at a point in time before they start operating. They maintained that the problems on Portland Street would not have arisen if they could have been anticipated and by-laws put

in place that would have prevented their operation.

The Solicitor explained some of the difficulties inherent in areas like pornography, which come under the Criminal Code jurisdiction. However, it would be possible to designate a zone where adult books, etc. are sold, but any amendments to this effect could not be introduced in conjunction with the proposed by-laws, but would require another public hearing process. The present by-laws could be passed in the form advertised for public hearing and other amendments could be brought forward for Council to consider at a later point.

Ald. Levandier proposed a motion of referral back to the Solicitor, for consideration of points raised in debate.

MOTION: To refer the by-law before Council, back to the Solicitor for consideration of the points raised in debate.

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

Motion Defeated

The vote was taken on the motion for second reading of By-law C-647.

In Favour: Ald. Hawley, Greenough  
Billard, MacFarlane  
Sarto, Thompson  
(8 votes required) Bregante, Woods,  
Withers  
Against: Ald. Pye, Levandier, McCluskey  
Motion Carried

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

By-law C-648 (Land Use By-law amendment) was not dealt with at this time, in view of the fact that By-law C-647 did not receive third reading.



3.0 REPORTS3.1 CITY ADMINISTRATOR3.1.2 TENDERS - CONTRACT 88504C - SITE GRADING, PHASE 8A  
BURNSIDE INDUSTRIAL PARKTENDER:  
CONTRACT 88504C

Report from the City Administrator on tenders received for Contract 88504C, the site grading of Phase 8A in the Burnside Industrial Park, east of Burnside Drive, and south of Akerley Blvd. Extension.

Mr. Burke has recommended the awarding of the tender to the lowest bidder, Dexter Construction Co., with a bid price of \$2,974,800.; completion time, 6 months.

MOTION: To award the tender for Contract 88504C (site grading, Phase 8A, B.I.P.) to the lowest bidder, Dexter Construction Co., with a bid price of \$2,974,800.

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

3.1.4 METROPOLITAN AUTHORITY, GUARANTEE RESOLUTIONSMETRO.  
AUTHORITY:  
RESOLUTIONS

Council was asked to approve two temporary borrowing resolutions that have been approved by the Metropolitan Authority; these are as follows:

88-01	Solid Waste	\$2,123,000.
89-02	Metro Transit	2,085,233.

Mr. Burke has recommended Council's approval of the two above-noted resolutions.

MOTION: To approve two temporary borrowing resolutions that have been approved by the Metropolitan Authority; they are:

88-25	Solid Waste	\$2,123,000.
88-26	Metro Transit	2,085,233.

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

3.1.5 BORROWING RESOLUTION 88-10

BORROWING  
 RESOLUTION  
 88-10

Council was asked to approve Borrowing Resolution 88-10, prepared in accordance with Section 265 (1) of the Dartmouth City Charter, as amended.

Mr. Burke has recommended Council's approval of Resolution 88-10.

MOTION: To approve Resolution 88-10,  
 as recommended.

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

3.1.6 SECURITY SERVICE PROPOSALS

SECURITY  
 SERVICE  
 PROPOSALS

Report submitted by Mr. Burke on security service proposals received, recommending that a three-year contract be awarded to the lowest bidder, Loomis Armored Car Services. Total value of contract: \$69,919.

MOTION: To award the three-year contract for security services to the lowest bidder, Loomis Armored Car Services, as recommended.

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

3.1.7 DRAINAGE PROBLEM - CHITTICK AVE.

DRAINAGE  
 PROBLEM:  
 CHITTICK AVE.

Report from the City Administrator on a drainage problem on Chittick Ave., recommending Council's approval for the installation of a 200 mm perforated drainage pipe along the south side of the street, at an estimated cost of \$16,000. Funding will be from the 1988 Capital Budget Activity, Drainage - Unspecified Locations.

MOTION: To approve the installation of a 200 mm perforated drainage pipe along the south side of Chittick Ave., as recommended, at an estimated cost of \$16,000.

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

3.1.8 EMO - AMENDMENT TO BY-LAW C-593

EMO:  
 AMENDMENT TO  
 BY-LAW C-593

Report from the City Administrator on the recommendation of the EMO Executive Committee that the City Solicitor be added to the composition of the Emergency Planning Committee. To accomplish this, proposed By-law C-649 has been recommended to amend and consolidate By-law C-593.

