

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
GREENOUGH, BREGANTE
HETHERINGTON

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

INVOCATION

The meeting opened with the Invocation.

1.0 APPROVAL OF MINUTES

MOTION: To approve the minutes of meetings held on August 16, 23 and 30th, as circulated.

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

Ald. McCluskey noted a correction in the minutes of the August 23rd meeting. The volunteers referred to by Ald. Billard (Cdn. Canoe Championships) should have read Mr. John MacGlashen and Mr. Alan Barry.

2.0 BUSINESS ARISING FROM THE MINUTES

3.0 DELEGATIONS & HEARINGS OF PROTEST

4.0 ORIGINAL COMMUNICATIONS

4.i) PILGRIMS OF ST. MICHAEL

LETTER: PILGRIMS OF ST. MICHAEL

A letter has been received from an organization known as the Pilgrims of Saint Michael, seeking support for a resolution to assist and encourage mothers to stay at home.

MOTION: To receive and file the letter from the Pilgrims of Saint Michael.

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

4.ii)

DARTMOUTH VISUAL ARTS SOCIETY - ART GALLERY

LETTER: DART.
VISUAL ARTS
SOCIETY

The second item of correspondence before Council was a letter from the Dartmouth Visual Arts Society, requesting that consideration be given to the location of an art gallery in the new library complex.

Ald. Greenough proposed that the letter be referred to staff, to look at the request further, and the Mayor said it should also be looked at in conjunction with the Greenvale School discussions. Ald. Pye suggested the letter should go to the Museum Board for their consideration as well.

MOTION: To refer the letter from the Dartmouth Visual Arts Society (re an art gallery location) to staff for further consideration, in conjunction with both the new library and Greenvale School discussions.

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

5.0

PETITIONS

5.i)

TRAFFIC PATTERNS - NICOLE COURT

TRAFFIC
PATTERNS:
NICOLE COURT

A petition was before Council from residents of Nicole Court, pertaining to their problems and concerns with traffic patterns in the area, as they affect residents of the Court.

MOTION: To refer the petition from residents of Nicole Court to the Traffic Management Group for consideration.

Moved: Ald. Sarto
Second: Ald. Thompson

Council agreed to hear Mr. David Ross on behalf of the area residents. He explained the traffic problems that are of concern, including the flow of traffic entering Nicole Court to make a turn in order to be able to go south on Portland Street. This flow of traffic into the Court has created a situation dangerous to the children living in the area.

Ald. Billard and MacFarlane put forward several suggestions for the T.M.G. to consider; these included:

- 1) the erection of a 'No Exit' sign at the entrance to Nicole Court. This is being done within a day or so.
- 2) a change in the traffic light sequence (at Gaston Road and/or Manor Park) to provide time for residents of Nicole Court to gain access onto Portland St.
- 3) the possibility of a right-turn only pattern into Nicole Court.

Ald. Billard also requested that residents from Nicole Court be permitted to attend the T.M.G. meeting when this item is discussed, so they can have some input when solutions to the traffic problem are discussed.

The vote was taken on the motion.

In Favour: All
Against: None
Motion Carried

5.ii)

SPEED BUMP - LOUISE AVE.

SPEED BUMP:
LOUISE AVE.

A second petition regarding traffic problems, has been received from residents of Louise Court and Louise Ave. They are requesting the installation of a speed bump on Louise Ave., to the south of Clearview Crescent, as a means of dealing with these problems.

Council heard Ms. Julie Menzies, a resident of Louise Ave., on behalf of the area residents. She indicated the concerns of the residents for the safety of children living within the Avenue cul-de-sac. She said the residents are seeking to either have a speed bump installed or a three-way Stop sign.

Mr. Fougere was asked to respond to the idea of a speed bump, and he explained to Council some of the difficulties caused by speed bumps on City streets. Mr. Bayer also noted their danger in the case of fire trucks on City streets.

MOTION: To refer the petition to the T.M.G. for consideration.

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

Ald. MacFarlane asked that the request made to the Province, that discretion be given to municipalities in the setting of speed limits on streets within the municipality, be pursued further.

The T.M.G. was asked to consider the alternate possibility of a three-way Stop sign, as a solution, if they are not prepared to recommend the installation of a speed bump.

7.0

REPORTS

7.1

CITY ADMINISTRATOR

7.1.1

FUNDING FOR HIGH SCHOOL HOCKEY PROGRAM

FUNDING:
 HIGH SCHOOL
 HOCKEY PROGRAM

Council agreed to deal next with the report from Mr. Burke (L. Atkinson) on the subject of funding for the high school hockey program. The report recommends that the High School Hockey program be charged the subsidized rate for ice rentals, as charged to other minor organizations.

MOTION: To adopt the recommendation that the High School Hockey Program be charged the subsidized rate for ice rentals, as charged to other minor organizations.

Moved: Ald. Hetherington

Second: Ald. Sarto

Members opposed to the motion were concerned that the recommendation does not go far enough toward assisting the High School Hockey Program.

Mr. Rick Swan, former Coordinator of the hockey program, provided additional information on the cost involved to run it, pointing out that where a cost figure applies to Dartmouth High, it then has to be doubled to cover Prince Andrew High School as well. He said it would be very difficult to run the program with the amount of assistance being recommended.

Ald. Hawley proposed that the City assume responsibility for funding the program to the end of the year, after which the School Board would take over the responsibility from January onward to the end of the season. He proposed an amendment to this effect.

AMENDMENT: That Council subsidize the High School Hockey Program from the first of October to the end of December, 1988, to the extent the School Board would have done in previous years.

Moved: Ald. Hawley

Second: Ald. MacFarlane

Since figures were not available on the actual costs that Council would be approving, it was suggested by the Mayor that Mr. Atkinson should have time to prepare these. A motion of referral was therefore presented.

MOTION: To refer the item to Mr. Atkinson for one week, so that cost figures can be prepared, and for consultation with several members of Council. The members are: Ald. Hawley, Hetherington and McCluskey.

Moved: Ald. Pye

Second: Ald. Hetherington

Information requested by Council includes:

- 1) some indication of the possibility of private sponsorship for the hockey program.
- 2) what would the total cost of the program be for the entire year, as well as the period from now until the end of December?
- 3) are there any funds available from the Physical Education Dept.?
- 4) figures for suggested cost-sharing between the City and the School Board in the cost of the program.

The vote was taken on the motion to refer

In Favour: All
Against: None
Motion Carried

The Mayor advised that this will be the first item on the Sept. 20th agenda, unless there is a public hearing scheduled for that meeting.

6.0

CIVIC CENTRE
PROPOSAL

CIVIC CENTRE PROPOSAL

Council proceeded next to the Civic Centre Proposal item, related documentation and reports having been previously circulated.

The City Solicitor withdrew from the meeting, just prior to this item, because of a potential conflict of interest on the part of her firm, and for this item, the Solicitor representing the City was Mr. Peter MacKeigan.

The presentation to Council was made by Mr. Burke. He outlined to Council the key economic elements that have been negotiated with Maplehurst, whose proposal is being recommended. He indicated the impact of the Civic Centre development on the tax rate, as of the year 1990, and he also explained the saving to the City, resulting from the proposed lease arrangement, as opposed to the cost if the City were to proceed with the building of the centre. He commented on each of the advantages the City will derive from the development, over and above the new library facility, which is one of the main components.

In his accompanying report to Council, Mr. Burke has recommended authorization for the Agreement of Development to be executed between the City and Civic Centre Ltd. and Maplehurst Apartments Ltd.

MOTION: To adopt Mr. Burke's recommendation that Council authorize the Mayor and the City Clerk-Treasurer to execute the Agreement of Development of the Civic Centre Complex between the City of Dartmouth and Civic Centre Ltd. and Maplehurst Apartments Ltd. Further, that Council authorize the Mayor and the City Clerk-Treasurer to execute the leases and development contract which set out the obligations and duties of the parties during construction, and during the term of the ground lease, when the City is leasing the library and the civic offices.

Moved: Ald. Greenough
Second: Ald. Hetherington

Members of Council gave their support to the civic centre proposal and were in favour of proceeding with it as recommended. They commended Mr. Burke and his staff for the manner in which negotiations have been concluded with the developer. Both Mr. Joseph Zatzman and Mr. Michael Zatzman were commended as well for their proposal.

