

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

MEMBERS PRESENT: MAYOR SAVAGE  
ALDERMEN THOMPSON, BILLARD  
MACFARLANE, CONNORS  
LEVANDIER, RODGERS  
MCCLUSKEY, PYE, WOODS  
HAWLEY, GREENOUGH  
WALTON, HETHERINGTON

MEMBER ABSENT: ALD. SARTO

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

INVOCATION

The Invocation was given by Mayor Savage, followed by a moment of silence to remember students and citizens killed during the demonstrations in China.

POINTS OF PRIVILEGE

Members rising on points of privilege were as follows:

- 1) Ald. McCluskey - Ald. McCluskey said she was disappointed by the City's action in closing the manholes used by the County for sludge disposal. The Mayor explained that the County's sludge lagoons are ready and now able to handle this material, which meant the County was not inconvenienced by the closing of the City manholes used for disposal.

Ald. Pye commended the action taken in closing the manholes, on behalf of residents who live in the north-end area affected.

Ald. McCluskey felt that the Tourist Bureau locations in use this summer should be better publicized, so that taxi drivers and other people in service businesses are aware of them.

- 2) Ald. Woods - Ald. Woods thanked Dartmouthians for taking part in the Participation Challenge against Sherbrooke, Quebec. The Challenge was won by the City of Dartmouth.

The Mayor extended sympathy to Ald. Walton and his family on the death of his grandmother, Mrs. Bertha Johnson. Ald. Walton thanked Mayor Savage and Council for their expression of sympathy.

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

MEMBERS PRESENT: MAYOR SAVAGE  
ALDERMEN THOMPSON, BILLARD  
MACFARLANE, CONNORS  
LEVANDIER, RODGERS  
MCCLUSKEY, PYE, WOODS  
HAWLEY, GREENOUGH  
WALTON, HETHERINGTON

MEMBER ABSENT: ALD. SARTO

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

INVOCATION

The Invocation was given by Mayor Savage, followed by a moment of silence to remember students and citizens killed during the demonstrations in China.

POINTS OF PRIVILEGE

Members rising on points of privilege were as follows:

1) Ald. McCluskey - Ald. McCluskey said she was disappointed by the City's action in closing the manholes used by the County for sludge disposal. The Mayor explained that the County's sludge lagoons are ready and now able to handle this material, which meant the County was not inconvenienced by the closing of the City manholes used for disposal.

Ald. Pye commended the action taken in closing the manholes, on behalf of residents who live in the north-end area affected.

Ald. McCluskey felt that the Tourist Bureau locations in use this summer should be better publicized, so that taxi drivers and other people in service businesses are aware of them.

2) Ald. Woods - Ald. Woods thanked Dartmouthians for taking part in the Participation Challenge against Sherbrooke, Quebec. The Challenge was won by the City of Dartmouth.

The Mayor extended sympathy to Ald. Walton and his family on the death of his grandmother, Mrs. Bertha Johnson. Ald. Walton thanked Mayor Savage and Council for their expression of sympathy.

1.0 APPROVAL OF MINUTES

MOTION: To approve the minutes of meetings held on May 2, 9, 16 and 23rd.

Moved: Ald. Hetherington

Second: Ald. McCluskey

In Favour: All

Against: None

Motion Carried

It was noted that the May 16th minutes should have included a notice of motion given by Ald. Walton.

At this time, the Mayor requested that item 4.0 (letter from J. W. Boyle of Boyle's Taxi) be dealt with by Council in camera. Members agreed.

2.0 BUSINESS ARISING OUT OF MINUTES

Further to the May 23rd minutes and the Minor Variance appeal hearing that took place at that meeting, Ald. Levandier requested that answers be provided to questions Mrs. Matthews still has about the Mount Royal development and the number of units they are proposing. He also asked that the Mount Royal permit come to Council for information purposes when it is issued. A motion to this effect was presented.

MOTION: That the Mount Royal building permit for 75 Crichton Ave. come to Council for information purposes when it is being issued.

Moved: Ald. Connors

Second: Ald. Levandier

In Favour: All

Against: None

Motion Carried

3.0 DELEGATIONS & HEARINGS OF PROTEST4.0 ORIGINAL COMMUNICATIONSi) LETTER FROM JOHN W. BOYLE, BOYLE'S TAXI

This item was removed from the agenda to be dealt with in camera at a later point, with Council's concurrence.

5.0 PETITIONS

PETITION - LEAMAN DRIVE RESIDENTS

A petition was presented by Ald. Woods on behalf of Leaman Drive residents, requesting that the City either initiate a regular litter clean-up program for the entire perimeter of Albro Lake, or discontinue the practice of re-stocking the lake.

The residents are also asking that the pathway on City-owned lands behind 14/16 Leaman Drive through to Albro Lake Road, be closed off at one end only - ie. 14/16 Leaman Drive. A motion was presented to refer the petition to the Parks & Recreation Dept. for their consideration.

MOTION: To refer the petition from Leaman Drive residents to the Parks & Recreation Dept. for their consideration.

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

6.0 PRESENTATION1) CANADIAN PARKS SERVICE - MANAGEMENT PLAN FOR HISTORIC SITESPARKS SERVICE  
PRESENTATION

A presentation was given to Council by Mr. Don Chard and Mr. Wm. O'Shea of Canadian Parks Service on plans for the future development of four National Historic Sites in the Halifax-Dartmouth Metropolitan area, namely, York Redoubt, the Prince of Wales Martello Tower, Fort McNab and Georges Island. Public participation is being encouraged in the planning process for these four sites, and following the presentation, a motion of referral for input from two City committees was adopted.

MOTION: To refer the information provided (Newsletter) to the Heritage Advisory Committee and to the Tourist Commission, with a request that they review this material and make recommendations back to Council with respect to input the City should have in the planning process.

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

A question was directed to the Park Service representatives about the site on the south Dartmouth harbour-front, considered to be historically significant as the location from which troops of Gen. Wolfe trained for their landing at Quebec. Ald. Hetherington and Thompson felt that steps should be taken to preserve the site, and Mr. Chard explained the process followed to undertake a site designation for purposes of the Parks Canada inventory, including the involvement of the Historic Sites & Monuments Board.

MOTION: That the feasibility of historic site designation for the Wolfe's Point site, be looked into further with Parks Service staff.

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

Ald. Hetherington and Thompson were willing to follow up further on the motion, on Council's behalf.

Ms. Claudine Fougere, another Parks Service staff member, was heard briefly by Council at the conclusion of this item.

Ald. Hetherington referred to tourism packages that have been delivered to members of Council. He encouraged members to make use of material in the packages whenever they have the opportunity to do so, both to assist visitors to the City and to promote tourism in Dartmouth generally.

7.0 REPORTS

7.1 CITY ADMINISTRATOR

7.1.1 PROPOSAL - HUMAN RESOURCE DEPT. (BY-LAW H-600)

PROPOSAL:  
HUMAN RESOURCE  
DEPT.

BY-LAW H-600

In a report to Council, Mr. Burke has outlined a proposal for a Human Resource Dept. to be established in the City, and he introduced this item to Council with a verbal explanation of the three elements involved to implement this proposal. By-law H-600 has been prepared to accomplish the establishment of a Human Resources Dept.; the by-law was before Council for approval at this time.

MOTION: That leave be given to introduce the said By-law H-600 and that it now be read a first time.

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

MOTION: That By-law H-600 be read a second time.

Moved: Ald. Greenough  
Second: Ald. Pye

Ald. Billard tended to feel that expenditures associated with the proposed Human Resources Dept. should be looked at in conjunction with other budget priorities, rather than in isolation. Mr. Burke gave assurance that provision for the expenditures involved are already included within the 1989 estimates; there has simply been a reallocation of positions and related costs to accomplish the creation of the new department.

Ald. Rodgers asked that Section 4. (1) of the by-law be reviewed by Mr. Burke, to make sure the following categories are covered: rate determination (for salaries); employee discipline; employment standards; human rights. If it is felt that all, or any one of the above-noted categories is not included, Ald. Rodgers asked for an addition (s) to section 4. (1) accordingly.

The vote was taken on second reading.

In Favour: All members except for  
Against: Ald. Billard  
Motion Carried

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

A motion was adopted to approve recommendations from Mr. Burke's report to Council, as follows:

- 1) that D. J. Muzzin be appointed Director of Human Resources, effective immediately at Salary Level 12.
- 2) that the Management Plan, as identified in the report, be adopted and implemented.

MOTION: To approve the recommendations from Mr. Burke's report to Council:

- 1) that D. J. Muzzin be appointed Director of Human Resources, effective immediately, at Salary Level 12.
- 2) that the Management Plan, as identified in the report, be adopted and implemented.