By-law C-649 was before Council for three readings.

MOTION: That leave be given to introduce said By-law C-649 and that it now be read a first time.

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

MOTION: That By-law C-649 be read a second time.

Moved: Ald. MacFarlane  
Second: Ald. Bregante

Ald. Connors proposed an amendment to section 4 of By-law C-649, to include the City Administrator as a member of the EMO Executive Committee.

AMENDMENT: To amend section 4 of By-law C-649, so that the City Administrator is included in the composition of the EMO Executive Committee.

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

The vote was taken on second reading, as amended.

In Favour: All  
Against: None  
Motion, as amended, Carried

Unanimous consent was given by Council for third reading of By-law C-649.

MOTION: That By-law C-649 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. Thompson  
Second: Ald. Withers  
In Favour: All  
Against: None  
Motion Carried

3.1.9 TENDER - POLICE MOTORCYCLE

TENDER:  
POLICE  
MOTORCYCLE

Report from the City Administrator on tenders received for a 1988 motorcycle for police use. Mr. Burke has recommended that the tender for the motorcycle be awarded to the lowest evaluated bidder, MicMac Cycle Ltd., for a total price of \$12,966.

MOTION: To award the tender for a 1988 motorcycle for police use, to the lowest evaluated bidder, MicMac Cycle Ltd., for a total price of \$12,966., as recommended.

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

3.1.10 TAKEOVER OF NEWBERRY STREET AS A CITY STREET

TAKEOVER:  
NEWBERRY ST.

Report from the City Administrator on the take-over of Newberry Street as a City street, following a motion on this subject, presented by Ald. Hetherington and Bregante.

APRIL

Mr. Burke recommends that (a) the City proceed to take over Parcel GR-1 (Grant Road), which has been used to access adjacent properties for a number of years; and (b) that the name Newberry Street be confirmed as the name of this street (or that it be given a new name).

MOTION: To adopt the recommendation on the takeover of Newberry Street as a City street; to proceed with the takeover of Parcel GR-1 (Grant Road); and to confirm the name Newberry Street as the name of this City street.

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

3.1.11 CONSULTING SERVICES - DOWNTOWN MIXED USE CIVIC CENTRE

CONSULTING  
SERVICES:  
CIVIC CENTRE

Report before Council from the City Administrator on proposals received to provide consulting services with respect to the preparation and calling for development proposals for the Mixed Use Civic Centre Complex.

Mr. Burke recommends that Council approve the hiring of Forsyth & Dobbs, Architects, and Urban Consultants Ltd., to provide these consulting services, on the basis of their March 10/88 proposal. The cost of these services not to exceed \$28,490.

MOTION: To adopt Mr. Burke's recommendation on the hiring of Forsyth & Dobbs and Urban Consultants Ltd., to provide consulting services to the City in the preparation and execution of a two-stage proposal call for the Downtown Mixed Use Civic Centre Complex. The cost of these services not to exceed \$28,490.

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

3.2 SOLICITORS

3.2.1. TAKEOVER OF PRIVATE STREETS

TAKEOVER:  
PRIVATE  
STREETS

The Solicitor has prepared Expropriation Resolutions and Street Acceptance Resolutions to permit the City takeover of the following streets:

- Pinewood Drive
- Lovett's Road
- Crest Drive
- Wournell Drive
- Gibson Drive
- Silver's Road

Council was requested to pass Resolutions 88-11, 88-12, 88-13, 88-14, 88-15 and 88-16, expropriating the above-noted streets, and Resolutions 88-17, 88-18, 88-19, 88-20 and 88-22, authorizing the acceptance of those same streets by the City.

MOTION: To approve Resolutions 88-11, 88-12, 88-13, 88-14, 88-15 & 88-16 (to expropriate the streets listed above), and Resolutions 88-17, 88-18, 88-19, 88-20, 88-21 and 88-22 (authorizing the acceptance of those same streets by the City).

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

3.2.2 SALE OF CITY PROPERTY - LYNGBY AVE.

PROPERTY:  
LYNGBY AVE.

Report from the Solicitor on City property, Lot D-11 on Lyngby Ave., a parcel of land sold previously in 1986, but not developed by the purchaser; it was subsequently conveyed back to the City at the original purchase price.

APRIL

It is recommended that the parcel be sold again for single-family development, and the Solicitor has recommended that staff be authorized to sell the property to the highest bidder at tender, with a reserve price of \$52,500. Resolution 88-09 to be adopted.