Ald. Woods had several questions about terminology within the leases, and these were clarified by Mr. Rocca, the consultant. Several members spoke in particular about their satisfaction with the new library and the fact that it is now going to become a reality. Ald. McCluskey was concerned about the treatment of Mr. O'Hearn, whose property is required as part of the land holding for development. The Mayor noted that a total of seven meetings were conducted with Mr. O'Hearn, and he advised that the developer has consented to a 75-day extension for the Little Nashville operation. This will mean that the club can stay in business until January of 1989.

Ald. Withers noted that the library was designated as a 25th Anniversary project and he was happy to see it getting underway.

The vote was taken on the motion.

In Favour: All
Against: None
Motion Carried

RATIFY ACTION TAKEN IN CAMERA

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

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

Ald. Levandier withdrew from the meeting at this point.

7.0 REPORTS

7.1 CITY ADMINISTRATOR

7.1.2 APPLICATION - PLACE OF AMUSEMENT - CLANCEY'S ARCADE
223 WYSE ROAD

APPLICATION:
 223 WYSE RD.

Council has been requested to indicate any objection to an application for a Place of Amusement (Clancey's Arcade) at 223 Wyse Road.

Ald. McCluskey expressed concerns about an arcade at this location, and felt that Council should indicate a concern to the Dept. of Consumer Affairs.

MOTION: To voice a concern about the Place of Amusement application for 223 Wyse Road (ie. to indicate an objection to the application).

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

7.1.3 APPLICATION - VIDEO RETAIL OUTLET - THE YELLOW STORE
364 WINDMILL ROAD

APPLICATION:
 364 WINDMILL RD.

Council has been asked to indicate any objection to an application for a video retail outlet at the Yellow Store, 364 Windmill Road. This store is located in a C-2 Zone, where such an outlet is permissible.

MOTION: To indicate no objection on the part of Council to the application for a video retail outlet at 364 Windmill Road (the Yellow Store).

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

7.1.4 APPLICATION - PLACE OF AMUSEMENT - CRICHTON AVE.
COMMUNITY CENTRE, 5 CRICHTON AVE.

APPLICATION:
5 CRICHTON AVE.

Council has been asked to indicate any objection to a Place of Amusement application for the Crichton Ave. Community Centre at 5 Crichton Ave. This application is for the community centre and theatre.

MOTION: To indicate no objection to the Place of Amusement application for a community centre & theatre at 5 Crichton Ave.

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

8.0 REPORTS

8.1 CITY ADMINISTRATOR

8.1.1 NO PARKING RESTRICTION - HILTON DRIVE

NO PARKING:
HILTON DR.

Report from Mr. Burke (D. Bayer) on the subject of a petition received from residents of Hilton Drive, who have requested No Parking restrictions on their street.

The T.M.G. has considered the petition and it is recommended that parking be restricted on Hilton Drive, on both sides of the street, from 8:00 a.m. to 6:00 p.m., from Monday to Friday.

Ald. Sarto and Thompson requested time to consult with those residents who did not sign the petition. A motion of deferral was therefore presented.

MOTION: To defer the Hilton Drive item until the two Ward 1 representatives have an opportunity to meet with residents who did not sign the No Parking petition.

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

8.1.2 APPLICATION FOR M.P.S. AMENDMENT & ZONING BY-LAW
AMENDMENT - HAMMERLING PROPERTY

APPLICATION:
HAMMERLING PROPERTY

An application has been received from First City Development Ltd., to have 10.5 acres, the front portion of the Hammerling property, rezoned from R-1 to C-3 Zone. This application necessitates an amendment to both the M.P.S. and the Zoning By-law.

It has been recommended to Council that staff be instructed to proceed with a neighborhood information meeting in connection with this application.

Ald. MacFarlane stated that without taking a position either for or against the application, he wished to indicate to Council that he favours a retention of the present R-1 zoning on the Hammerling property, in accordance with the present M.P.S. designation for this land. Accordingly, he proceeded to move that the R-1 zoning on the land be retained.

MOTION: To retain the present R-1 zoning on the Hammerling property.

Moved: Ald. MacFarlane
Second: Ald. Hetherington

The Solicitor was asked about any prejudicial connotation that could be taken from Ald. MacFarlane's course of action, and with the Mayor's concurrence, she advised that he has covered himself from any prejudicial statements. A question was also raised about the right of appeal to the Municipal Board, by the applicant. The Solicitor advised that there is no appeal in the case of an M.P.S. amendment.

OCT

Ald. Billard felt that area residents should at least have the opportunity to express their views at a neighborhood information meeting, and he was in favour of allowing the application to proceed to that point.

The vote was taken on the motion

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

Against: Ald. Billard, Withers

Motion Carried

8.1.3

ADULT ENTERTAINMENT PARLOURS - AMENDMENT TO M.P.S.
& LAND USE BY-LAW

AMENDMENTS:
ADULT
ENTERTAINMENT
PARLOURS

Report from Mr. Burke (D. Bayer, J. Lukan) on proposed amendments to the M.P.S. and Land Use By-laws, which would control the indiscriminate placement of Adult Entertainment Parlours in the City.

It has been recommended that Council set October 25th as the date for public hearing, and instruct staff to proceed with a neighborhood information meeting.

MOTION: To set Oct. 25th as the date for public hearing of amendments to the M.P.S. and Land Use By-law for the control of Adult Entertainment Parlours, and to instruct staff to proceed with a neighborhood information meeting.

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

Motion Carried

8.1.4

PROPOSED EXTENSION OF CONTRACT 88504D - SEWERS - PHASE 8A
BURNSIDE INDUSTRIAL PARK

PROPOSED
EXTENSION:
CONTRACT 88504D

Report from Mr. Burke (T. Rath, R. Fougere) on a proposed extension of Contract 88504D (sewers, Phase 8A, Burnside Park), in order to provide sanitary sewer, storm sewer and water to Lots 811 and 803 on Payzant Ave.

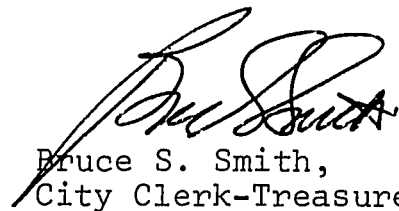
OCT

It has been recommended that Council approve this extension to Contract 88504D, also recommended by the Industrial Commission.

MOTION: To approve the recommended extension of Contract 88504D (sewers, Phase 8A, Burnside Park), in order to provide sanitary sewer, storm sewer and water to Lots 811 and 803 on Payzant Ave.

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

Meeting adjourned at 10:45 p.m.


Bruce S. Smith,
City Clerk-Treasurer.

OCT

ITEMS:

- Invocation, page 1.
- 1.0 Approval of Minutes, page 1.
- 2.0 Business Arising from Minutes, page 1.
- 3.0 Delegations & Hearings of Protest, page 1.
- 4.0 Original Communications, page 1.
- 4.i) Pilgrims of St. Michael, page 1.
- 4.ii) Dartmouth Visual Arts Society - Art gallery, page 2.
- 5.0 Petitions, page 2.
- 5.i) Traffic patterns - Nicole Court, page 2.
- 5.ii) Speed bump - Louise Ave., page 3.
- 7.0 Reports, page 4.
- 7.1 City Administrator, page 4.
- 7.1.1 Funding for High School Hockey Program, page 4.
- 6.0 Civic Centre Proposal, page 6 to 8.
- Ratify action taken in camera, page 8.
- 7.0 Reports, page 8.
- 7.1 City Administrator, page 8.
- 7.1.2 Application - Place of Amusement - Clancey's Arcade:
223 Wyse Road, page 8.
- 7.1.3 Application - Video retail outlet - the Yellow Store,
364 Windmill Rd., page 8.
- 7.1.4 Application - Place of Amusement - Crichton Ave. Comm.
Centre, 5 Crichton Ave., page 9.
- 8.0 Reports, page 9.
- 8.1 City Administrator, page 9.
- 8.1.1 No Parking Restriction - Hilton Dr., page 9.
- 8.1.2 Application for M.P.S. Amendment & Zoning By-law
Amendment - Hammerling property, pg. 10.
- 8.1.3 Adult Entertainment Parlours - Amendment to M.P.S. &
Land Use By-law, page 11.
- 8.1.4 Proposed extension of Contract 88504D - Sewers - Phase 8A,
Burnside Ind. Park, page 11.

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TIME: 7:30 P.M.