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

7.1.2 PROPOSALS FOR PREPARATION OF PRELIMINARY DESIGN FOR  
DARTMOUTH HERITAGE MUSEUM & TOURIST CENTRE

PROPOSALS:  
MUSEUM & TOURIST  
CENTRE

Mr. Burke has reported to Council on the proposals received for the preparation of a preliminary design report on the proposed development and expansion of the Dartmouth Heritage Museum. This preliminary report will lead to preparation of contract documents for the staged development of the museum expansion, over a 2-3 year period.

Mr. Burke recommends that the consultancy contract be awarded to the firm of Fowler Bauld & Mitchell Ltd., in the amount of a fixed price of \$10,000.

MOTION: To approve Mr. Burke's recommendation that Council approve the awarding of a professional consultancy contract in the amount of a fixed price of \$10,000. to Fowler Bauld & Mitchell Ltd., for the preparation of a preliminary design report on the proposed development and expansion of the Dartmouth Heritage Museum, according to the proposal and terms and conditions of the contractual agreement attached to Mr. Burke's report.

Moved: Ald. Levandier  
Second: Ald. Thompson  
In Favour: All members except  
Against: Ald. Pye  
Motion Carried

7.1.3 APPLICATION, RETAIL VIDEO OUTLET, DISCUS #400, MICMAC MALL

APPLICATION:  
VIDEO OUTLET  
DISCUS #400

Council was asked to indicate any objection to a retail video outlet for MicMac Mall (Discus #400, 21 MicMac Blvd.)

Ald. Rodgers requested clarification of the application from the point of view that the company applying is not a registered Nova Scotia company. This point will be raised with the Consumer Affairs Dept.

MOTION: To indicate no objection on the part of Council to the retail video outlet application for Discus #400, 21 MicMac Blvd (MicMac Mall). The point raised by Ald. Rodgers to be clarified.

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

7.1.4 APPLICATION, RETAIL VIDEO OUTLET, DISCUS #401, PENHORN MALL

APPLICATION:  
VIDEO OUTLET  
DISCUS #401

A second retail video application, for Penhorn Mall (Discus #401, 535 Portland St.), was before Council for any indication of an objection. The same point of clarification, applicable to item 7.1.3, was raised in connection with this application, received from the same company.

MOTION: To indicate no objection on the part of Council to the retail video outlet application for Discus #401, 535 Portland Street (Penhorn Mall). Point raised by Ald. Rodgers about this company to be clarified.

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

7.1.5 APPLICATION, RETAIL VIDEO OUTLET, ARCHERY PLUS LTD.  
121 ILSLEY AVE., UNIT "P"

APPLICATION:  
VIDEO OUTLET  
ARCHERY PLUS LTD.

A retail video outlet application has been received for Archery Plus Ltd., 121 Ilsley Ave, Unit "P". Council was asked to indicate any objection to the application.



MOTION: To indicate no objection on the part of Council to the retail video outlet application for Archery Plus Ltd., 121 Ilsley Ave., Unit "P".

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

7.1.6 APPLICATION, ARCADE, SHORT STOP ARCADE, 32 ALBRO LAKE ROAD

APPLICATION:  
SHORT STOP ARCADE

Council was asked to indicate any objection to an application for an arcade at Short Stop Arcade, 32 Albro Lake Road. Ald. McCluskey noted that five machines are already in operation at this address, and there were questions raised as to how many machines can be placed in operation before an arcade application has to be first approved. Members felt this point should be clarified before any motion is adopted by Council to indicate no objection to the application.

MOTION: To defer any decision on the application for the Short Stop Arcade for two weeks, to clarify the point raised about the number of machines allowed to be in operation before an arcade application has to be approved.

Moved: Ald. McCluskey  
Second: Ald. Thompson  
In Favour: All members except  
Against: Ald. Levandier  
Motion Carried

7.1.7 RETIREMENT BENEFITS - SCHOOL BUS EMPLOYEES

RETIREMENT  
BENEFITS:  
SCHOOL BUS  
EMPLOYEES

Mr. Burke has recommended the adoption of a recommendation from the Dartmouth District School Board, with respect to retirement benefits for school bus employees

MOTION: To adopt the recommendation with respect to retirement benefits for school bus employees, as follows:

That the City implement retroactive sick leave for school bus employees, at a rate of 1.25 days per month of employment, for the period of Feb. 1/78 to March 1/85, and that retirement benefits be paid to those retiring on pension at a rate equal to 50% of the accumulated sick leave in days times the daily rate of pay at retirement.

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

7.1.8 AFFIRMATIVE ACTION CONSTRUCTION CONTRACTS

AFFIRMATIVE  
ACTION CON-  
STRUCTION  
CONTRACTS

Report from Mr. Burke on the pilot project under the Affirmative Action Policy, which provided for special rules applicable to the granting of certain selected contracts, allowing only black businesses to carry out City capital projects. This project has been assessed as completely successful, and on that basis, Mr. Burke has now recommended to Council, an expanded program for 1989.

MOTION: That Mr. Burke's recommendations be adopted, as follows:

- 1) that the City of Dartmouth re-affirm its commitment to the Affirmative Action Business Program.
- 2) that the following projects be selected:
  - a) Oakwood House - paving, landscaping.
  - b) Owen Drive - Sidewalk
  - c) Topsail Blvd., - Sidewalk
  - d) Guy Street to School - Walkway paving.
- 3) that the City Administrator be authorized to enter into agreements for these projects only on a purchase order basis, not to exceed the budgeted sums.
- 4) that a report be prepared at a later date evaluating the impact of this year's proposed program.

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

7.1.9 TENDER - PLAYGROUND EQUIPMENT

TENDER:  
PLAYGROUND  
EQUIPMENT

Tenders have been received for playground equipment at seven locations in the City. A report from Mr. Burke (L. Atkinson, W. Stevens) recommends that the tender be awarded to the lowest bidder in each case.

MOTION: That the tender for playground equipment be awarded to the lowest bidder in each case, for a total amount of \$85,505.70 for Paris Playground Equipment; and \$18,486. for Henderson Playground Equipment, for a total tender price of \$103,991.70.

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

7.2 SOLICITOR

7.2.1 NOISE BY-LAW

NOISE BY-LAW  
BY-LAW N-200

A proposed Noise By-law for the City has been returned to Council by the Solicitor in a re-drafted form, taking into account questions and comments raised by members when the original by-law was presented.

MOTION: That leave be given to introduce the said By-law N-200 and that it now be read a first time.

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

MOTION: That by-law N-200 be read a second time.

Moved: Ald. Pye  
Second: Ald. Hetherington

There was considerable debate in second reading. Some members felt the by-law should have been less specific, particularly in its reference to categories of noise, while other members did not consider that the by-law gives adequate protection from noise in residential neighborhoods, as in the case of automotive businesses located in the Windmill Road corridor. It was requested that the car wash category be deleted from the by-law, due to concerns indicated by a car wash owner about the adverse affect that such restrictions would have on his Main Street operation.

Ald. Walton would have preferred to see a decibel noise-level specific included in the by-law, and Ald. MacFarlane favoured some provision for confidentiality when information is being laid by a resident, to prevent animosity between people living in the same neighborhood. Ald. Hawley's point concerned a distinction in the by-law between boats that are participating in races on the lakes and those travelling at excessive speeds and creating a noise disturbance in doing so. Ald. Hetherington noted that the City Hydroplane Races should be included under Schedule "B", the list of special event exemptions provided for in conjunction with the by-law.

There were other points that individual members asked to have addressed, and it was suggested by the Mayor that members take up their specific interests with the Solicitor before July 14th, giving her time to consider them and prepare the necessary by-law changes, where possible, by the middle of August. The by-law will then come back to Council after the summer recess, in second reading. Members were willing to defer the Noise By-law (and also By-law N-300, the Nuisance By-law) as the Mayor has suggested. A motion to defer was presented.

MOTION: To defer the Noise By-law (also By-law N-300) until after the summer recess (the middle of August), during which time members will bring their comments and points to the Solicitor individually by July 14th, for her consideration and to prepare the appropriate by-law changes, where possible.

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

7.2.2 LOT D-11 LYNGBY AVE.

LOT D-11:  
LYNGBY AVE.  
RESOLUTION 89-29

A further report from the Solicitor was before Council on Lot D-11 Lyngby Ave., recommending the adoption of Resolution 89-29, which authorizes the withdrawal of the purchase price (from Lorraine Horner) from the Capital Reserve Section of the Special Reserve Fund.

Ald. Walton would have preferred to see a decibel noise-level specific included in the by-law, and Ald. MacFarlane favoured some provision for confidentiality when information is being laid by a resident, to prevent animosity between people living in the same neighborhood. Ald. Hawley's point concerned a distinction in the by-law between boats that are participating in races on the lakes and those travelling at excessive speeds and creating a noise disturbance in doing so. Ald. Hetherington noted that the City Hydroplane Races should be included under Schedule "B", the list of special event exemptions provided for in conjunction with the by-law.