MOTION: To adopt the recommendation of the Solicitor on the sale of Lot D-11, Lyngby Ave., to the highest bidder at tender, with a reserve price of \$52,500.; to adopt Resolution 88-09.

Moved: Ald. Greenough  
Second: Ald. MacFarlane

Ald. McCluskey commented in appraisal figures in connection with this proposed land sale, suggesting that a figure of \$47,000. would be adequate for the lot, instead of the figure recommended. Ald. Withers agreed with the opinion of Ald. McCluskey. He felt the recommendation should be reviewed, in consideration of the price for which the property originally sold, and in the light of appraisal figures referred to by Ald. McCluskey. (Ald. Connors requested copy of appraisal.)

MOTION: To defer any decision on this item until there has been a further review of the matter by staff.

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

## 3.2.3

EXPROPRIATION OF EASEMENTS - COVE LANE & GREENBANK COURT

EXPROPRIATION:  
EASEMENTS  
COVE LANE

The Solicitor has prepared Resolution 88-24, authorizing the expropriation of easements over Cove Lane and Greenbank Court, and a portion of the road reserve. The easements are required for the purpose of installing a water distribution system at Greenbank Court & Cove Rd.

The Solicitor recommends that Council pass Resolution 88-24, authorizing the expropriation of the easements.

MOTION: To approve Resolution 88-24, authorizing the expropriation of easements over Cove Lane and Greenbank Court.

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

3.3 PLANNING & DEVELOPMENT DEPT.

3.3.1 APPLICATION TO BUILD - ESSO SERVICE STATION & CAR WASH  
PORTLAND STREET & EISENER BLVD.

PERMIT TO  
BUILD:  
SERVICE  
STATION

Report submitted by the Planning Director on an application for permit to build an Esso service station and car wash on property located at the corner of Portland Street and Eisener Blvd.

Mr. Bayer recommends approval of the application, subject to compliance with the requirements outlined in his report of March 15/88.

MOTION: To grant the building permit for a service station (Esso) and car wash at the corner of Portland St. and Eisener Blvd., as recommended.

Moved: Ald. MacFarlane  
Second: Ald. Pye

Ald. Sarto and Thompson were concerned about left-turning inbound traffic being permitted access to the service station from Portland Street. It was noted that discussions have been held with the Esso representatives to work out the driveway arrangement proposed, but they are requesting the left-turning access from Portland Street.

MOTION: To continue meeting beyond the hour of 11:00 p.m., to complete this item.

APRIL

MAY



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

Other concerns, besides the traffic pattern, were about the hours of operation and about protection of the lake from any oil/gas storage leaks. Mr. Driscoll, Sales Manager for Nova Scotia for Esso, advised that the hours of operation will be 7:00 a.m. to 10:00 p.m., Monday to Saturday, closed on Sunday. The plans for the station are in compliance with all of the new Provincial requirements with respect to the kind of tanks that will be installed and other environmental considerations. Mr. Bayer also noted that plans must be reviewed by the Lakes Advisory Board prior to the issuance of a building permit; this is one of the conditions for approval of the permit.

Ald. Sarto favoured further discussions with the Esso representatives, concerning the Portland St. access concern. He proposed a one-week deferral for further discussions.

MOTION: To defer a decision on the permit to build for one week, so the concern about access via Portland Street (inbound) can be discussed further with the Esso representatives.

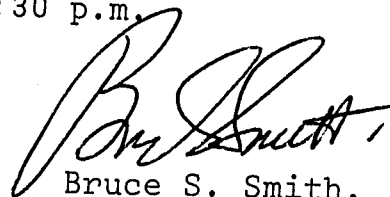
Moved: Ald. Sarto  
Second: Ald. Thompson  
In Favour: Ald. Thompson, Sarto  
Billard, Withers  
Against: Ald. Hawley, Greenough  
McCluskey, Bregante  
Pye, Woods, Levandier  
MacFarlane, Connors  
Motion Defeated

The vote was then taken on the main motion.

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

The Mayor noted that Council's decision on this matter does not preclude discussions with the Esso representatives, if Ald. Sarto and Thompson wish to do so on their own.

Meeting adjourned at 11:30 p.m.



Bruce S. Smith,  
City Clerk-Treasurer.