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

CITY ADMINISTRATOR: J. BURKE
CITY SOLICITOR: M. MOREASH
CITY COMPTROLLER: D. MCBAIN
DEPARTMENT HEADS & ASSISTANTS

PITBULL LEGISLATION

Ald. Hetherington requested that the Solicitor obtain a copy of the pitbull legislation, recently enacted for the County of Halifax, to determine if it can also be enforced in the City of Dartmouth, which is located within Halifax County. He also asked that the Police Dept. and the Pound operator be provided with copies.

NAMING OF PLAYING FIELD

Ald. Hawley presented a request he has received from the Ian Forsyth Home & School Assn., to have the small playing field in the vicinity of the school, named after Eric Currie, the principal who recently retired and whose death occurred soon after his retirement. A motion to this effect was presented.

MOTION: To have the small playing field in the vicinity of the Ian Forsyth School, named in honour of Eric Currie, who was principal of the school until his retirement.

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

SYMPATHY: ALD. GRANT

The Mayor will be extending sympathy to Ald. Grant

LOCATION: CITY COUNCIL CHAMBERS

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CONNORS, LEVANDIER
WITHERS, MCCLUSKEY
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GREENOUGH, BREGANTE
HETHERINGTON

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

SYMPATHY: ALD. GRANT

The Mayor will be extending sympathy to Ald. Grant

of Halifax City Council, on behalf of Council, in the recent loss of her husband.

1.0

PUBLIC HEARING

i)

NOVA SCOTIA DEPT. OF HOUSING - ALBRO LAKE ROAD

N.S. DEPT. OF
HOUSING: ALBRO
LAKE ROAD

Council set this date for public hearing of an application from the Nova Scotia Dept. of Housing, to amend the Land Use By-law, in order to rezone approx. 3.75 acres of land at the upper end of Albro Lake Road, from H Zone to R-3 Zone. The zoning change requested would permit the construction of a two-storey, 15-unit senior citizen apartment building.

In their report to Council on this application, the Planning Dept. has recommended that a minimum 50-foot strip of land along the lakeshore (Albro Lake), be deeded to the City, to allow pedestrian linkage from Albro Lake Beach, through to the proposed park area located elsewhere in the overall development. Further, that this application to rezone be approved, as requested.

All members of Council were noted as being present for the public hearing.

The Planning Dept. presentation to Council was made by Mr. L'Esperance, after which Mr. Dillon made the Housing Dept. presentation. He provided information on the development being proposed, and indicated that the Department would have no objection to the 50-foot land reserve recommended, subject to negotiations with the City on this point. Referring to the continuing need for senior citizen housing units, Mr. Dillon advised that there are presently 153 names on the active list of applicants. The project, when completed, would be operated by the Dartmouth Housing Authority. Estimated value of construction for the new building proposed is three-quarters of a million dollars.

Questions to Mr. Dillon from members of Council concerned:

- 1) start-up and completion time for the project - the Dept. would proceed with the project immediately, and plan for occupancy late in 1989.
- 2) present plans for the rest of the land holding - Mr. Dillon said there are no plans for the balance of the land at the moment.

- 3) the proximity of the Albro Lake sub-station - Mr. Dillon said this matter is not being looked at until a decision has been made on the rezoning.
- 4) expected trends in accommodation requirements for senior citizens - Mr. Dillon provided figures on the present overall trends and requirements for the province and for Dartmouth in particular.
- 5) the site location in terms of its convenience and suitability for senior housing units - Mr. Dillon noted that there is transit service about 700 feet from the site, and it is expected that the client group for this facility would be mainly ambulatory in nature.

After the period of questions, the Mayor called for speakers in favour of the rezoning application. There was one speaker, Mr. Bob Burns, who said he felt the site chosen is a good location for the housing project, being situated away from any heavy traffic.

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

Mr. Mark Pettie addressed Council on behalf of a citizen group not in favour of the proposal, and he circulated copies of a petition bearing 220 names of residents who oppose the rezoning. The petition seeks to have the rezoning deferred until such time as the Housing Dept. has submitted a plan for the total Albro Lake land holding. Also, that information sessions and hearings be held for input from the area residents.

Mr. PaUL Barkhouse , an Albro Lake Road resident, expressed concerns about the snow conditions that will affect the site of the building in the winter-time; he questioned the appropriateness of the site from that point of view. He was also concerned about what type of development will take place elsewhere in the overall parcel of land. The next speaker, Mr. David Smythe, noted that questions from previous applications, relative to street and traffic patterns, have not yet been addressed to the satisfaction of area residents.

Mr. Dennis Rodgers favoured a deferral of the rezoning approval until there is an overall plan for all of the land the Housing Dept. owns. He was concerned that the City maintain control over the street right-of-way in front of these lands, and he suggested that there was not sufficient opportunity for the appropriate sector of senior citizen groups, to have an input into planning for this particular project.

The final speaker heard was Mr. Wilfred Keezer, another resident who did not want to see this rezoning proceed without knowing what plans are for the remainder of the land holding.

Mr. Pettie was asked to respond to a number of questions about the petition he presented, and after he had clarified the points of issue raised by Ald. Hawley and Woods, the Mayor declared the public hearing closed. A motion was presented to close the public hearing.

MOTION: That the public hearing on the rezoning application (Albro Lake Rd.) be closed.

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

BY-LAW C-662

Proposed By-law C-662, prepared to accomplish the zoning change that has been requested, was before Council, with the other relative material circulated.

MOTION: That leave be given to introduce the said By-law C-662 and that it now be read a first time.

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

MOTION: That By-law C-662 be read a second time.

Moved: Ald. Sarto
Second: Ald. Pye

Ald. McCluskey took the position of area residents, asking that the Housing Dept. withdraw their application until a proposal for the entire development can be presented. She felt that a better location for the senior citizen units would be on the City property at the corner of Pinecrest Drive and Albro Lake Road. Ald. Woods also favoured this change in location, and he thought it would be advisable for a Housing Dept. representative to be attending meetings of the City Housing Committee. The Mayor said the Committee looking at housing for seniors should also have input from the Housing Dept.

Members speaking against the motion tended not to be opposed to the senior citizen units themselves, but to the rezoning and development of this one section of land in isolation from a total plan for the whole parcel of land. They also had reservations about this particular location for a senior citizen housing project, for the various reasons that have been noted.

In the case of members in favour of the rezoning, they pointed out that any future development, other than R-1, would have to come back to Council through the same public hearing process, for consideration. If R-1 development were to proceed, Mr. L'Esperance advised that the proposal would be brought to Council because of the street alignment and traffic pattern issues that would be involved. Members therefore considered that the interests of area residents would be adequately protected in either case. Members in favour felt the need for these housing units is an important consideration that has to be given some priority.

The vote was taken on the motion for second reading.

In Favour: Ald. Pye, Withere, Bregante
Thompson, Hetherington
Hawley, Greenough
Sarto, Billard

Against: Ald. McCluskey, Woods
Connors, Levandier
MacFarlane

Motion Carried

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

The remainder of the meeting was chaired by Deputy Mayor Hetherington.

RATIFY ACTION TAKEN IN CAMERA

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

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

2.0

DELEGATIONS & HEARINGS OF PROTEST

i)

REQUEST - DARTMOUTH DISTRICT SOCCER ASSN.

REQUEST: DART.
& DISTRICT
SOCCER ASSN.

A letter has been received from the Dartmouth District Soccer Association, requesting permission to address Council. Mr. John Baxter spoke on behalf of the Association, informing Council of the large number of players that make up this organization. Problems faced by the Association center around the lack of adequate playing fields and the need for a field on which national and international soccer tournaments could be hosted. Without regulation facilities, the Association is not able to bid for major soccer events at present.

Mr. Eber Serieys then proceeded to explain in further detail the kind of facilities the Association would like to see in Dartmouth, including a seating capacity of about 3,000, proper lighting, fencing, etc. He suggested that the 14-acre site designated for park purposes, at Burnside Drive and Akerley Blvd., would be a good site for a major soccer facility. Representatives from the Association would like to sit down with members of the Industrial Commission and Council to discuss the possibility of a soccer field being developed at this location. The size of a regulation field required for national and international tournaments, would be 70 feet by 110 feet, and the site referred to would be adequate to accomodate a field of that size.