There were other points that individual members asked to have addressed, and it was suggested by the Mayor that members take up their specific interests with the Solicitor before July 14th, giving her time to consider them and prepare the necessary by-law changes, where possible, by the middle of August. The by-law will then come back to Council after the summer recess, in second reading. Members were willing to defer the Noise By-law (and also By-law N-300, the Nuisance By-law) as the Mayor has suggested. A motion to defer was presented.

MOTION: To defer the Noise By-law (also By-law N-300) until after the summer recess (the middle of August), during which time members will bring their comments and points to the Solicitor individually by July 14th, for her consideration and to prepare the appropriate by-law changes, where possible.

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

7.2.2 LOT D-11 LYNGBY AVE.

LOT D-11:  
LYNGBY AVE.  
RESOLUTION 89-29

A further report from the Solicitor was before Council on Lot D-11 Lyngby Ave., recommending the adoption of Resolution 89-29, which authorizes the withdrawal of the purchase price (from Lorraine Horner) from the Capital Reserve Section of the Special Reserve Fund.

MOTION: To adopt Resolution 89-29 (Lot D-11 Lyngby Ave.), as recommended by the Solicitor.

Moved: Ald. Hetherington  
Second: Ald. McCluskey  
In Favour: All members except  
Against: Ald. Pye  
Motion Carried

7.3 RECREATION ADVISORY BOARD

7.3.1 RECREATION ACCESSIBILITY POLICY

RECREATION  
ACCESSIBILITY  
POLICY

A proposed Recreation Accessibility Policy, which is being recommended as a result of a motion referred from Council to the Recreation Advisory Board, was before Council for consideration. Mr. Atkinson and Mrs. Geri Kaiser were present for this item, and were recognized by Ald. MacFarlane for their efforts in having this policy prepared. Mrs. Kaiser commented briefly on the Policy and its intent.

MOTION: To adopt the Recreation Accessibility Policy and the recommendation that Council establish an inter-disciplinary committee of staff, citizens and organizations to work toward making the City of Dartmouth a Five Star Community, where education, transportation, housing, employment and recreation are accessible to all citizens.

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

7.4 GRANTS COMMITTEE

7.4.1 1989 GRANT RECOMMENDATIONS

1989 GRANT  
RECOMMENDATIONS

The Grants Committee has submitted recommendations for 1989 grants totalling \$837,500., requiring an over-expenditure in the amount of \$17,500. The budget allocation for grants was \$820,000.

Ald. Hawley presented the Committee's report and the motion for acceptance of it, plus first approval of the \$17,500. over expenditure required.

MOTION: To approve the Grant Committee recommendations for 1989, and to give first approval for the over-expenditure required in the amount of \$17,500. Second approval will be given at the next meeting of Council.

Moved: Ald. Hawley  
Second: Ald. Rodgers

Ald. Walton asked to be provided with a list of those organizations that requested grants but have not been recommended to receive any assistance in 1989. Also, Ald. Connors suggested that a list be circulated from the Mayor's office of recipients who have received funds from the Non-Recurring Grant allocation.

Mr. Brady was asked to provide information on the arrangement made with Woodlawn Church representatives for the fencing of the Woodlawn Cemetery; this information to come to Council at the time of second approval for the over-expenditure.

In Favour: All  
Against: None  
Motion Carried

Ald. Hawley was prepared to introduce a motion at this time, establishing a procedure whereby any and all grant requests coming to the City would be referred, as a matter of course, to the Grants Committee first, for consideration. At the request of the Mayor, Ald. Hawley agreed to give notice of motion to this effect instead of presenting a motion requiring debate at this point in the meeting.

NOTICE OF MOTION: Notice of motion was duly given by Ald. Hawley.  
ALD. HAWLEY

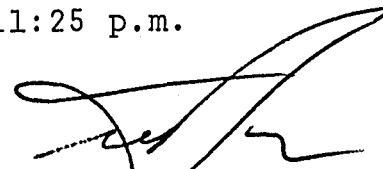
In view of the lateness of the hour, Council agreed to defer three reports from the Transit Advisory Board to the next meeting (June 20th).

Council adjourned to meet in camera, on motion of Ald. Hetherington and Thompson. After reconvening in open meeting, the action taken in camera was ratified.

MOTION: To ratify action taken by Council  
while meeting in camera on this date.

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

The meeting adjourned at 11:25 p.m.



G. D. Brady,  
Deputy City Clerk.



ITEMS:

- Invocation, page 1.
  - Points of Privilege, page 1.
  - 1.0 Approval of minutes, page 2.
  - 2.0 Business Arising out of minutes, page 2.
  - 3.0 Delegations & Hearings of Protest, page 2.
  - 4.0 Original Communications, page 2.
    - i) Letter from John W. Boyle, Boyle's Taxi, pg. 2.
  - 5.0 Petitions, page 2.
    - Petition - Leaman Drive residents, page 3.
  - 6.0 Presentation, page 3.
    - i) Canadian Parks Service - Management Plan for Historic Sites, page 3.
  - 7.0 Reports, page 4.
  - 7.1 City Administrator, page 4.
  - 7.1.1 Proposal - Human Resource Dept., page 4 & 5.
    - By-law H-600, page 4.
  - 7.1.2 Proposals for preparation of preliminary design for Dartmouth Heritage Museum & Tourist Centre, page 6.
  - 7.1.3 Application, retail video outlet, Discus #400, MicMac Mall, page 7.
  - 7.1.4 Application, retail video outlet, Discus #401, Penhorn Mall, page 7.
  - 7.1.5 Application, retail video outlet, Archery Plus Ltd., 121 Ilsley Ave., Unit "P", page 7.
  - 7.1.6 Application, Arcade, Short Stop Arcade, 32 Albrow Lake Rd., pg.8
  - 7.1.7 Retire benefits - School bus employees, page 8.
  - 7.1.8 Affirmative Action construction contracts, page 9.
  - 7.1.9 Tender - Playground equipment, page 9.
  - 7.2 Solicitor, page 10.
  - 7.2.1 Noise By-law, page 10 & 11.
  - 7.2.2 Lot D-11 Lyngby Ave., page 11
    - Resolution 89-29, page 11.
  - 7.3 Recreation Advisory Board, page 12.
  - 7.3.1 Recreation Accessibility Policy, page 12.
  - 7.4 Grants Committee, page 12.
  - 7.4.1 1989 Grant recommendations, page 12
    - Notice of motion: Ald. Hawley, Page 13.
-

LOCATION: CITY COUNCIL CHAMBERS  
TIME: 8:10 P.M.

MEMBERS PRESENT: MAYOR SAVAGE  
ALDERMEN SARTO, THOMPSON  
BILLARD, MACFARLANE  
CONNORS, LEVANDIER  
RODGERS, MCCLUSKEY  
PYE, WOODS, HAWLEY  
GREENOUGH, WALTON  
HETHERINGTON

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

CANOE TEAM TRIALS

Ald. Billard reported to Council that the Lake Banook canoe course for the Junior World Championships worked well during the recent team trials held on the June 17th weekend. He commended the four Nova Scotian paddlers who made the Canadian team: Steve Giles, Craig O'Leary, Leslie-Anne Young, and in particular, Jennifer Naugler of Dartmouth. He noted that Steve Giles is the paddler who appears on the City's promotional poster for the World Championships.

CLOSURE - MCKAY STREET

Ald. MacFarlane presented a motion in support of a request from the residents of McKay Street for their street to be closed on June 29th, from 7:00 to 11:00 p.m., during a neighborhood party.

MOTION: To approve the closure of McKay Street, for a neighborhood party, between the hours of 7:00 p.m. and 11:00 p.m. on June 29th.

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

FIRST JULY MEETING & SUMMER BREAK

Ald. Hetherington proposed that the first Council meeting in July be held on Wed., July 5th, in view of the fact that members of Council are invited to the Tattoo on the evening of July 4th. He also proposed a summer break for Council and presented

a motion to approve these changes.

MOTION: To approve July 5th as the date for the first July Council meeting, and to approve a summer break for Council during the last two weeks of July and the first two weeks of August. The last July Council meeting will therefore take place on July 11th, and the first August meeting, on August 15th.

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

#### CONDITION OF FINDLAY SCHOOL

Ald. Hetherington commented on the present condition of Findlay School, both inside and out, and asked if there is any provision to improve the building this year. He asked to have his concern about the building referred to Mr. Atkinson for a response.