ITEMS:

- Appointment: Director of Social Services, page 1.
- 1.0 Ratify action taken in camera, page 1.
- 2.0 Presentation - First Baptist Church, page 1 to 4.
- 2.1 Public Hearing, page 4.
- 2.1 Sex-Aid Shops, page 4 to 7.
- 3.0 Reports, page 8.
- 3.1 City Administrator, page 8.
- 3.1.2 Tenders - Contract 88504C - Site grading, Phase 8, B.I.P.,  
page 8.
- 3.1.4 Metropolitan Authority, Guarantee Resolutions, page 8.
- 3.1.5 Borrowing Resolution 88-10, page 9.
- 3.1.6 Security Service proposals, page 9.
- 3.1.7 Drainage problem - Chittick Ave., page 9.
- 3.1.8 EMO - Amendment to By-law C-593, page 10.
- 3.1.9 Tender - Police Motorcycle, page 11.
- 3.1.10 Takeover of Newberry Street as a City street, page 11.
- 3.1.11 Consulting services - Downtown Mixed Use Civic Centre, pg.12.
- 3.2 Solicitors, page 13.
- 3.2.1 Takeover of private streets, page 13.
- 3.2.2 Sale of City property - Lyngby Ave., page 13 & 14.
- 3.2.3 Expropriation of easements - Cove Lane & Greenbank Crt., pg.14
- 3.3 Planning & Development, page 15.
- 3.3.1 Application to Build - Esso service station & car wash,  
Portland Street & Eisener Blvd., pg. 15 & 16.

DARTMOUTH CITY COUNCIL

MARCH 29, 1988

LOCATION: CITY COUNCIL CHAMBERS  
TIME: 7:40 P.M.

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

MEMBER ABSENT: ALD. BILLARD

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

POINT OF PRIVILEGE

Ald. Withers rose on a point of privilege to acknowledge the accomplishment of Robert McCall and Tracy Wilson, in winning the Bronze Medal for ice dancing at both the Olympics and again last week, at the World Ice Skating Championships in Budapest. He presented a motion in this regard.

MOTION: That Mayor Savage extend written congratulations to McCall and Wilson on behalf of Council and the citizens of Dartmouth.

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

The Mayor advised Council that efforts have been made to get in touch with Rob McCall, but he has not been back to the City since the Olympics. When he can be contacted, a date will be set to honor him appropriately.

PRESENTATION - M.P.S. UPDATE

Mr. Kent Robinson, Chairman of the M.P.S. Review Committee, presented an M.P.S. update for the information of Council. The update covered the period from October, 1987 to March, 1988, and changes in procedure that are being made in order

APRIL

MAY

to expedite the completion of the review process. A critical path has now been set by the Committee in order to be able to complete the review by the fall of this year. It is then proposed that public meetings would be held in November, but the Mayor had some concerns about the scheduling of these meetings, in view of the fact that a new Council will only have been sworn in on November 5th. Mr. Robinson agreed to take this concern into account.

Members of Council received copies of meeting dates up until Sat., October 29th, together with a flow chart which designates specifically the point at which the draft M.P.S. and Land Use By-law will be prepared, prior to the public meetings.

At the conclusion of his presentation, Mr. Robinson introduced to Council, Ms. Julie Thomson, the new M.P.S. Communications Officer, who had assisted with the overhead slides during the presentation. She was welcomed to the position of Communications Officer, and in conclusion, the Mayor commended all of those people who are working on the M.P.S. Review, and thanked Mr. Robinson in particular, as the Chairman.

- 1.0 REPORTS
- 1.1 CITY ADMINISTRATOR
- 1.1.1 RESERVE FUND - SNOW AND ICE CONTROL

RESERVE FUND:  
SNOW & ICE  
CONTROL

A report from the City Administrator was before Council on the subject of a reserve fund being established for snow and ice control, prepared in response to a motion introduced at the Council meeting of Nov. 17/87.

Based on the points set out in the report, it is recommended that a reserve for snow and ice control not be considered at this time.

MOTION: To adopt the recommendation that a reserve for snow and ice control not be considered at this time.

APRIL

MAY

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

1.1.2 APPLICATION FOR PLACE OF AMUSEMENT - BURNSIDE POOL & AMUSEMENT CENTRE - 615 WINDMILL ROAD

APPLICATION:  
 PLACE OF  
 AMUSEMENT

Council was asked to advise the Dept. of Consumer Affairs of any objection to the issuance of a license for a Place of Amusement, Burnside Pool and Amusement Centre, 615 Windmill Road.