Ald. Levandier felt it would be worthwhile pursuing discussions with Soccer Association representatives, and he proposed referral to a committee, comprised of staff and other interested representatives, for a report back to Council in due course.

MOTION: To refer the Soccer Assn. request to an ad hoc committee for further discussion with Assn. representatives. This committee to be comprised of Mr. Rath, Mr. Atkinson, Ald. Connors & Levandier, plus representatives from both the Industrial Commission and the Recreation Advisory Board.

Moved: Ald. Levandier
Second: Ald. Hawley

The committee was asked to provide a breakdown of information on the number of people involved in the sport, with an indication as to where they live. Also, to give some cost projections for a major facility, and to suggest possible funding sources at other government levels.

The vote was taken on the motion.

In Favour: All
Against: None
Motion Carried

Ald. Connors left the meeting at this point in the agenda.

3.1

CITY ADMINISTRATOR

3.1.1

FUNDING FOR HIGH SCHOOL HOCKEY PROGRAM

FUNDING: HIGH
SCHOOL HOCKEY
PROGRAM

The item on the funding of a high school hockey program for the 1988/89 season, was again before Council. Ald. McCluskey, a member of the committee named to make a further report to Council on this item, presented a motion for Council to consider.

OCT

OVER-EXPENDITURE:
FIRST APPROVAL

MOTION: That the City agree to fund the hockey program for this term, as an over-expenditure (\$4,138.), and that the City budget for the funding of the remainder of the program, as of the first of 1989 and continuing for the balance of the season to March of 1989. (First approval for the over-expenditure.)

Moved: Ald. McCluskey

Second: Ald. Pye

Ald. Hawley presented several recommendations drafted by the committee, in discussing the 1988/89 hockey program for both high schools. These are:

- 1) that the rate charged for ice time be the same as the rate charged to the Minor Hockey Assn.
- 2) that practice time (32 hours) and playing time (24½ hours) be provided for the part of the season between September and December, 1988.
- 3) that practice time (36 hours) and playing time (38½ hours) be provided for the remainder of the season from Jan. 1/89 to March 31/89.
- 4) that it be fully understood that the subsidization of this hockey season 1988/89, by the City, is for one time only; the Dartmouth District School Board to be encouraged to provide this program again, as of the fall of 1989 and thereafter.

Having outlined the recommendations of the committee to Council, Ald. Hawley presented an amendment, covering recommendation #1.

AMENDMENT: That the cost of ice time for high school hockey, as of Jan. 1/89, be at the same rate as for minor hockey.

Moved: Ald. Hawley

Second: Ald. McCluskey

Ald. Sarto and Thompson felt that members should have a copy of the recommendations and information on the various costs associated with the program, before any decision is made by Council.

MOTION: To defer a decision on the high school hockey item until members of Council are provided with copies of all the relevant information and cost figures.

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

Motion Defeated

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

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

Members opposed to the motion and amendment did not agree that the City should be undertaking to fund a school program, especially when an over-expenditure is involved. Mr. John MacLeod, the Athletic Director for Dartmouth High School, indicated that the hockey team would like to secure a corporate sponsorship, but would need assistance this year while taking initiatives to do so. Members of Council speaking in favour considered this to be a reasonable expectation, as long as the team is prepared to seek alternate funding arrangements for future years.

The vote was taken on the amendment.

In Favour: All
Against: None
Amendment Carried

The vote was taken on the amended motion.

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

The over-expenditure approved will be before Council again for second approval at the next meeting.

9.0

REPORTS

9.1

CITY ADMINISTRATOR

9.1.1

TENDER - UNDERWATER CLEANING & INSPECTION OF HALIFAX
AND DARTMOUTH FERRY DOCKSTENDER: FERRY
DOCKS

Report from Mr. Burke (R. Fougere, D. Rix) on tenders received for the underwater cleaning and inspection of the Halifax and Dartmouth ferry docks.

Mr. Burke recommends that the tender be awarded to the low bidder, Waterworks Construction Ltd. for the bid price of \$28,150.; completion time: 6 weeks.

MOTION: To award the tender for underwater cleaning & inspection of the Halifax and Dartmouth ferry docks, to the low bidder, Waterworks Construction Ltd. for the bid price of \$28,150., as recommended.

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

9.1.2

TENDER FOR FIRE DEPT. PUMPERTENDER: FIRE
DEPT. PUMPER

Report from Mr. Burke (H. George) on tenders received for a Telesquirt/Pumper for the City Fire Dept.

Mr. Burke recommends that the tender be awarded to the lowest evaluated bidder, Pierre Thibault Truck Inc., at a tendered price of \$201,888.

MOTION: To award the tender for a Telesquirt/Pumper (Fire Dept.) to the lowest evaluated bidder, Pierre Thibault Truck Inc., at a tendered price of \$201,888., as recommended.

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

9.1.3

TENDERS FOR MOBILE RADIO SYSTEMTENDERS: MOBILE
RADIO SYSTEM

Report from Mr. Burke (R. Fougere) on tenders received for a new mobile radio system for several City departments. The bids received have been analyzed by the firm of Oldham Engineering Ltd., and a written analysis of the bids, with recommendations, was before Council as well.

It is recommended that the Philips Electronics bid be accepted, in the amount of \$263,485.

MOTION: To award the tender for a new mobile radio system to Philips Electronics, in the amount of \$263,485., as recommended.

Moved: Ald. Greenough
Second: Ald. Thompson

Mr. Oldham was present to respond to a number of questions raised by Ald. MacFarlane about the tenders received for the mobile radio system, and the tendering process followed.

Ald. McCluskey left the meeting while this item was in progress.

Ald. MacFarlane said he could not support the motion, on the basis of his contention that several modifications have occurred subsequent to the original specifications for the equipment, and he did not consider this to be fair to the tendering process.

The vote was taken on the motion.

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

9.1.4 TENDER 88-25 - CREST DRIVETENDER 88-25:
CREST DRIVE

Report from Mr. Burke (R. Fougere, E. Purdy) on tenders received for Contract 88-25, street construction, Crest Drive.

Mr. Burke has recommended that the tender be awarded to the lowest bidder, Basin Contracting Ltd., with a bid price of \$71,763.50; completion time: 12 weeks.

MOTION: To award the tender for Contract 88-25 (Crest Drive) to the lowest bidder, Basin Contracting Ltd., with a bid price of \$71,763.50, as recommended.

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

At the request of Ald. Pye, Council agreed to deal with one other item on the agenda.

9.2 SOLICITORS9.2.1 CITY LANDS - 382 WINDMILL ROADCITY LANDS:
382 WINDMILL RD.

Report from the Solicitor on City-owned land at 382 Windmill Road, to be sold to Stephen Thompson who lives at Civic No. 10 Fernhill Road.

The Solicitor recommends that Parcel Z be conveyed to Stephen Thompson for the amount of \$1,843.50, and that Resolution 88-52 be adopted in this connection.

RESOLUTION 88-52

MOTION: To adopt Resolution 88-52, conveying Parcel Z (City land at 382 Windmill Road) to Stephen Thompson, for the amount of \$1,843.50, as recommended by the City Solicitor.

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

9.1.4 TENDER 88-25 - CREST DRIVETENDER 88-25:
CREST DRIVE

Report from Mr. Burke (R. Fougere, E. Purdy) on tenders received for Contract 88-25, street construction, Crest Drive.

Mr. Burke has recommended that the tender be awarded to the lowest bidder, Basin Contracting Ltd., with a bid price of \$71,763.50; completion time: 12 weeks.

MOTION: To award the tender for Contract 88-25 (Crest Drive) to the lowest bidder, Basin Contracting Ltd., with a bid price of \$71,763.50, as recommended.

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

At the request of Ald. Pye, Council agreed to deal with one other item on the agenda.

9.2 SOLICITORS9.2.1 CITY LANDS - 382 WINDMILL ROADCITY LANDS:
382 WINDMILL RD.

Report from the Solicitor on City-owned land at 382 Windmill Road, to be sold to Stephen Thompson who lives at Civic No. 10 Fernhill Road.

The Solicitor recommends that Parcel Z be conveyed to Stephen Thompson for the amount of \$1,843.50, and that Resolution 88-52 be adopted in this connection.

RESOLUTION 88-52

MOTION: To adopt Resolution 88-52, conveying Parcel Z (City land at 382 Windmill Road) to Stephen Thompson, for the amount of \$1,843.50, as recommended by the City Solicitor.