#### 1.0 SECOND APPROVAL - OVER EXPENDITURE - \$17,500 - 1989 GRANTS COMMITTEE RECOMMENDATIONS

SECOND APPROVAL: Council was requested to give second approval for an over-expenditure in the amount of \$17,500. for grant allocations in 1989, over and above the budget provision for this item. First approval was given at the June 13th meeting. Information requested at that time on the agreement for the fencing of Woodlawn Cemetery, has been provided by Mr. Brady.

MOTION: To give second approval for the \$17,500. over-expenditure recommended by the Grants Committee, to cover grant allocations for 1989, over and above the originally-budgeted figure.

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

Concern was expressed by Ald. McCluskey, Connors and MacFarlane that the grant request from the Senior Citizens Service Centre could not have increased over the 4% recommended by the Grants Committee. They favoured an additional allocation for the seniors, and a motion was presented for a \$10,000. over-expenditure to provide for the additional funding they require.

MOTION: To give first approval for an additional \$10,000. over-expenditure so that the grant to the Senior Citizens Service Centre can be increased by that amount.

Moved: Ald. Connors  
Second: Ald. McCluskey

Ald. Levandier felt that if an exception is made for one worthy organization, others will also expect to receive similar considerations; he said the motion circumvents the whole grants process. Ald. Greenough felt that Council should have some justification for the additional over-expenditure before deciding to authorize it.

MOTION: To refer the motion to staff for a report on the request for additional funding (including discussions with the Director for the Service Centre), and for an indication of the impact of receiving it and/or not receiving it.

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

2.0

THIRD READING - BY-LAW H-600 - HUMAN RESOURCE DEPT.

THIRD READING:  
BY-LAW H-600

Proposed By-law H-600, establishing a Dept. of Human Resources for the City, was before Council for third reading at this time. First and second readings were given at the June 13th Council meeting.

MOTION: That By-law H-600 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. MacFarlane  
Second: Ald. Sarto  
In Favour: All  
Against: None  
Motion Carried

3.0 PETITIONi) BUS GATE ON COLUMBO DRIVE

PETITION:  
BUS GATE

A petition from residents of Columbo Drive re a bus gate on that street, was again before Council, having been deferred from the May 30th meeting.

Ald. Greenough advised that the information being prepared on this item has not yet been completed, and he therefore requested a further deferral until the August 15th meeting.

MOTION: To defer the Columbo Drive bus gate item until the August 15th meeting, when information being prepared will be ready for Council.

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

4.0 REPORT4.1 CITY ADMINISTRATOR4.1.1 APPLICATION, ARCADE, SHORT STOP ARCADE, 32 ALBRO LAKE RD.

APPLICATION:  
ARCADE, 32 ALBRO  
LAKE ROAD

The arcade application for 32 Albro Lake Road, was again before Council, with a further report from Mr. Burke in response to points previously raised about what constitutes an arcade and the number of amusement machines allowed, etc.

Ald. Rodgers questioned the licensing of machines by the City when an arcade license had not been granted up to this point by the Consumer Affairs Dept. He also asked if the owner holds a license for a video outlet at this address.

It was recognized that the problem is with a definition of what constitutes an arcade for purposes of the provincial permit, while at the same time, the City is issuing licenses for the operation of individual amusement machines. The

Solicitor was asked to seek clarification of this point, if it can be provided. Mr. Burke has noted in his report to Council that the arcade definition is ' . . . presently under review by the Consumer Affairs Dept.; however, it will be some time before any decision is made'.

MOTION: To defer the item for one week in order to have the Solicitor seek clarification of the point raised about the licensing of arcades. Also, to receive an answer as to whether or not a video license is held by the operator at 32 Albro Lake Rd.

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

Chief Trider addressed Council briefly on this item, noting that amusement machines are in local stores like this one, all over the city, and at present, there is no specific definition for an arcade to cover them. He advised that this particular location at 32 Albro Lake Road is not considered to be a problem by his department.

5.0 MOTIONS

5.1 ALD. MACFARLANE

5.1.1 SALE OF ADVERTISING IN THE FERRY TERMINALS

MOTION: WHEREAS the City of Dartmouth is in need of revenue generators to continue an efficient, economical ferry service;

BE IT RESOLVED that the Transit Advisory Board examine the sale of advertising in the terminals and on the ferries, reporting on its findings and recommendations at the earliest possible time.

Moved: Ald. MacFarlane  
Second: Ald. Thompson

Ald. Billard asked about permission given for CJFX to set up a broadcast booth in the Halifax terminal, and it was suggested that information on the present policy with respect to approvals such as this one, should be checked out with Capt. Keddy and provided when the item goes to the Transit Advisory Board.. Mr. Brady was asked to make note of this request for information. The vote was then taken on the motion.

In Favour: All  
Against: None  
Motion Carried

5.2 ALD. THOMPSON

5.2.1 LIMITATIONS - SIGN BY-LAW

MOTION: To request that staff reassess the current limitations of the existing Sign By-law (ie. setback, size, etc.) giving consideration to safety and Attractive signs.

Moved: Ald. Thompson  
Second: Ald. Pye

Ald. Thompson explained a specific instance he has in mind where the present fifteen-foot restriction for erecting signs is preventing a business in Ward 1 from putting up a sign on their own property. (In case of any possible conflict of interest, the Mayor noted his son's employment with the Cunard company. He did not participate in the debate or vote on the motion.)

Ald. Pye and Woods felt the existing by-law should be enforced more stringently than it is, and they were not in favour of providing for exemptions from the present requirements of the by-law. Ald. Billard requested clarification of a point he raised about the scoreboard sign on the Dartmouth Commons ballfield, bearing the name of the company that erected the sign. He questioned whether the Sign By-law is applicable in this instance, and asked about the permit issued for it. Mr. Bayer responded to other questions about the provisions of the Sign By-law.

In Favour: Ald. Thompson, Sarto, Billard  
MacFarlane, Rodgers, Walton  
Connors, Levandier, Hawley  
Greenough

Against: Ald. Pye, Woods, McCluskey, Hetherington  
Motion Carried

5.3 ALD. LEVANDIER

5.3.1 SERVICE STATIONS

MOTION: To refer to the M.P.S. Review Committee  
and the Planning Dept., the following  
motion:

WHEREAS service stations require special  
permission from City Council to locate  
in the City;

THEREFORE BE IT RESOLVED that when a  
service station in its true form (meaning  
the selling of petroleum products) ceases  
to be such, that the property be turned  
to its previous use.

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

5.4 ALD. WOODS

5.4.1 SHORT-TERM & LONG-TERM OBJECTIVES - COLE HARBOUR AND EASTERN  
PASSAGE

MOTION: WHEREAS the Cole Harbour and Eastern  
Passage areas are experiencing rapid  
residential growth and;

WHEREAS this growth affects several  
facets of Dartmouth life, such as  
volumes of traffic, development and  
population and;

WHEREAS effective planning is vital  
if the City of Dartmouth, Cole Harbour  
and Eastern Passage are to continue to  
grow and develop into attractive, viable  
communities;



BE IT RESOLVED that the staff of the Dartmouth Planning & Development Dept. initiate formal and regular meetings with staff of the County Planning Dept., with a view of each coming to understand the other's short-term and long-range objectives;

AND BE IT FURTHER RESOLVED that Planning staff report at least semi-annually to Council on major issues of City-wide interest.

Moved: Ald. Woods

Second: Ald. Hetherington

Members of Council were generally in favour of the motion, but only questioned whether it is a strong enough statement of the formalizing of the information exchange that is already taking place between City and County Planning Dept. staff. Ald. MacFarlane suggested that perhaps an on-going communication should be taking place as well at the political level. The Mayor noted, during debate, that the motion does not call for amalgamation discussions, and he asked members not to read that inference into it as part of the debate.

In Favour: All

Against: None

Motion Carried

In the interest of time, Ald. Woods was requested to defer his second motion until the next meeting of Council. Ald. Walton was allowed to proceed with his motion at this point.

5.5 ALD. WALTON

5.5.1 AMENDMENTS TO MINIMUM STANDARDS BY-LAW

MOTION: WHEREAS the City of Dartmouth has shown responsibility and awareness with respect to the general appearance of the City and environment;

AND WHEREAS the City has shown leadership by implementing programs such as "Cleaner is Greener", "Michael Recycle", and Minimum Standard and Land Use By-laws:

AND WHEREAS there have been deficiencies identified with the by-laws with respect to the conditions of fencing, landscaping, and unkempt mounds of soil, gravel, etc. on residential properties or commercial property abutting residential property;

THEREFORE BE IT RESOLVED that the Solicitor's Department draft amendments to the appropriate by-laws to include the above-mentioned areas, stating time limits to have such conditions remedied.

Moved: Ald. Walton

Second: Ald. Hetherington

Ald. Sarto asked that attention be given to properties with unlandscaped front yards; the problem of derelict cars that have been abandoned and left on properties; and the present length of time (10 days) that owners are allowed to meet by-law requirements. Ald. Sarto felt this number of days is too long a period of grace for property owners to be given.