MOTION: To indicate no objection on the part of Council to the application for a Place of Amusement, Burnside Pool & Amusement Centre, 615 Windmill Road.

Moved: Ald. Pye  
Second: Ald. Thompson

Ald. Woods opposed the location of this kind of centre in Ward 5, noting that similar applications for other areas of the city have been objected to by Council in the past. The vote was taken on the motion.

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

MOTION: To indicate Council's objection to the application for a Place of Amusement license, 615 Windmill Road.

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

APRIL

MAY

1.2 TRANSIT ADVISORY BOARD1.2.1 FERRY REPORT - JANUARYFERRY  
REPORT:  
JANUARY

The Ferry operations report for January, 1988 has been approved and recommended to Council by the Transit Advisory Board

MOTION: To adopt the Ferry operations report for the month of January, 1988.

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

1.3 DOWNTOWN BUSINESS IMPROVEMENT DISTRICT COMMITTEE1.3.1 APPOINTMENT OF COMMITTEEAPPOINTMENT  
OF COMMITTEE

Council was requested to appoint the Downtown Business Improvement District Committee, which was not appointed with the other committees in October, 1987.

The recommendation to Council is (a) that the Committee be appointed; (b) further, that Council appoint the Executive of the Downtown Dartmouth Corporation and two Aldermen; and (c) that the City Administrator be authorized, on behalf of Council, to appoint a staff member to the Committee.

MOTION: To approve the recommendations on the appointment of the Downtown B.I.D.C., to include the Executive of the Downtown Dartmouth Corporation, two Aldermen, and a staff member, to be appointed by the City Administrator.

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

Council named Ald. Connors and Levandier to serve on the Downtown B.I.D.C. as the two Aldermanic representatives.

APRIL

MAY

1.4 MONTHLY REPORTSMONTHLY  
REPORTS

The monthly reports, recommended from Committee,  
were presented for Council's approval.

1.4.1 SOCIAL SERVICES - CASELOAD & STATISTICS (FEB.)

MOTION: To approve the Social Services  
Caseload & Statistics report  
for February, 1988, as recommended.

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

1.4.2 DEVELOPMENT OFFICER (FEB.)

MOTION: To approve the Development  
Officer's report for Feb., 1988,  
as recommended.

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

1.4.3 BUILDING INSPECTION (FEB.)

MOTION: To approve the Building Inspection  
report for February, 1988, as  
recommended.

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

1.4.4 BUILDING INSPECTION (1987 ANNUAL REPORT)

MOTION: To approve the 1987 Annual  
Building Inspection report,  
as recommended.

APRIL

MAY

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

1.4.5. MINIMUM STANDARDS (FEB.)

MOTION: To approve the minimum Standards report for Feb., 1988, as recommended.

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

1.4.6 FIRE CHIEF (FEB.)

MOTION: To approve the Fire Chief's report for Feb., 1988, as recommended.

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

1.4.7 DOG CONTROL (JAN.)

MOTION: To approve the Dog Control report for Jan., 1988, as recommended.

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

COUNCIL AGENDA  
MARCH 29, 1988

1.0 SEX-AID SHOPS - BY-LAW C-647 (THIRD READING) & BY-LAW C-648

BY-LAW C-647:  
 THIRD READING

Proposed By-law C-647 was before Council for third reading, having received first and second reading at the March 22nd meeting.

APRIL

MAY



CONFLICT OF INTEREST

Ald. Connors declared a conflict of interest position for the reason stated at the March 22nd meeting, that is, an associate of his has been engaged to challenge the City of Halifax legislation applicable to sex-aid shops in that municipality.

Ald. Hetherington was not able to vote, not having been present for the public hearing on March 22nd. Ald. Billard was absent, leaving eleven members of Council eligible to vote. A majority of eight votes, or a majority of the whole Council, was required for third reading to be passed.

MOTION: That By-law C-647 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: Ald. Hawley, Greenough  
 Withers, Woods  
 Sarto, Thompson  
 MacFarlane  
Against: Ald. Bregante, Pye  
 Levandier, McCluskey  
Motion Defeated (majority of 8 votes required  
 and not obtained)

Ald. MacFarlane indicated his intent to give notice of reconsideration, but he was unable to do so on a motion decided in the negative. The Mayor advised that the item can be brought before Council again in two months time or with a two-thirds majority vote of Council in favour of dealing with the item.