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

As earlier agreed, Council went in camera to deal with one additional item, before adjournment. Council reconvened in open meeting to ratify the action taken in camera.

MOTION: To ratify the action taken in camera at the end of the regular Council meeting.

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

Meeting adjourned at 11:30 p.m.

D. McBain,
City Comptroller.

OCT

ITEMS:

- Pitbull legislation, page 1
 - Naming of playing field, page 1.
 - Sympathy: Ald. Grant, page 1.
 - 1.0 Public Hearing, page 2.
 - i) Nova Scotia Dept. of Housing - Albro Lake Rd., page 1 to 5.
 - By-law C-662, page 4.
 - Ratify action taken in camera, page 6.
 - 2.0 Delegations & Hearings of Protest, page 6.
 - i) Request - Dartmouth District Soccer Assn., page 6.
 - 3.1 City Administrator, page 7.
 - 3.1.1 Funding for High School Hockey Program, page 7 to 9.
 - Over-expenditure: First approval, page 8.
 - 9.0 Reports, page 10.
 - 9.1 City Administrator, page 10.
 - 9.1.1 Tender - Underwater Cleaning & Inspection of Hfx. and
 Dartmouth ferry docks, page 10.
 - 9.1.2 Tender: Fire Dept. pumper, page 10.
 - 9.1.3 Tenders for Mobile Radio System, page 11.
 - 9.1.4 Tender 88-25: Crest Drive, page 12.
 - 9.2 Solicitors, page 12.
 - 9.2.1 City lands - 382 Windmill Rd., page 12.
 - Resolution 88-52, page 12.
-

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
 GREENOUGH, BREGANTE
 HETHERINGTON

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

REQUEST: SOFTBALL ASSN.

Ald. Sarto presented a request from the Woodlawn Minor Girls Softball Assn., that a ball diamond be named after a former player, Julieann O'Brien, who died in August of this year at the age of 14. The Association is willing to provide assistance in having a commemorative name plate prepared, and in arranging for a dedication ceremony. The date proposed for the dedication is Oct. 13th.

MOTION: To have ball diamond #1 named in honour and memory of Julieann O'Brien.

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

Ald. Sarto invited the Mayor to be present for the dedication ceremony on October 13th.

BUS SERVICE: STUDENTS

Ald. Greenough raised a point of concern about the provision of bus service for school students from the Montebello subdivision, requesting that the matter be referred to the School Board, to determine whether school bus service could be provided until such time as the area is adequately served by Metro Transit.

MOTION: To refer the matter of busing students from the Montebello Subdivision, back to the School

Board for review, to determine if some interim solution might be found until such time as regular transit service can be extended to the Montebello area.

Moved: Ald. Greenough
Second: Ald. Hawley

Ald. Hetherington referred to a similar problem in his ward with school children at the elementary level who reside at borderline distances from their schools and are not presently being transported on school buses. He requested that the entire busing policy for students be looked at by the School Board. Members were willing to have the motion include this additional request. Also, to include a request from Ald. Sarto that the Board consider elementary students from Ward 1, who reside in the Valkyrie/Cranberry Crescent area. With these additions to the motion, the vote was taken.

In Favour: All
Against: None
Motion Carried

DRAINAGE: FOX GROVE ESTATES

Ald. MacFarlane requested that the Engineering Dept. take action to have a drainage committment on the part of the Fox Grove Estates developer, completed. Mr. Fougere was asked to give this request his attention, and in addition, Ald. Billard asked that a problem at 76 Joffre Street, caused by the Fox Grove development, also be given attention.

1.0

PUBLIC HEARINGS

i)

APPLICATION TO AMEND LAND USE BY-LAW - DAWN DRIVE

APPLICATION:
DAWN DRIVE

Council set this date for public hearing of an application from Dartmouth Metals & Bottle Ltd. to amend the Land Use By-law in order to rezone Lot M-A, Dawn Drive, from I-2 Zone to I-4 (Salvage) Zone. This zoning change will permit the establishment of a scrap yard at the Dawn Drive location, in the Burnside Ind. Park, a relocation of the scrap yard operation presently located on Windmill Road. The Planning Dept. has recommended that Council approve the rezoning request.

All members of Council were recorded as being present for the public hearing.

Mr. L'Esperance made the Planning Dept. presentation to Council. He was asked by Ald. Woods about an environmental impact statement, and the fact that one has not been included with the documentation circulated. Mr. L'Esperance noted that the Land Use By-law does not presently have this requirement. The question was pursued further with the City Solicitor by several members, and she said that if Council wishes to have such a requirement incorporated for scrap yard zoning, it can be included under I-4 zoning as a requirement. She agreed to look at the point raised and to give it further consideration.

Reference was made to the fact that the applicant in this instance will have to provide evidence of the necessary approvals from other governmental agencies, where environmental aspects are concerned, before the scrap yard itself can be put in operation. At this time, Council is dealing with the zoning of the land as such and not the building permit, which involves environmental approvals from government levels other than municipal.

The other particular inquiry raised was about the possible need for a turning lane into Dawn Drive, to accommodate the additional truck traffic that the scrap yard can be expected to generate. This point was raised by Ald. Hetherington, and he later requested that consideration be given to a turning lane on Windmill Road at Dawn Drive, to alleviate any further traffic congestion on what is already a heavily-travelled traffic artery.

The Mayor opened the public hearing and called for any speakers in favour of the rezoning application. Council heard Mr. Wm. Chisholm and Mr. Peter Guyverson, representing Dartmouth Metals & Bottle Ltd.

Mr. Chisholm pointed out that the relocation of the scrap yard on Windmill Road, to a site in the industrial park, is in keeping with a City objective, and will alleviate complaints that such an operation is not aesthetically-acceptable in an area where it has been highly visible. He stated that there will be about 25 trucks per day, delivering metal to the scrap yard on Dawn Drive.

Mr. Guyverson also noted that the idea of the rezoning was to accommodate the wishes of the City. He addressed some of the environmental concerns raised about Power Corp. materials and deposits from batteries,

explaining requirements that have to be met where the transportation and storage of such materials are involved.

The Mayor called twice more for speakers in favour, and when there were none, he called three times for any speakers opposed to the rezoning application. There were no speakers wishing to be heard in opposition to the application.

Members of Council then had the opportunity to ask questions of the Dartmouth Metals & Bottle representatives. Ald. Pye asked for a guarantee that the existing scrap yard on Windmill Road will be terminated by January 1/89, and that no other scrap yard is to be operated in its place on Windmill Road. Mr. Guyverson gave his assurance on this point. The Mayor asked if Mr. Guyverson would be willing to consider an environmental impact study before leaving the present site. Mr. Guyverson indicated his willingness to comply with such a request.

When there were no further questions from members of Council, the public hearing was declared to be closed. A motion to this effect was presented.

MOTION: To close the public hearing of the rezoning application for Lot M-A, Dawn Drive.

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

BY-LAW C-661

Proposed By-law C-661, to accomplish the rezoning from I-2 to I-4, was before Council for approval.

MOTION: That leave be given to introduce the said By-law C-661 and that it now be read a first time.

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

MOTION: That By-law C-661 be read
a second time.

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

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

MOTION: That By-law C-661 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. Thompson
In Favour: All
Against: None
Motion Carried

ii)

APPLICATION TO AMEND LAND USE BY-LAW - FERNHILL DR.

APPLICATION:
FERNHILL DR.

Council has also set this date for public hearing of an application originating with the City to rezone land on Fernhill Drive from R-2 to R-3 Zone. The rezoning would permit the entire site to be used for multiple-family residential development.

On behalf of the City, as applicant, Mr. Burke requested adjournment of the public hearing to an unspecified date.

MOTION: To adjourn the public hearing for
land on Fernhill Drive, to an
unspecified date.

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

2.0

THIRD READING - BY-LAW C-662 - REZONING REQUEST - ALBRO
LAKE ROAD

THIRD READING:
BY-LAW C-662

By-law C-662 (rezoning, Albro Lake lands) was before Council for third reading, having been given first and second reading at the Sept. 13th Council meeting.

MOTION: That By-law C-661 be read
a second time.

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

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

MOTION: That By-law C-661 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. Thompson
In Favour: All
Against: None
Motion Carried

ii)

APPLICATION TO AMEND LAND USE BY-LAW - FERNHILL DR.

APPLICATION:
FERNHILL DR.