Ald. Pye proposed that the third paragraph of the motion be amended to include public properties that abut residential ones. An amendment to this effect was presented.

AMENDMENT: To include in the third paragraph the words 'public properties' abutting residential properties.

Moved: Ald. Pye

Second: Ald. McCluskey

Ald. Hetherington said there is an increasing trend to not cut grass on City land where it is expected of residential property owners. The maintenance of undeveloped City park land in general was discussed further with Mr. Atkinson. He noted that provision for maintenance costs associated with these lands has been taken out of the budget for several years running. Questions were raised about the additional cost the Parks & Recreation Dept. would be facing if all abutting City properties were to be maintained by department staff. Mr. Atkinson said the number of staff required would be considerably higher in that case. The Mayor considered this to be valid point in relation to the amendment.

Mr. Bayer advised Council that a Task Force has had the Minimum Standards By-law under review for some time, and a re-drafted new by-law will be coming to Council before too long. The points brought up in debate will be taken into consideration by the Task Force.

The vote was first taken on the amendment.

In Favour: Ald. Pye, Woods, McCluskey  
Connors, Sarto,  
Walton, Hetherington  
Billard, MacFarlane

Against: Ald. Greenough, Hawley,  
Levandier, Rodgers,  
Thompson.

Amendment Carried

The vote on the amended motion:

In Favour: All members except

Against: Ald. Hawley & Thompson  
Motion Carried, as amended.

6.0

ENQUIRIES & ANSWERS

ENQUIRIES:  
ALD. CONNORS

Enquiries made by Ald. Connors concerned the following items:

- 1) Material from the City of Toronto on the subject of a grape boycott, circulated to members of Council: Ald. Connors suggested that some discretion should be exercised in the amount of material circulated, considering the paper used to reproduce enough copies for all members of Council.
- 2) Invitations and notices of events not received in time for Aldermen to attend them - specifically, the Hire-A-Student Open House on June 15th.
- 3) The Chinese open cities policy, referred to in the FCM brochure: the Mayor advised that this item is on hold at present.
- 4) The decision taken to discontinue having department reports come to Council meetings: Ald. Connors asked to be advised when this decision was made.
- 5) A newspaper item from the Mail/Star for this date, concerning a mega-project in planning stages for the downtown, involving the City Hall site and waterfront lands in the area: Ald. Connors felt a statement should be made about the protection of waterfront lands and their exclusion from any such development proposal. In other words, the interested parties should not be discouraged from their planning, but it should be made clear to them that waterfront lands are not to be included.

Ald. Hetherington noted that the plans referred to by Ald. Connors were discussed in camera by Council in a preliminary format, several weeks ago. The Mayor advised that there has not been any further response since then, and he did not know where the newspaper article originated.

ALD. SARTO

Ald. Sarto asked that action be taken, as discussed with the Engineering Dept., on the property at 19 Lucien Drive.

7.0

NOTICES OF MOTION

Notices of motion given for the first July Council meeting, were as follows:

NOTICES OF  
MOTION

Ald. Billard

ALD. BILLARD

(a) WHEREAS the annual stocking of trout in Oathill Lake attracts many fishermen from far and wide, but who do not care if they leave the area around the lake littered and full of holes where they have been digging for worms;

AND WHEREAS the residents of Lorne Ave. try very hard to keep the margin of that lake clean and free of discarded fish hooks, etc., only to be faced with an increasingly difficult task each summer;

BE IT RESOLVED that the Parks & Recreation Dept. no longer request that Oathill Lake be stocked by the N. S. Dept. of Lands and Forests, and that all future recreational fishing activity be directed towards the lakes in Burnside where such recreational facilities are required.

(b) WHEREAS Dartmouth is recognizing its fine heritage tradition and promoting many of the attractions of our past;

AND WHEREAS the City would also like to raise the level of heritage awareness among its own citizens;

AND WHEREAS the current system of referring to the wards of the City is 'sterile';

BE IT RESOLVED that City Council ask the Heritage Advisory Committee to consider appropriate proper names for the wards, instead of the existing numbers.

Ald. Hetherington

ALD. HETHERINGTON

WHEREAS the City of Dartmouth has taken on the Healthy Community Program;

AND WHEREAS there seems to be a great deal more litter on the streets today;

BE IT RESOLVED that staff look at setting up a by-law that would require all businesses that sell any food-stuff to provide a garbage container outside their business.

Ald. McCluskey

ALD. MCCLUSKEY

WHEREAS the Dartmouth City Charter, Section 167, states that the Council may authorize and provide for the expenditure of money for

- (c) the payment of members of the Council, officers and employees of the City, in connection with expenses incurred by them in attending, upon instructions of the Council, any convention or meeting, wherever held, or attending at any place outside the City, upon the business of the City;

THEREFORE, BE IT RESOLVED that any out-of-town travel expenses for an Alderman be brought before City Council for authorization.

Ald. Rodgers

ALD. RODGERS

WHEREAS the City of Dartmouth has a requirement, of some developers for certain types of development, to deed to the City, a percentage of their land, or money in lieu of;

AND WHEREAS the quality and type of land deeded to the City, in the past, has at times, been questionable;

THEREFORE BE IT RESOLVED that the City of Dartmouth require the approval of Council prior to accepting land or money as stipulated in the Charter, for parks, playgrounds and public use;

AND FURTHER, BE IT RESOLVED that when any request or recommendation comes before Council, it include appropriate documentation (ie. description, plans, etc) showing both the land being considered for transfer and the entire development area, along with a recommendation from Parks & Recreation Dept.

Ald. Hawley

ALD. HAWLEY

BE IT RESOLVED that Myrer Drive be included in the list of streets to be taken over by the City, and that Myrer Drive be listed on the extended list of streets to be upgraded to City standards.

Ald. Connors

ALD. CONNORS

That City staff investigate and report back to Council on the economic feasibility of using recycled paper wherever paper is used in the City's operations, and, if economically feasible, to adopt the use of such paper as a City policy.

8.0 REPORTS8.1 CITY ADMINISTRATOR8.1.1 TENDER - CONTRACT 88549 B, SITE GRADING, PHASE 4, B.I.P.AWARD TENDER:  
CONTRACT 89549B :

Tenders have been received for Contract 88 549 B, Site Grading, Phase 4, Burnside Industrial Park. Mr. Burke recommends that the tender be awarded to the lowest bidder, D. A. Lanthier Construction Co. Ltd., with a bid price of \$545,950.00; completion time - 4 months.

MOTION: To award the tender for Contract 88549 B (site grading, Phase 4, B.I.P.) to the lowest bidder, D. A. Lanthier Construction Co. Ltd., as recommended. Their bid price is \$545,950.; completion time, 4 months.

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

8.1.2 TENDER - VEHICLESAWARD TENDER:  
VEHICLES

Report from Mr. Burke to Council on tenders received for Fire and Water Department vehicles. In each case, the lowest price unit that met specifications, has been recommended, for a total amount of \$30,065. for the Fire Dept., and a total of \$55,133. for the Water Utility.

MOTION: To award tenders to the lowest evaluated bidder for each item, as follows:

- 1) One 1989 Cargo Van (Fire Dept.) to Forbes Chev Olds Ltd.: total tendered price after trade in of \$10,899.00
- 2) Two 1989 Four Door Sedans (Fire Dept.) to Chebucto Ford Sales Ltd.; total tendered price after trade in of \$19,166.00
- 3) One 1989 Four Wheel Drive Downsized Pickup Truck (Water Utility) to Forbes Chev Olds Ltd.: total tendered price of \$14,999.00.
- 4) Two 1989 Full Size 1/2-ton Trucks (Water Utility) to Forbes Chev Olds Ltd.: total tendered price of \$13,483. and \$14,356.00.
- 5) One 1989 Full Size 4 x 2 Pick-Up Truck (Water Utility) to Forbes Chev Olds Ltd.: total tendered price of \$12,295.00.

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

8.1.3 REQUEST FOR PROPOSALS FROM CONSULTANTS FOR PREPARATION OF  
A WATERFRONT DEVELOPMENT PLAN

PROPOSALS:  
WATERFRONT  
DEVELOPMENT  
PLAN

Council considered a report from Mr. Burke (T. Rath) on the proposed preparation of a Dartmouth Waterfront Development Action Plan, in which the Waterfront Development Corp. is prepared to cost-share in the amount of \$30,000. This funding is offered on the basis that the City would be responsible for the balance of the total cost, estimated at \$60,000.

The recommendation is that Council approve the terms of reference attached to Mr. Burke's report, for a request for proposals from consultants for preparation of a Waterfront Development Action Plan.