2.0 REPORTS2.1 CITY ADMINISTRATOR2.1.1 CHARTERED ACCOUNTANTS - EXPROPRIATION CLAIM

CHARTERED  
 ACCOUNTANTS:  
 RESOLUTION 88-23

Council was requested by the City Administrator to pass Resolution 88-23, to permit the possible hiring of the City's Auditors, Doane Raymond, for services required with respect to certain expropriation claims which may arise.

APRIL

MAY

MOTION: To approve Resolution 88-23, making it possible to hire Doane Raymond for their services, as required in connection with certain expropriation claims which may arise.

Moved: Ald. Bregante  
Second: Ald. Withers

Ald. Connors objected to the hiring of any particular firm for expropriation work, without first receiving quotations first from a number of firms, which may be equally as qualified as Doane Raymond to provide these services. He preferred to have the matter referred back to staff for further consideration, in light of his concerns.

MOTION: To refer the matter back to staff for further consideration and to advise Council of the best way to have firms qualified, submit proposals to the City.

Moved: Ald. Connors  
Second: Ald. MacFarlane

Mr. Burke clarified for Council, the intent of the resolution, which is to allow the City Auditors to be considered for expropriation work, together with other companies. Doane Raymond cannot be used for purposes other than as the City Auditors, without the passing by Council of such a resolution. This resolution makes them eligible for consideration, along with other firms.

Council considered this to be a satisfactory explanation of the intent of the resolution. The vote was taken on the motion to refer.

In Favour: Ald. Connors & MacFarlane  
Against: Ald. Hawley, Greenough  
Sarto, Thompson  
Bregante, Hetherington  
Withers, McCluskey, Pye  
Woods, Levandier

Motion Defeated

APRIL

MAY

The word 'may' was added to the first line of the last paragraph of the resolution, as a means of clarifying its intent further. The vote was then taken on the main motion.

In Favour: All  
Against: None  
Motion Carried

2.1.2 AFFIRMATIVE ACTION - CONTRACTS

AFFIRMATIVE  
ACTION:  
CONTRACTS

An item added to the agenda was dealt with at this point.

A report from the City Administrator was considered on the subject of a proposed Affirmative Action pilot project, initiated in conjunction with the Black Business Consortium Society, whereby four specific capital projects would be made exclusively available to black businesses, waiving normal tender requirements such as a bid deposit and performance security. All other conditions, holdbacks, liens, liability coverage, etc. would apply, however. The primary benefit to the contractor participants would be to establish credibility and a track record with lending institutions, allowing them to secure the credit necessary to compete in the future with all other contractors.

CONFLICT OF INTEREST

Ald. Withers declared a conflict of interest on this item, being the Administrative Assistant for the Human Rights Commission. He withdrew from his place on Council and did not participate in the debate or the vote.

MOTION: To approve Mr. Burke's recommendations which are as follows:

- 1) that the City of Dartmouth commit itself to an Affirmative Action Program governing contracts, on a pilot project basis.
- 2) that the following projects be selected for the experiment:
  - (a) sidewalk - Christopher Ave.
  - (b) sidewalk - Tobin Drive
  - (c) sidewalk - Crichton Ave.
  - (d) Dartmouth Scenic Gardens - walkway paving.

APRIL

MAY

- 3) That the City Administrator be authorized to enter into agreements on the pilot projects so identified, on a purchase order basis, for an amount not to exceed budgeted sums.
- 4) that the City Administrator prepare a report for Council, at the completion of the project, evaluating the impact of this experiment.

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

The general response of Council to the proposal was positive, but Ald. Connors suggested that the best approach overall, on a long-term basis, would be through an initiative such as H.R.D.A., discussed at the March 22nd meeting. In that way, able-bodied unemployed people generally, and including young people, could be assisted in finding employment and upgrading their working skills.

2.2 SOLICITORS

2.2.1 LEASE OF LAND - CANADA POST (Set date for public hearing.)

LEASE OF  
LAND:  
CANADA POST

The Solicitor has reported on a portion of City land in Portland Estates, negotiated with Canada Post as the location for a postal kiosk. They wish to lease the lands from the City for \$1.00 per year, for a 49-year term, requiring a public hearing, in accordance with Section 139 of the City Charter.

The Solicitor recommends that April 12/88 be set as the date for this public hearing.

Ald. Hetherington preferred to have a neighborhood information meeting held in Portland Estates before any decision is taken to proceed to a public hearing, especially <sup>in view</sup> of Council's previously-recorded opposition to the super mailbox concept.