Council has also set this date for public hearing of an application originating with the City to rezone land on Fernhill Drive from R-2 to R-3 Zone. The rezoning would permit the entire site to be used for multiple-family residential development.

On behalf of the City, as applicant, Mr. Burke requested adjournment of the public hearing to an unspecified date.

MOTION: To adjourn the public hearing for
land on Fernhill Drive, to an
unspecified date.

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

2.0

THIRD READING - BY-LAW C-662 - REZONING REQUEST - ALBRO
LAKE ROAD

THIRD READING:
BY-LAW C-662

By-law C-662 (rezoning, Albro Lake lands) was before Council for third reading, having been given first and second reading at the Sept. 13th Council meeting.

OCT

MOTION: That By-law C-662 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. Bregante

Ald. Levandier and McCluskey opposed the motion. Ald. McCluskey questioned the statements made by Ald. Withers at the Sept. 20th meeting, with regard to his right to speak on the issue as a resident (ie. after the public hearing was concluded). The Solicitor noted that he would still be entitled to speak as an Alderman, seated as he was as member of Council. Ald. McCluskey said that residents felt they were treated unfairly under the circumstances.

Ald. Billard left the meeting at this point.

Ald. Withers confirmed that he was speaking as an Alderman, and had no misgivings about any conflict of interest situation alluded to. He suggested that area residents were misled by the petition circulated in connection with the Albro Lake development. Ald. McCluskey subsequently clarified the wording of the petition, which she considered to be in order. Ald. Woods was also opposed to the Albro Lake location for a senior citizen housing development, suggesting that it would be much better located on the City land at Pinecrest Dr. and Albro Lake Road. Most other members of Council speaking on third reading, were willing to support it.

The vote was taken on third reading.

In Favour: Ald. Withers, Fye, Hawley
Connors, Greenough, Bregante
Hetherington, Thompson, Sarto
MacFarlane

Against: Ald. McCluskey, Woods, Levandier
Motion Carried

Ald. Levandier left the meeting at this point.

3.0

SECOND APPROVAL - OVER-EXPENDITURE - FUNDING FOR HIGH SCHOOL HOCKEY

SECOND APPROVAL:
HIGH SCHOOL HOCKEY
OVER-EXPENDITURE

Council was asked to give second approval for an over-expenditure in the amount of \$4,138. for the high school hockey program (portion from Sept. to Dec/88) in the amount of \$4,138. First approval was

given at the Sept. 20th meeting of Council.

MOTION: To give second approval for an over-expenditure in the amount of \$4,138. for the high school hockey program (that portion of the program from Sept. to Dec/88), first approval having been given at the Sept. 13th meeting of Council.

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

4.0

REPORTS

4.1

CITY ADMINISTRATOR

4.1.1

TAKEOVER OF CEMETERIES - SUPPLEMENTARY REPORTTAKEOVER OF
CEMETERIES

Mr. Burke has circulated a supplementary report on the takeover of the St. Peter's and Christ Church cemeteries. He has recommended that the City not take over the maintenance of these cemeteries, but continue to pay an annual grant of \$2,500. to the Parishes of St. Peter's and Christ Church.

Ald. Connors felt that the maintenance of cemeteries such as St. Peter's and Christ Church is important, since they represent a part of the history and heritage of a community. He felt the projected operating costs shown in the report are overly high, and that the St. Peter's cemetery could be maintained at considerably less cost than estimated, based on figures provided to him, and taking into account that the Christ Church Cemetery is currently being looked after for about \$12,000., as compared with the estimated cost of \$33,000. indicated in the report. He favoured negotiations with representatives of the St. Peter's Parish, and report back to Council.

MOTION: That the City begin negotiations with St. Peter's, to determine whether acceptable terms can be entered into, relative to a takeover of the cemetery.

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

Mr. Burke made reference to the fact that the St. Peter's Cemetery is one of the properties included in the plan for the Dartmouth Commons, recently approved by Council.

In due course, a report on this item will come back to Council.

4.2

INVESTMENT COMMITTEE

INTERIM REPORT:
SECOND QUARTER

INTERIM REPORT - SECOND QUARTER

4.2.1

The Investment Committee has forwarded a report to Council on City investments for the second quarter of 1988, indicating to Council that the investments have all been made in accordance with the City's Municipal Investment Policy.

Council proceeded to adopt this report.

MOTION: To adopt the report of the Investment Committee for the second quarter of 1988.

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

As agreed to earlier by Council, Ald. Thompson was permitted to introduce a motion with respect to parking restrictions on Hilton Drive, an item deferred from the Sept. 13th meeting.

NO PARKING:
HILTON DR.

NO PARKING - HILTON DRIVE

MOTION: That No Parking signs be installed on both sides of Hilton Drive, restricting parking from 8:00 a.m. to 8:00 p.m., Monday to Friday.

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

OCT

5.0 MOTIONS5.1 ALD. SARTO5.1.1 SIDEWALK CONSTRUCTION PROGRAM - CRANBERRY CRESCENT,
BELLEVISTA DR., & TOPSAIL BLVD.

MOTION: BE IT REQUESTED that Council authorize staff to include for consideration and deliberation in the 1989 capital budget, in the sidewalk construction program, the following locations:

- 1) Cranberry Cres., from Mount Edward Road to Gregory Dr.
- 2) Bellevista Drive - Spring Ave. to Mount Edward Road.
- 3) Topsail Blvd. - Selma Dr. to Dorothea Drive.

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

Ald. Sarto also received permission to add a motion, for which he previously gave notice some time ago but which was not included in the present agenda.

PIPING OF BROOK:
LANDRACE PARK

MOTION: BE IT RESOLVED that Council authorize staff to include in its deliberations of the 1989 capital budget, the completion of the piping of the brook located in the Landrace Park area.

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

5.2 ALD. CONNORS5.2.1 PARKING - HAZLEHURST STREET

MOTION: WHEREAS Hazlehurst Street is a quiet residential neighborhood, which is unfortunately and unnecessarily disturbed on a daily basis by large numbers of cars which park between

9:00 a.m. and 5:00 p.m., while the owners attend work at the Coast Guard Base;

AND WHEREAS this causes a situation which is unsightly and at times, dangerous;

AND WHEREAS this situation has been alleviated in other residential neighborhoods;

BE IT RESOLVED that the City immediately erect signs on Hazelhurst Street, to prohibit on-street parking, Monday to Friday, between the hours of 10:00 to 11:00 a.m.

Moved: Ald. Connors
Second: Ald. Greenough

Ald. Hetherington preferred to have the motion referred to the T.M.G. for discussions with the Transport Canada people first, before any parking restrictions are put into effect by the City. It was requested that the T.M.G. give this item some priority, in view of the large number of items they presently have before them to be dealt with.

MOTION: To refer the motion to the T.M.G. for discussion with Transport Canada representatives.

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

5.2.2 INVENTORY OF ALL CITY STREETS, CURBS & SIDEWALKS

MOTION: WHEREAS the maintenance of sidewalks, curbs, and streets is a fundamental responsibility of the City, which ought to be of high priority;

AND WHEREAS there are many, many sidewalks, curbs and streets throughout the whole City in need of significant repair;

AND WHEREAS, although money is spent annually and some work is done, the City has not shown leadership nor carried out its full responsibilities in this regard, because there is apparently no organized system of street, curb, and sidewalk maintenance, allowing decisions to be made on the basis of political ad hocery;

BE IT RESOLVED that:

- a) the Engineering Dept. prepare an inventory of all City streets, curbs, and sidewalks, including an assessment of present condition and expected lifespan, and replacement costs.
- b) that this inventory be used as the basis for the creation of a system of long-term planned maintenance and replacement.
- c) that upon presentation of this inventory and maintenance and replacement schedule to Council, Council will adopt policies for its periodic review.

Moved: Ald. Connors
Second: Ald. Hetherington

Members generally supported the intent of the motion, but there were some concerns that areas of the City without sidewalks will suffer if priority is given to the kind of repair and maintenance program called for in the motion. Mr. Burke said he would see this program as a step toward looking after street construction we already have, but not with the intention of replacing new construction. Both programs are required.

The vote was taken on the motion.