MOTION: To adopt the recommendation that terms of reference be approved for a request for proposals from consultants for preparation of a Waterfront Development Action Plan.

Moved: Ald. Billard

Second: Ald. Connors

Ald. Connors questioned the inclusion of a hotel marketing study in the terms of reference, and presented an amendment calling for the deletion of section D., with the exception of sub-section 4. (a) and (d).

AMENDMENT: To delete from the terms of reference, section D., with the exception of sub-section 4. (a) and (d). This section will now read:

"To prepare a report setting out research findings and recommendations for:

- a) Preferred sites for hotel development.
- d) Recommendations regarding the timing, scale and nature of development which would be appropriate for the site area specified."

Moved: Ald. Connors

Second: Ald. McCluskey

Ald. Rodgers asked that the recreational and passive public use of land on the waterfront, not be overlooked in the terms of reference, and further, that the land specifics indicate the intention of not going beyond the existing railroad line toward the water.

Ald. Woods asked to have the following sub-section (m) added on page 4, under section C., sub-section 3.:

"Clear identification of significant areas of publicly accessible open space along the waterfront."

Mr. Rath was available to discuss the terms of reference with members and to answer questions concerning the above-noted changes when they were being proposed.



The vote was taken on the amendment.

In Favour: All  
Against: None  
Motion Carried

The motion, as amended:

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

8.1.4 DARTMOUTH FERRY SERVICE TOURISM PROMOTION - PROPOSAL FROM  
 DOWNTOWN DARTMOUTH CORP.

FERRY PROPOSAL:  
 DOWNTOWN DART.  
 CORPORATION

A proposal has been received from the Downtown Dartmouth Corp. for attracting tourists to the Downtown through a ferry promotion program the Corp. is prepared to undertake. The proposal has the support of the Tourist Commission and the Economic Development Dept.

In the report to Council on this item, Mr. Burke (T. Rath) has recommended that Council adopt the proposal for implementation this summer, provided that an evaluation is carried out at the end of the promotion, and is submitted to Council following the summer tourist season.

MOTION: To adopt the recommendation in favour of a proposal submitted by the Downtown Dartmouth Corp. for attracting tourists to the Downtown through a ferry promotion program the Corp. will undertake.

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

Ald. Woods left the meeting at this point.

8.1.5 TENDER - CONTRACT 89-01 - ALDERNEY DR. REALIGNMENT

AWARD TENDER:  
 CONTRACT 89-01

Tenders have been received for Contract 89-01 (the realignment of Alderney Drive). Included is the realignment and reconstruction of Alderney Drive from Ochterloney Street to Portland Street, and the widening of Ochterloney Street from Alderney Drive to the waterfront parking lot.

It is recommended to Council that the tender be awarded to the lowest bidder, Ocean Contractors Ltd., with a bid price of \$447,607.00; completion by Oct. 15/89.

The additional cost, over and above the amount budgeted for the project, will be covered from the difference between budget and tender prices on previously-awarded tenders. Ald. Rodgers asked that the funds be applied from City-wide projects rather than ward projects.

MOTION: To award the tender for Contract 89-01 (Alderney Drive realignment) to the lowest bidder, Ocean Contractors Ltd., as recommended. Their bid price is \$447,607.00; completion by Oct. 15/89.

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

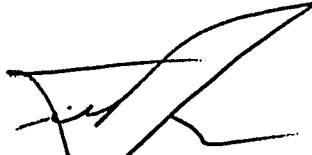
(Council agreed to continue meeting beyond the hour of 11:00 p.m., on motion of Ald. Greenough and MacFarlane.)

Council adjourned to meet in camera for additional items of business. After reconvening in open meeting, the action taken in camera was ratified.

MOTION: To ratify the action taken in camera on this date, both before and after the regular meeting.

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

Meeting adjourned at 11:15 p.m.



G. D. Brady,  
Deputy City Clerk.

ITEMS:

- Canoe team trials, page 1.
  - Closure - McKay Street, page 1.
  - First July meeting & summer break, page 1.
  - Condition of Findlay School, page 2.
  - 1.0 Second approval - over expenditure - \$17,500. - 1989 Grants Committee recommendations, page 2.
  - 2.0 Third reading - By-law H-600 - Human Resource Dept., page 3.
  - 3.0 Petition, page 4.
    - i) Bus gate on Columbo Dr., page 4.
  - 4.0 Report, page 4.
  - 4.1 City Administrator, page 4.
  - 4.1.1 Application, Arcade, Short Stop Arcade, 32 Albro Lake Rd, pg. 4
  - 5.0 Motions, page 5.
  - 5.1 Ald. MacFarlane, page 5.
  - 5.1.1 Sale of advertising in the ferry terminals, page 5.
  - 5.2 Ald. Thompson, page 6.
  - 5.2.1 Limitations - Sign By-law, page 6.
  - 5.3 Ald. Levandier, page 7.
  - 5.3.1 Service Stations, page 7.
  - 5.4 Ald. Woods, page 7.
  - 5.4.1 Short-term & Long-term objectives - Cole Harbour and Eastern Passage, page 7
  - 5.5 Ald. Walton, page 8.
  - 5.5.1 Amendments to Minimum Standards By-law, page 8 & 9.
  - 6.0 Enquiries & answers, page 10.
  - 7.0 Notices of Motion, page 11 to 13.
  - 8.0 Reports, page 13.
  - 8.1 City Administrator, page 13.
  - 8.1.1 Tender - Contract 89549B, Site grading, Phase 4, B.I.P., pg. 13
  - 8.1.2 Tender - Vehicles, page 13.
  - 8.1.3 Request for proposals from consultants for preparation of a Waterfront Development Plan, page 14 & 15.
  - 8.1.4 Dartmouth Ferry Service Tourism Promotion - Proposal from Downtown Dartmouth Corp., page 16.
  - 8.1.5 Tender - Contract 89-01; Alderney Dr. realignment, page 16.
-

DARTMOUTH CITY COUNCIL

JUNE 27, 1989

LOCATION: CITY COUNCIL CHAMBERS  
TIME: 8:15 P.M.

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

MEMBER ABSENT: ALD. HETHERINGTON

ACTING CITY ADMINISTRATOR: D. BAYER  
CITY SOLICITOR: S. HOOD  
CITY CLERK-TREASURER: B. SMITH  
DEPARTMENT HEADS & ASSISTANTS

ITEM ADDED TO THE AGENDA

Ald. Billard requested the permission of Council to add an item from the Commons Committee, to the agenda. Council was willing to add the item.

ST. JOHN AMBULANCE COMPETITION

Ald. Billard asked that a letter of congratulation be forwarded to the local St. John Ambulance unit, on their participation in national competitions in Ottawa, where the Nova Scotia team won the silver medal. Ald. Billard commended what he called a remarkable achievement for the team.

HOURS OF OPERATION - MAYBANK FIELD

Ald. McCluskey brought to the attention of Council, the late-night use of Maybank Field for ball-games, causing a disturbance in neighboring residential areas. She asked that Mr. Atkinson look into the ramifications of closing this field at 10:00 p.m., in the same way as tennis courts are closed at that hour.

Council agreed to deal first with item 3.4.1 (Quarterly Report, Dartmouth District School Board), for which Mr. Harrison and a number of School Board members were present.

3.4 DARTMOUTH DISTRICT SCHOOL BOARD

3.4.1 QUARTERLY REPORT

REPORT: SCHOOL  
BOARD

Mr. Harrison, Supt. of Schools for the City, presented to Council the quarterly report of the Dartmouth District

School Board, copies of which were circulated with the agenda for this meeting.

Mr. Harrison highlighted the report, under the main headings of Enrollment, Programme, School Busing, and Maintenance. He was then available to answer any questions from members of Council.

The Chairman of the School Board, Mr. Lauchie Fredericks, then addressed Council. He noted that 1989 is the 100th Anniversary of public education in Dartmouth, and celebrations to mark this event are being planned for the fall. Mr. Fredericks went on to respond to a question raised at budget time as to what the City receives from the extra funding provided for education. He referred to the outstanding reputation of Dartmouth students who go on to university from our system, and on the efforts that are made in the system to meet all of the varying needs of individual children and to maximize the potential they have for learning. In conclusion, he commented on the unique relationship that has existed in Dartmouth between the School Board and the City, in that City services are purchased by the Board.

Ald. Pye commented on the over-crowding that exists in County schools just outside City boundaries. He asked if consideration has ever been given to busing students from these County schools into the City, where classroom space is available, rather than building new schools to educate them. Mr. Harrison said that any such request from the County would certainly be looked at by the Board, but the request would have to come from them before any such consideration was given.

The Mayor thanked Mr. Harrison, the Chairman, and other School Board members for attending Council and making their presentation.

Council agreed to deal next with item 4.2.1 (Actuarial Valuation), for which Ms. Marilyn MacKenzie of the Wyatt Company was present.