MOTION: To direct staff to select a date for a neighborhood information meeting that Portland Estate residents can attend to express their views and hear from Canada Post representatives.

APRIL

MAY

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

Ald. Hetherington asked that Canada Post be requested to pay for expenses associated with the information meeting, including the circulation of notices.

2.3 FINANCE & PROGRAM REVIEW

2.3.1 REQUEST FOR TAX EXEMPTION - ASSN. FOR WOMEN'S  
RESIDENTIAL FACILITIES

REQUEST:  
TAX  
EXEMPTION  
BY-LAW C-650

Report from the Finance & Program Review Committee on a request from the Association for Women's Residential Facilities, for a tax exemption for their two properties at 250 Victoria Road and 101 Albro Lake Road.

The Committee recommends approval of the request, and proposed By-law C-650 was presented, to accomplish the tax exemption.

MOTION: That leave be given to introduce the said By-law C-650 and that it now be read a first time.

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

MOTION: That said By-law C-650 be read a second time.

Moved: Ald. Greenough  
Second: Ald. MacFarlane

Members considered this request for a tax exemption to be in keeping with others that have been granted, especially since the association concerned is a registered charity and the living accommodations being provided are badly needed for a particular segment of the community. Ald. Hetherington was opposed to granting the request, on the basis that the City already has assisted this organization significantly in the capital cost of the building. He favoured tax deferral assistance instead.

APRIL

MAY

The vote was taken on the motion for second reading.

In Favour: Ald. Greenough, Hawley  
Pye, Woods, MacFarlane  
Withers, McCluskey  
Sarto, Thompson  
Connors, Levandier  
Bregante

Against: Ald. Hetherington  
Motion Carried

Unanimous consent was not given by Council for third reading of By-law C-650.

2.3.2 REVIEW OF TAX EXEMPT PROPERTIES

REVIEW:  
TAX  
EXEMPT  
PROPERTIES

The Finance & Program Review Committee has recommended to Council that the Committee be authorized to proceed with a review of tax exempt properties in the City, their location and reason for exemption in each case, to establish the validity of each exemption.

MOTION: To adopt the recommendation of the Finance & Program Review Committee on the carrying out of a review of tax exempt properties in the City.

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

The Mayor advised that members of Council will be advised when meetings take place and the review is in progress, so they can attend if they want to. Mr. Corrigan was present and responded to questions from members in connection with exemptions.

2.4 WATER UTILITY COMMITTEE

2.4.1. DARTMOUTH WATER UTILITY SYSTEM PROFILE - RECOMMENDATIONS

(c) DARTMOUTH  
WATER UTILITY  
SYSTEM PROFILE

The Water Utility Committee has made several recommendations, in connection with a report from the City Administrator, entitled 'Dartmouth Water Utility Systems Profile'. Ald. Woods, Chairman of the Committee, presented the recommendations and elaborated further on them.

APRIL

MAY

MOTION: To adopt the recommendations of the Committee, which are as follows:

- 1) That the freeze on applications for extensions, be lifted, and that all such applications be directed to the Committee for its review, prior to all plan approvals.
- 2) That the Engineering Dept. prepare a list of options for the short and medium-term, respecting measures to improve the current capacity of the system, with each option to be costed.
- 3) That the Solicitor review and report upon the legal procedure of approving extensions or additions to the Utility, insofar as the Public Utilities Act or Regulations are concerned.
- 4) That the City Administrator be authorized to obtain proposals from professional management consulting firms, to prepare an historical audit and overview of the Dartmouth Water Utility, from 1969 to the present.

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

2.4.2 OUTLINE PROPOSAL TO STUDY HISTORY OF DARTMOUTH WATER  
UTILITY (1969 TO PRESENT)

PROPOSAL  
FOR STUDY

A second report from the Water Utility Committee deals with a proposal to study the history of the Dartmouth Water Utility, from 1969 to the present. The Committee has recommended fifteen points for ratification, in connection with the study.