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

Against: Ald. Pye, Hetherington
Motion Carried

5.2.3

STERNWHEELER & PORTLAND LANDING TAVERNS - AFFECT
ON DOWNTOWN DARTMOUTH BUSINESS AND
RESIDENTIAL COMMUNITY

MOTION: WHEREAS the presence of the Sternwheeler and Portland Landing taverns in the downtown, their hours of operation, entertainment and general operation, have adversely affected the Downtown Dartmouth business and residential community;

AND WHEREAS at a recent meeting attended by City Aldermen, the Police Dept., Downtown business and residents, it was reaffirmed that problems including vandalism, rowdiness, indecency, occur in and around these establishments, with alarming frequency;

AND WHEREAS their continued operation is in direct conflict with:

- a) the residential community.
- b) promotion of retail and other legitimate business, and
- c) the development of tourism.

BE IT RESOLVED that Council request the Nova Scotia Liquor License Board to review the licenses and operation of both these establishments at the earliest opportunity, at a public meeting.

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

Ald. McCluskey had proposed an amendment that would have included two other establishments with the motion, but at the request of the Mayor, she introduced a separate motion, based on the one approved, but substituting the names 'Old Mill Tavern' and 'Clancey's Beverage Room'. The reference in her motion was to the Wyse Road area, instead of to the downtown area (as per the original motion), and the second paragraph of the motion was deleted from her motion. With these revisions, the motion applicable to the 'Old Mill Tavern' and 'Clancey's Beverage Room' was presented.

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

5.2.4 PLAYGROUND - NOVA COURT

MOTION: WHEREAS there are large numbers of children of pre-school age living in the Dartmouth Housing Authority properties located on Nova Court, Scotia Court, and adjacent streets;
AND WHEREAS there is presently inadequate playground equipment for school-age children, and nothing for pre-schoolers;
BE IT RESOLVED that the City, through the Dept. of Parks & Recreation, approach the Dartmouth Housing Authority to share in the establishment of a proper playground, including tot equipment, in time for the summer of 1989.

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

Ald. Hetherington asked for clarification of a point he raised about whether or not the City is able to spend money on land that we do not own, in conjunction with this motion.

5.3 ALD. BILLARD

5.3.1 INVENTORY OF UNDEVELOPED PARKLAND

Ald. Billard's motion was deferred until the next regular meeting, since he was not present at this point to present it.

5.4 ALD. WITHERS

5.4.1 SIDEWALKS - WOODLAND AVE.

MOTION: WHEREAS Woodland Ave, is a heavily-travelled main artery of the City of Dartmouth;

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

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

Ald. Hetherington asked for clarification of a point he raised about whether or not the City is able to spend money on land that we do not own, in conjunction with this motion.

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5.4 ALD. WITHERS

5.4.1 SIDEWALKS - WOODLAND AVE.

MOTION: WHEREAS Woodland Ave, is a heavily-travelled main artery of the City of Dartmouth;

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AND WHEREAS Woodland Ave, is unquestionably one of the gateways to this City;

AND WHEREAS asphalt sidewalks installed over twenty years ago were regarded as a temporary solution toward enhancing the safety of our citizens;

AND WHEREAS that in spite of periodical repairs, such sidewalks continue to be in deplorable and unsafe condition;

THEREFORE BE IT RESOLVED that the Engineering Dept. prepare cost estimates for installation of concrete sidewalks for consideration of inclusion in the 1989 capital budget.

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

5.5 ALD. PYE

5.5.1 URBAN RENEWAL PROGRAM - WARD 5

MOTION: WHEREAS Ward 5 has, in the past, been a victim of poor planning;

AND WHEREAS areas of past developments are now showing visible signs of deteriorating, and are in need of revitalization;

AND WHEREAS Ward 5 contributes more than its fair share in revenue to the City;

THEREFORE BE IT RESOLVED that City Council authorize the expenditure of one million dollars from the capital budget, to be spent each year for the next ten years, on an Urban Renewal Program for Ward 5;

AND BE IT FURTHER RESOLVED that after the expiration of the ten-year program, there will be a review, to determine whether the program will continue.

AND BE IT FURTHER RESOLVED that this capital expenditure will in no way affect Ward 5 in relation to other capital expenditures placed within a capital budget.

Moved: Ald. Pye
Second: Ald. Woods

During debate on the motion, Mr. Bayer commented on the secondary planning process that would be involved to carry out the kind of program the motion is proposing. Members felt that some details of such a process should be available to Council, and some indication of the financial commitment entailed, should be given to Council, before approving any specific financial provision over a ten-year period, as called for in the motion. A motion of referral to staff and the ward Aldermen was therefore put forward.

MOTION: To refer the motion to staff and the ward Aldermen, for a report on the planning process that should be followed, the costs involved, and some indication of funding availability there may be from other government levels to assist with the program.

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

6.0

ENQUIRIES & ANSWERS

ALD. WOODS

Ald. Woods asked if the motion presented on July 12th, with respect to local involvement in the harbour sewage treatment project, has been brought before the other local municipal councils, as requested. He requested information on the inquiry.

Ald. Woods inquired about the status of the project itself, and was advised that details of the subsidiary agreement between the Province and the Federal Government are still in the process of negotiation.

Ald. Woods requested a boat tour of the Tufts Cove outfall, during the week of October 19th; he asked that arrangements be made for such a tour by interested members of Council.

ALD. SARTO

The following enquiries were made by Ald. Sarto:

- 1) he requested that signs restricting trucks from local streets, be erected on Kelly Drive, Valleyfield Road and Spikenard Street.
- 2) he requested that the Police Dept. carry out a count of children crossing the street at Spring Ave. and Collins Grove, to determine if a crosswalk guard is required at this location.
- 3) he asked that appropriate signage or an overhead pedestrian crosswalk sign, be considered for the intersection of Spring Ave. and Bellevista Drive, used by many children and with a heavy volume of traffic at this four-way stop.
- 4) he requested that the T.M.G. consider the need for an overhead pedestrian crosswalk sign at Mount Edward Road and Lucien Drive.
- 5) he requested that consideration be given to a change in the traffic signalization at Main Street and Ridgecrest Drive, to provide for an advance green for inbound traffic wanting to make a left-hand turn at Ridgecrest.

ALD. HAWLEY

Ald. Hawley asked if the time for the Police Headquarters Site Selection Committee ^{meeting} could be changed from 9:30 a.m. on Friday, Sept. 30th. Several members indicated they would not be able to attend at that hour.

ALD. MACFARLANE

Ald. MacFarlane asked if the Province has responded to the offer made by the City to provide land for a performing arts centre on the waterfront. The Mayor advised that no official response has been received.

Ald. MacFarlane asked about the success of the recycling program. The Mayor gave a brief report on the program and some of the initial difficulties experienced with it.

Ald MacFarlane inquired about tickets that have been issued for littering, and the Solicitor commented on the status of the by-law and the amendment required to it at this point.

ALD. THOMPSON

Ald. Thompson asked what has happened with the welcome signs that were to have been erected. Mr. Burke said they have not been forgotten and will be attended to in due course.

Ald. Thompson's second inquiry was about the walkway

still not completed from Hillsburn Court to 103 Spring Ave. He asked that attention be given to this project, since school children are presently taking short-cuts through back yards, when they should be able to use the walkway.

ALD. GREENOUGH

Ald. Greenough's first inquiry was about the proposed golf club development proposed for lands in the Spider Lake area, which involve the City watershed. The Mayor advised that meetings to discuss this situation are being held with the Environment Dept.; he agreed to let Ald. Greenough know when the next meeting with Department representatives is held. Ald. Hetherington noted that a recommendation from the Board of Health, on this item, will be coming to the next meeting of Council.

Ald. Greenough asked about the problems with the boat launching facility at the marina on the waterfront. The Mayor advised that negotiations with the operator are continuing, and it is hoped the problems will have been resolved in time for next year's operation.

ALD. MCCLUSKEY

Ald. McCluskey asked about development activities that appear to be taking place in the County, adjacent to watershed lands. Mr. Fougere said that efforts are being made to monitor the watershed lands insofar as it is possible to do so.

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

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

Ald. McCluskey asked why there has been a delay with overhead crosswalk signs on Crichton Ave., and also, on Wyse Road at the Metropolitan Place location. Mr. Bayer advised that the tender for these has been awarded, and they are receiving priority.

Ald. McCluskey asked what can be done about the problems with garbage at Maritime Apartments, where a proper container is required but has not been provided. She asked the Solicitor to look at the possibility of a prosecution, in order to have the situation resolved for area residents who are affected by the garbage problem.