4.2 PENSION COMMITTEE

4.2.1 ACTUARIAL VALUATION

ACTUARIAL  
VALUATION

An Actuarial Valuation of the Employees' Retirement Pension Plan, as at Dec. 31/88, has been carried out by the Wyatt Company and recommended to Council by

the Pension Committee for approval.

Ms. Marilyn MacKenzie was present from the Wyatt Company, to review the report with Council and to answer any questions from members. Ald. McCluskey had questions about the indexing of pensions paid to the surviving spouses of deceased former City employees. She was concerned that these pensions are not being indexed on a regular basis, although Ald. Greenough, Chairman of the Pension Committee, advised that they have been indexed in the past periodically. Further consideration of additional indexing has been deferred until September, in view of significant pension plan changes that are to be considered at that time.

Ald. Rodgers requested information by the next Council meeting on any spouses of deceased former employees who may be receiving social assistance; if there are any in this position, how many.

Other questions, relating to actuarial details, were answered by Ms. MacKenzie and Mr. Smith.

MOTION: To approve the Actuarial Valuation, as at Dec. 31/88, as recommended by the Pension Committee.

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

#### COMMONS COMMITTEE REPORT

##### TENDER - CONSULTING SERVICES

TENDER:  
CONSULTING  
SERVICES

Proposals have been received for the preparation of the Dartmouth Commons Enhancement Plan, and the Dartmouth Commons Committee has recommended that the proposal submitted by Sperry/MacLennan be accepted, with a bid price in the amount of \$19,500.

MOTION: To accept the proposal from Sperry/MacLennan for preparation of the Dartmouth Commons Enhancement Plan, as recommended by the Commons Committee. the bid price for this proposal is \$19,500.

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

Ald. Connors advised that this item will come back to Council, through the Commons Committee, by November. It was noted that provision for the consulting expenditure was included in the 1989 budget estimates.

1.0 REPORT

1.1 CITY ADMINISTRATOR

1.1.1 APPLICATION, ARCADE, SHORT STOP ARCADE, 32 ALBRO LAKE RD.

ARCADE  
APPLICATION:  
32 ABLRO LAKE  
ROAD

A further supplementary report, prepared by the Solicitor, was before Council, in response to questions previously raised about the definition of an arcade for purposes of an arcade license.

Ald. McCluskey asked about the number of machines presently being operated at 32 Albro Lake Road. The Police Chief advised that there are five as of this date. Chief Trider and Mr. Smith provided Council with information on various locations where machines are being operated, and on the licensing requirements for them. Ald. McCluskey continued to indicate her concerns about the issuing of arcade licenses by the Consumer Affairs Dept., and the lack of restriction on the number of machines that can be put in operation at any given location.

The Mayor suggested that a committee, consisting of Ald. McCluskey and Woods, look at this licensing problem in depth, and bring back a report to Council. Ald. Connors said the committee should report back within two months time and then be disbanded. When a motion was presented to form the committee, this provision was included.

MOTION: That a committee be formed, to consist of Ald. McCluskey and Woods, to look at problems associated with arcade and amusement machine licenses, for report back to Council within two months time, at which point the committee will be disbanded.

Moved: Ald. McCluskey  
Second: Ald. Woods  
In Favour: All members except  
Against: Ald. Levandier, Billard  
Motion Carried

Council was asked to give some response to the application for 32 Albro Lake Road, for submission to the Consumer Affairs Dept.

MOTION: To indicate an objection on the part of Council to the Arcade Application for 32 Albro Lake Road (Short Stop Arcade).

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

2.0

MOTIONS

2.1

ALD. WOODS

2.1.1

BUS GATE - HIGHFIELD PARK DR. & PINECREST DR.

MOTION: WHEREAS we are experiencing a surplus in Ward 5 portion of the 1989 capital budget;

AND WHEREAS Metro Transit wishes to install a bus gate between Highfield Park Drive and Pinecrest Drive, but does not have sufficient funds to proceed with the installation at this time;

BE IT RESOLVED that the City Administrator and the Solicitor begin negotiations for the purchase of property required next to John MacNeil School, and Engineering Dept. provide a forecast of surplus capital funds in the Ward 5 allocation.

Moved: Ald. Woods  
Second: Ald. Pye  
In Favour: Ald. members except  
Against: Ald. Levandier, Billard  
Motion Carried



- 3.0 REPORTS
- 3.1 SOLICITORS
- 3.1.1 INSURANCE REQUIREMENTS - COMPANIES HANDLING HAZARDOUS MATERIALS

INSURANCE:  
HAZARDOUS  
MATERIALS

As directed by Council, the Solicitor has examined the possibility of drafting a by-law enabling the City to request a bond over and above normal insurance requirements, from companies handling hazardous materials.

The report to Council on this subject recommends that Council not pass a by-law, in view of provincial regulations to be enacted in the same field.

MOTION: To receive and file the report from the Solicitor on the subject Insurance Requirements - Companies Handling Hazardous Materials.

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

- 3.1.2 BURNSIDE INN & MARINA LTD.

BURNSIDE INN  
& MARINA LTD.:  
RESOLUTION 89-30

The Solicitor has recommended that Council pass Resolution 89-30, which authorizes the withdrawal of \$249,739.38 from the Burnside Sale of Land Account, to repurchase Lot C from Burnside Inn & Marina Ltd.

MOTION: To approve Resolution 89-30, authorizing the withdrawal of funds from the Burnside Sale of Land Account to repurchase land from Burnside Inn & Marina Ltd.

Moved: Ald. Greenough  
Second: Ald. Sarto  
In Favour: All members except  
Against: Ald. McCluskey  
Motion Carried

3.1.3 ENFORCEMENT - LITTERING BY-LAWENFORCEMENT:  
LITTERING BY-LAW

Added to the agenda at this point was proposed By-law C-677, an amendment to the Penalties By-law for purposes of enforcing the Littering By-law. This amendment will permit tickets to be issued by police and by commissionaires for violations of the Littering By-law in the City, in particular, the downtown area.

MOTION: That leave be given to introduce the said By-law C-677 and that it now be read a first time.

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

The Solicitor responded to questions about the intent of the new by-law, in relation to a stepped-up campaign to deal with littering problems, as discussed at the June 26th Police Commission meeting. The Mayor also commented on the concerns that both Council and the Police Commission have expressed to him about the need for enforcement of littering regulations in the City.

MOTION: That By-law C-677 be read a second time.

Moved: Ald. Sarto  
Second: Ald. Pye  
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-677 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. Connors  
In Favour: All  
Against: None  
Motion Carried

3.2 FINANCE & PROGRAM REVIEW COMMITTEE3.2.1 EXPANSION OF APPROVED LIST OF INVESTEES - SUPPLEMENTARY REPORTEXPANSION: LIST  
OF INVESTEES

The Finance & Program Review Committee has given consideration to the Investment Committee recommendation that the City Investment Policy be expanded to include investments in all institutions rated in the R-1 category by the Dominion Bond Rating Service, not just financial institutions. The Finance Committee has subsequently made several recommendations to Council on this item.

MOTION: To adopt the recommendations of the Finance & Program Review Committee on the proposed expansion of approved list of investees, and related Investment Policy changes; the recommendations are:

- 1) that the Investment Policy be amended to allow investments in all institutions rated R-1 by D.B.R.S., as recommended by the Investment Committee.
- 2) that Council receive the 1988 annual report of the Investment Committee, and adopt the recommendations contained therein.
- 3) that Council approve the revised Investment Policy, dated May, 1989.

Presentation of the above-noted recommendations was made by Ald. Connors, Chairman of the Finance & Program Review Committee.

Moved: Ald. Connors  
Second: Ald. Greenough

A point was raised by Ald. Billard about a policy with respect to doing business with companies that have known interests in South Africa. He felt this point needs to be addressed by Council or by a committee, if there is no firm policy statement in effect at this present time. The Mayor noted that Council's support for a resolution on South Africa was given some time ago, but both he and Ald. Connors, agreed that the position of the City should be clearly stated and in relation to our investment portfolio as well. Ald. Connors suggested that Mr. Smith or Mr. Corrigan look at any impact this consideration may have on our investment portfolio.

In Favour: All  
Against: None  
Motion Carried

Council dealt next with item 4.1.1 (Contract 89521).

4.0 REPORTS

4.1 CITY ADMINISTRATOR

4.1.1 CONTRACT 89521, LOT CLEANUP & FENCING, B.I.P.

CONTRACT 89521  
AWARD TENDER

Tenders have been received for Contract 89521 (Lot cleanup & fencing, B.I.P.). The report to Council from Mr. Burke (R. Fougere, E. Purdy) recommends that the tender be awarded to the lowest bidder, Lakeport Contracting Ltd., with a bid price of \$37,192.50; completion time - 2 months.