MOTION: To approve the following points for inclusion in the historical audit and overview of the Dartmouth Water Utility, as recommended by the Water Utility Committee:

APRIL

MAY

- 1) Review the audited financial statements for the Water Utility, from 1968 to 1987.
- 2) Review correspondence between the City and the County, that dealt with the possibility of the County offering sewer services to the Morris Lake area in exchange for Dartmouth water.
- 3) Review any applications or correspondence from the County to extend water line from the City to the County, from 1969 onwards.
- 4) Review all minutes of City Council or Council Committee(s), to determine process of consideration and/or approvals from 1969 onwards.
- 5) Review all correspondence between City and County officials from 1969 onwards.
- 6) Review, if possible, County Council minutes, to determine the process of consideration on approvals from 1969 onwards.
- 7) Review and analyze all system extensions into the County from 1969 onwards, to determine process on implementation and approval.
- 8) Review and analyze all submission to and decisions of the P.U.B. since 1969 to present.
- 9) Review and analyze all Water Utility records respecting flows, supply, plant improvements, additions to customer base, plant inventory, etc., since 1969 to present.
- 10) Interview, as necessary, present and former City staff, and elected officials, to determine verbal historical record since 1969, and in particular, meet with members of the Works Sub-committee established in 1969 to negotiate the original water extension along Cole Harbour Road.

APRIL

MAY



- 11) Analyze impact on City growth on water extensions into the County.
- 12) Analyze financial impact on the City, regarding water extension to the County.
- 13) Analyze any and all aspects of the current management and management practice of the Dartmouth Water Utility.
- 14) Review and analyze all material and information not noted above, which is deemed pertinent to this historical overview, as may be determined by Council, the Water Utility Committee, or the City Administrator.
- 15) Investigate the Option to Purchase, dated May 27, 1969, between Ira Settle and Clayton Park Developments Ltd.

Moved: Ald. Woods  
Second: Ald. MacFarlane

Ald. Levandier felt the City should ask the Dept. of Municipal Affairs for a public inquiry, but several other members favoured an in-house investigation of the points raised by the Water Utility Committee. Ald. Greenough asked why the investigation is necessary at all. Ald. Woods responded; he said that if the review does not proceed through the channels the Committee has recommended, he will pass the questions to Mr. Burke for answers.

The vote was taken on the motion.

In Favour: All  
Against: None  
Motion Carried

RATIFY ACTION TAKEN IN CAMERA

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

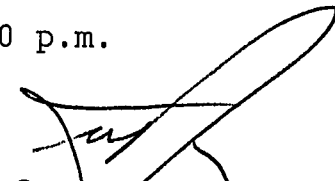
APRIL

MAY

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

Before adjournment, Council observed a minute of silence in memory of Mr. Clause Morris, a former Mayor who has died recently.

Meeting adjourned at 10:00 p.m.



G. D. Brady,  
Deputy City Clerk.

ITEMS:

- 1.0 Presentation - M.P.S. Update, page 1 & 2.
- 1.1 Reports, page 2.
- 1.1 City Administrator, page 2.
- 1.1.1 Reserve Fund - Snow & Ice Control, page 2.
- 1.1.2 Application for Place of Amusement - Burnside Pool & Amusement Centre - 615 Windmill Rd, pg3
- 1.2 Transit Advisory Board, page 4.
- 1.2.1 Ferry Report - January, page 4.
- 1.3 Downtown Business Improvement District Comm., page 4.
- 1.3.1 Appointment of Committee, page 4.
- 1.4 Monthly Reports, page 5.
- 1.4.1 Social Services - Caseload & Statistics, page 5.
- 1.4.2 Development Officer, page 5.
- 1.4.3 Building Inspection, page 5.
- 1.5.4 Building Inspection (Annual), page 5.
- 1.4.5 Minimum Standards, page 6.
- 1.4.6 Fire Chief, page 6.
- 1.4.7 Dog Control, page 6.
- 1.0 Sex-Aid Shops - By-law C-647 (third reading), page 6.
- 2.0 Reports, page 7.
- 2.1 City Administrator, page 7.
- 2.1.1 Chartered Accountants - Expropriation claim, page 7 to 9.
- 2.1.2 Affirmative Action - Contracts, page 9 & 10.
- 2.2 Solicitors, page 10.
- 2.2.1 Lease of land - Canada Post, page 10.
- 2.3 Finance & Program Review, page 11.
- 2.3.1. Request for tax exemption - Assn. for Women's Residential Facilities, page 11.

APRIL

MAY

- 2.3.2 Review of tax exempt properties, page 12.
  - 2.4 Water Utility Committee, page 12.
  - 2.4.1 Dartmouth Water Utility System Profile, page 12.
  - 2.4.2 Outline Proposal to study History of Dartmouth Water  
Utility (1969 to present), page 13 to 15.
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APRIL

MAY