Ald. McCluskey was concerned about the condition of Portland Street, which she described as 'extremely dirty'.

ALD. PYE

Ald. Pye inquired about crosswalk locations that have been requested at Lake City Woodworkers (across from the bus stop), at Parkstone Road (across from the bus stop), and at Bethel Baptist Church (across from the bus stop). Mr. Bayer advised that these three locations are all included in the list to be acted upon.

A further inquiry from Ald. Sarto was discussed by him later with a member of staff.

7.0

NOTICES OF MOTIONNOTICES OF
MOTION

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

1) Ald. Woods

WHEREAS there is a demonstrated need for seniors' housing in the City of Dartmouth;

AND WHEREAS the City is in possession of a parcel of R-3 zoned land at the corner of Albrow Lake Road and Pinecrest Drive;

AND WHEREAS seniors' housing is a valued asset in any residential community;

THEREFORE BE IT RESOLVED that the City enter negotiations with the Dept. of Housing for the possible development of this lot for senior citizens accommodations.

2) Ald. Connors

WHEREAS spending by candidates in Provincial and Federal elections, is limited and controlled by law;

AND WHEREAS the election expenses of candidates for municipal office are controlled in some of the other provinces;

AND WHEREAS the raising of funds for campaign expenses is also controlled so as to require disclosure of donations in excess of specified amounts;

AND WHEREAS there are sound reasons for such controls, which ensure fairness in the democratic process;

BE IT RESOLVED that Council endorses in principle, the enacting of legislation to limit and control municipal election

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expenses, and election fund-raising;

AND FURTHER, that the Finance & Program Review Committee review options available, and recommend to Council an appropriate course of action to ensure such legislation is in place prior to the 1991 municipal elections.

3) Ald. Thompson

WHEREAS the speed limit on Portland St. changes from 50km. Caldwell Road, to 70 km., then down to 50 km.;

Staff are requested, through the Traffic Management Group, to seek permission from the Dept. of Transportation, to change the speed limit on Portland Street to a maximum of 50 km. within the City limits.

4) Ald. Sarto

(a) BE IT RESOLVED that the Dept. of Parks & Recreation prepare an estimated cost to landscape the plant some trees on the City-owned property along Dorothea Drive, to the entrance of the Settle Park Subdivision, and to refer the estimated cost to the 1989 capital budget for discussion.

(b) BE IT RESOLVED that the Engineering Dept. do an estimate cost of reconstruction of Hilton Drive, and refer the cost to the 1989 capital budget for review.

(c) BE IT RESOLVED that the Engineering Dept. prepare an estimate of the cost to install a sidewalk on Grimes Ave. and Dorothea Drive (Settle Park Subdivision), and that the cost be directed for discussion in the 1989 capital budget.

5) Ald. MacFarlane

(a) WHEREAS the problem of keeping Dartmouth clean is a continuing issue;

AND WHEREAS leadership can and should be provided by the City;

BE IT RESOLVED that staff, in consultation with the Cleaner/Greener Committee, prepare recommendations for a comprehensive approach to awareness, prevention, enforceable legislation, recycling, voluntary;

private sector and publicly-funded initiatives, with a view to costing these initiatives in the 1989 operating budget.

(b) WHEREAS the neighbourhoods of this City continue to experience short-cutting and speeding by commuter traffic;

AND WHEREAS the City is about to institute a Traffic Department;

BE IT RESOLVED that the first priority of this new department will be the resolution of this continuing problem, so that streets intended for residential use will be restored to their original purpose.

- 10.0 REPORTS
- 10.1 CITY ADMINISTRATOR
- 10.1.1 CONSULTING SERVICES FOR THE PREPARATION OF A LONG-TERM MARKETING & DEVELOPMENT STRATEGY FOR INCREASED BUSINESS INVESTMENT IN DARTMOUTH

CONSULTING SERVICES

Proposals have been received for consulting services required to assist the Economic Development Strategy for Increased Business Investment in Dartmouth.

The Industrial Commission has recommended acceptance of the DPA Group's proposal, and in his report to Council on this item, Mr. Burke (T. Rath) has also recommended acceptance of the proposal submitted by the DPA Group, at a cost of \$60,000.; further, that a contract be entered into with the company for the provision of these services.

MOTION: To accept the proposal for consulting services, from the DPA Group, as recommended to Council, for preparation of a long-Term Marketing & Development Strategy for Increased Business Investment; cost of services, \$60,000.

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

- 11.0 REPORTS
11.1 CITY ADMINISTRATOR
11.1.1 TENDERS - STERNS COURT

TENDERS:
STERNS COURT

Report from Mr. Burke (R. Fougere, E. Purdy) on tenders received for Contract 88544 (Sterns Court, roads & services), recommending that the tender be awarded to the lowest bidder, Lakeport Construction, with a bid price of \$152,495.; completion time: 9 months.

MOTION: To award the tender for Contract 88544 (Sterns Court roads & services) to the lowest bidder, Lakeport Construction, as recommended.

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

- 12.1 SOLICITORS
12.1.1 TAXI FARES

TAXI FARES

BY-LAW C-667

Proposed By-law C-667, which will amend the taxi fare structure, as recommended by the Taxi Commission, at their meeting of June 8/88, was before Council for approval. The initial charge is increased to \$1.70 and a milage rate of \$1.30, accomplished by changing the milage fee from 10¢ for 1/12th of a mile travelled, to 10¢ for 1/13th of a mile.

CONFLICT OF INTEREST

Ald. Bregante declared a conflict of interest on this item, based on the fact that his father is a taxi driver. He withdrew from his place on Council.

By-law C-667 was presented for three readings.

MOTION: That leave be given to introduce the said By-law C-667 and that it now be read a first time.

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

MOTION: That By-law C-667 be read a second time.


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

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

MOTION: That By-law C-667 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. McCluskey
Second: Ald. Thompson
In Favour: All
Against: None
Motion Carried

Meeting adjourned at 11:30 p.m.


G. D. Brady,
Deputy City Clerk.

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ITEMS:

- Request: Softball Assn., page 1.
 Bus service: Students, page 1.
 Drainage: Fox Grove Estates, page 2.
- 1.0 Public Hearings, page 2.
- i) Application to amend Land Use By-law - Dawn Dr., page 2 to 5.
 By-law C-661, page 4.
- ii) Application to amend Land Use By-law - Fernhill Dr., pg. 5.
- 2.0 Third reading - By-law C-662 - Rezoning request - Albro
 Lake Road, page 5 & 6.
- 3.0 Second approval - Over-expenditure - Funding for high
 school hockey, page 6
- 4.0 Reports, page 7.
- 4.1 City Administrator, page 7.
- 4.1.1 Takeover of cemeteries - Supplementary report, page 7.
- 4.2 Investment Committee, page 8.
- 4.2.1 Interim report - Second quarter, page 8.
 No Parking - Hilton Dr., page 8.
- 5.0 Motions, page 9.
- 5.1 Ald. Sarto, page 9
- 5.1.1 Sidewalk Construction Program - Cranberry Cres.,
 Bellevista Dr., & Topsail Blvd., page 9
- 5.2 Ald. Connors, page 9.
- 5.2.1 Parking - Hazlehurst St., page 9.
- 5.2.2 Inventory of all City streets, curbs & sidewalks, pg. 10 & 11
- 5.2.3 Sternwheeler & Portland Landing Taverns, page 12
- 5.2.4 Playground - Nova Court, page 13.
- 5.3 Ald. Billard, page 13.
- 5.3.1 Inventory of undeveloped parkland, page 13.
- 5.4 Ald. Withers, page 13.
- 5.4.1 Sidewalks - Woodland Ave., page 13
- 5.5 Ald. Pye, page 14.
- 5.5.1 Urban Renewal Program - Ward 5, page 14
- 6.0 Enquiries & Answers, page 15 to 18.
- 7.0 Notices of Motion, page 18 to 20.
- 10.0 Reports, page 20.
- 10.1 City Administrator, page 20
- 10.1.1 Consulting Services: Long-Term Marketing Strategy, pg. 20.
- 11.0 Reports, page 21.
- 11.1 City Administrator, page 21
- 11.1.1 Tenders - Sterns Court, page 21
- 12.1 Solicitors, page 21.
- 12.1.1 Taxi Fares, page 21
 By-law C-667, page 21 & 22.

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