MOTION: To award the tender for Contract 89521 to the lowest bidder, Lakeport Contracting Ltd., with a bid price of \$37,192.50., as recommended.

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

Mr. Brian Smith of Metro Transit was present for the items from the Transit Advisory Board, which follow.

3.3 TRANSIT ADVISORY BOARD

3.3.1 PENHORN MALL TRANSIT TERMINAL

PENHORN MALL  
TRANSIT TERMINAL

The Transit Advisory Board has dealt with the subject of locating and upgrading the Penhorn Mall transit terminal, and has made a recommendation to Council on this item.

MOTION: To adopt the recommendation of the Transit Advisory Board, as follows:

The Board recommends to Council the installation of the proposed Penhorn Mall Transit Terminal at the site designated, as per the request from the Metropolitan Authority, and that the letter, outlining details of the site and land required, be referred to

the City Administrator for appropriate staff report, which is to go to Council in conjunction with the Board's recommendation.

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

3.3.2 FERRY FARE INCREASE

FERRY FARE  
INCREASE

The Transit Advisory Board has recommended a 15¢ fare increase in fares to travel on the Dartmouth ferry, effective as of Sept. 5/89.

MOTION: To adopt the recommendation of the Transit Advisory Board that Dartmouth ferry fares be increased by 15¢, effective as of Sept. 5/89.

Moved: Ald. Sarto  
Second: Ald. Greenough  
In Favour: All members except  
Against: Ald. Levandier  
Motion Carried

In response to a question from Ald. Connors about the inclusion of lighting costs for the ferry terminal park and the parking lot in the ferry operation budget, Mr. Bayer advised that these electrical costs were not in the ferry budget in 1989; they were budgeted for elsewhere. The Mayor advised Ald. Connors that points raised in the letter of June 2/89 from Colin May, will be addressed and there will be a response to them.

3.3.3 LANE CLOSURE - MACKAY BRIDGE

LANE CLOSURE:  
MACKAY BRIDGE

On the subject of the present lane closure on the A. Murray MacKay Bridge, the Transit Advisory Board has made a recommendation to Council, in response to a memo of concern the Board received from Mayor Savage about anticipated traffic problems.

MOTION: To ratify the action that has been taken on the recommendation from the Transit Advisory Board, that is, that the City participate jointly with Metro Transit in a media campaign, as a response to

points raised in the Mayor's memo of May 26/89; further, that use of the Woodside ferry service be encouraged by offering for a one-week period, free ferry use to anyone transferring from transit to the ferry service at Woodside.

Moved: Ald. Thompson  
Second: Ald. Rodgers  
In Favour: All members except  
Against: Ald. Billard  
Motion Carried

Ald. Billard questioned the implementation of the Board's recommendation before it was formally approved by Council. It was noted by the Mayor that the lane closure and associated promotion of ferry and transit use, to deal with traffic problems, took place before Council was able to deal with this item. He felt the impetus to the Woodside ferry service would justify costs involved for the one week of free ferry use recommended for transferring transit riders.

#### 3.3.4 . SUPERSTORE MALL TRANSIT SERVICE

##### SUPERSTORE MALL TRANSIT SERVICE

The Transit Advisory Board has considered a petition from Atlantic Superstore customers, requesting transit service to and from the Superstore Mall, and has made a subsequent recommendation to Council.

MOTION: To adopt the recommendation of the Transit Advisory Board that the petition and accompanying letter from Atlantic Superstore, be forwarded, through Council, to the Metropolitan Authority (Metro Transit) for their consideration.

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

#### 3.3.5 FERRY REPORT FOR APRIL

##### FERRY REPORT: APRIL

The Ferry operation report for the month of April has been approved by the Transit Advisory Board and forwarded to Council for adoption.

MOTION: To adopt the Ferry operation report for the month of April.

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

3.3.6 BUS ROUTES 51, 53, & 55

BUS ROUTES  
51, 53, & 55

The Transit Advisory Board has made a recommendation to Council on reduced levels of transit service on routes 51, 53 and 55.

MOTION: To adopt the recommendation of the Transit Advisory Board, as follows:

That the Metropolitan Authority be requested to reconsider the service cut-backs on Routes 51 and 53, in the light of requests for service reinstatement that have been received by both Ald. Pye and Metro Transit. Further, that the Authority also be requested to reconsider the reinstatement of half-hour service during peak travel time, on route 55 as well.

Moved: Ald. Pye  
Second: Ald. Greenough

Ald. Connors had concerns, similar to those about routes 51, 53 and 55, on behalf of seniors who use route 57 and have been affected by cut-backs on that service in the Eastwood Manor area. He asked to have route 57 included with those in the motion and presented an amendment at this point.

AMENDMENT: To include route 57 in the motion before Council.

Moved: Ald. Connors  
Second: Ald. Billard

Members with residents who have been disadvantaged and inconvenienced by the service reductions on Dartmouth transit routes, felt these routes should not have been singled out for cut-backs, and continued to indicate their disagreement with Metro Transit decisions affecting so many people who require transit service. Mr. Smith of Metro Transit provided

what information he could on the transit decisions and on budget cuts that necessitated them.

The vote was taken on the amendment.

In Favour: All  
Against: None  
Amendment Carried

Then on the motion, as amended.

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

3.3.7 BUS SHELTERS

BUS SHELTERS

A recommendation, clarifying a motion passed by the Transit Advisory Board on the subject of bus shelters, was before Council for approval.

MOTION: To adopt the recommendation of the Transit Advisory Board that Council be requested to approve a capital budget allocation in the amount of \$55,000. for 1989, providing for one bus shelter per ward; this allocation to be designated through savings that have been realized through the tendering process for capital projects.

Moved: Ald. Pye  
Second: Ald. Sarto  
In Favour: All members except  
Against: Ald. Levandier & Billard  
Motion Carried

4.3 BOARD OF HEALTH

4.3.1 STRUCTURE OF BOARDS OF HEALTH

STRUCTURE:  
BOARDS OF  
HEALTH

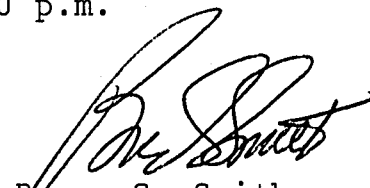
The Board of Health has recommended to Council that the subject of changing the structure of Health Boards (to permit a majority of citizens on them), be forwarded to the U.N.S.M. for consideration.

MOTION: To adopt the recommendation of the Board of Health that the subject of changing the structure of Health Boards be forwarded to the U.N.S.M. for consideration.



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

Meeting adjourned at 10:50 p.m.



Bruce S. Smith,  
City Clerk-Treasurer.

ITEMS:

- Item added to the agenda, page 1.
  - St. John Ambulance competition, page 1.
  - Hours of operation - Maybank Field, page 1.
  - 3.4 Dartmouth District School Board, page 1.
  - 3.4.1 Quarterly report, page 1.
  - 4.2 Pension Committee, page 2.
  - 4.2.1 Actuarial Valuation, page 2.
  - Tender: Consulting Services, page 3 (Commons Comm.)
  - 1.0 Report, page 4.
  - 1.1 City Administrator, page 4.
  - 1.1.1 Application, Arcade, Short Stop Arcade, 32 Albro Lake Rd, pg.4
  - 2.0 Motions, page 5.
  - 2.1 Ald. Woods, page 5.
  - 2.1.1 Bus gate - Highfield Park Dr. & Pinecrest Dr., page 5.
  - 3.0 Reports, page 6.
  - 3.1 Solicitors, page 6.
  - 3.1.1 Insurance requirements - Companies handling hazardous materials, page 6 .
  - 3.1.2 Burnside Inn & Marina Ltd., page 6.
  - Resolution 89-30, page 6.
  - 3.1.3 Enforcement - Littering By-law, page 7.
  - 3.2 Finance & Program Review Committee, page 8.
  - 3.2.1 Expansion of approved list of investees - Supplementary Report, page 8.
  - 4.0 Reports, page 9.
  - 4.1 City Administrator, page 9.
  - 4.1.1 Contract 89521, Lot cleanup & fencing, B.I.P., page 9
  - 3.3 Transit Advisory Board, page 9.
  - 3.3.1 Penhorn Mall transit terminal, page 9.
  - 3.3.2 Ferry fare increase, page 10.
  - 3.3.3 Lane closure - MacKay Bridge, page 10.
  - 3.3.4 Superstore Mall transit service, page 11.
  - 3.3.5 Ferry report for April, page 11.
  - 3.3.6 Bus routes 51, 53 & 55, page 12.
  - 3.3.7 Bus shelters, page 13.
  - 4.3 Board of Health, page 13.
  - 4.3.1 Structure of Boards of Health, page 13.
-