

DARTMOUTH CITY COUNCIL

MAY 1, 1990

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

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

MEMBER ABSENT: ALD. MACFARLANE

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

INVOCATION

The Mayor opened the meeting with the Invocation.

POINT OF PRIVILEGE

Ald. McCluskey rose on a point of privilege requesting that Council send a letter of congratulations to the Moosehead Mounties for bringing the Hardy Cup to Nova Scotia for the first time.

Mayor Savage advised Council that the City is proposing a luncheon to honor them. This is being worked on in conjunction with Moosehead.

Later on in the meeting the General Manager of the Moosehead Mounties gave a verbal report of the events leading to the National Title. He encouraged Council to attend a fund raising reception, scheduled for Friday, May 11 at the Sportsplex, commencing at 7:30 p.m.

HOLIDAY INN - POSTAGE

It was brought to Ald. Hetherington and Ald. McCluskey's attention by Burnside businessmen that advertisements for the Holiday Inn have been received in envelopes which have gone through the City's postage meter. Checks with the City Clerk-Treasurer confirmed that 3,000 envelopes were given first class postage at a cost to the City of \$1,170.

(Ald. Hawley arrived)

Ald. Hetherington indicated that he received a call from Ms. Hall-Williams in Ottawa this evening, explaining that the Holiday Inn has supported the Department of Tourism on different occasions and in return, it was arranged that the letter be distributed for them. Ald. Hetherington felt the practice of return favouritism, for corporate sponsorship, must be stopped. Mayor Savage assured the aldermen that the matter will be referred to staff and Mr. Burke will take the matter under advisement immediately.

Ald. McCluskey felt that a better explanation is required and she expected a report back on the matter.

COMMISSIONER COOPER'S INITIATIVES

Ald. Billard and Council congratulated Commissioner Cooper on his suggestion to save paper by having the large brown envelopes Council receives rendered reuseable by not sticking them and applying an address sticker to the upper left-hand corner.

It was later proposed by Ald. McCluskey that Council pass in their envelopes for reuse.

WASTE WATER MANAGEMENT CHARGES

Ald. Levandier indicated that he has received several calls concerning the most recent water bill including the third phase of charges for the Harbour Cleanup. In light of the apparent slowdown of the process, he wondered if there is any way to defer or slowdown the implementation charges to Dartmouth citizens.

Mayor Savage advised that the Task Force Report is due by June and will be followed by an Environment Impact Study of approximately a year. Construction is therefore unlikely to commence before June 1991. He will pass this matter on to staff for a report.

1.0 APPROVAL OF MINUTES

MOTION: To approve the minutes of meetings held April 3, 10, 17, 1990.

Moved: Ald. Greenough

Second: Ald. Walton

In Favour: All

Against: None

Motion Carried

2.1 BUSINESS ARISING OUT OF MINUTES

Ald. McCluskey noted that a report on the Truck By-law is due next week, as noted in the April 10 minutes. Mr. Burke assured Council that the report will be forthcoming next week, if at all possible.

Referring to the April 3rd minutes, Ald. Rodgers noted that he requested a report from the Social Services Department re Alternative Residential Care Programs and the number of people who might be employed. Although a reply has not been received from the Province, Mr. Greene will try to have a response for the next meeting.

3.0 DELEGATIONS & HEARINGS OF PROTEST

4.0 ORIGINAL COMMUNICATIONS

5.0 PETITIONS

PETITIONS: Although the following petitions were not included on the agenda, Council agreed to hear them.

i) LEVY ON CONDOMINIUM GARBAGE

Council received a petition from members of Halifax Condominium Corporation #15, objecting to the imposition of a levy on their residential garbage, which they pay to have removed by a private garbage contractor. As this results in a direct cost saving to the City, they proposed the following solutions to correct this unfairness:

- a) insure that this levy is waived for their garbage
- b) provide garbage removal which recognizes the unique aspects of condominium living.

Mr. Angus MacGillvray presented the petition of behalf of the condominium owners, noting that one change should be made to the petition. The words 'either of' are to be deleted from the third paragraph.

He asked Council to assist in rectifying the above noted unfairness. Mayor Savage noted that Metropolitan Authority is responsible for this levy not Council.

Mr. MacGillvray felt the costs of garbage removal should be covered by the City, as they pay property taxes, of which a portion is to be used for garbage removal service.

Some aldermen felt that this practice is in fact discriminating against condominium property owners. If they don't get this service, their tax bill should reflect this fact and be reduced.

MOTION: That staff take this matter up with Metropolitan Authority, as soon as possible.

Moved: Ald. McCluskey
Second: Ald. Connors

Mayor Savage requested a report be presented within a month on the discussions Messrs. Fougere and Bernard have with Messrs. MacEachern and Jackson. He felt that when the decision was made to impose the tipping charge, the circumstances of the condominium owners may have been overlooked.

AMENDMENT: That it be forwarded to Metropolitan Authority with Council's support that some satisfactory resolution be arrived at.

Moved: Ald. Greenough
Second: Ald. Hetherington

The Mayor agreed to combine the two motions.

Mr. Fougere noted that the Solid Waste By-law is under revision and although it currently doesn't define a particular number of units above which garbage collection is not provided, the new by-law may.

Concern was expressed regarding whether apartment buildings should be excluded as well. It was noted that a number of the condominiums in question are sublet, thus not owner occupied.

Ald. Hetherington requested staff to provide figures on what a deduction to property taxes would amount to if garbage services were subtracted for condominiums. He referred to a precedent being set with regard to Pollution Control charges if residents are not served by sewers. It was also suggested that this report contain figures for apartment buildings.

The vote was taken on the amended motion.

In Favour: All
Against: None
Amended motion carried

ii)

RESIDENTIAL PARKING PERMITS - ALBRO LAKE ROAD

Council was in receipt of a petition from residents of Albro Lake Road requesting that Albro Lake Road from the corner of Albro Lake Road and Windmill Road to No. 10 Albro Lake Road be designated no parking and that an allowance be made for residential parking permits.

Ald. McCluskey updated Council on the situation in this area since a car dealership has been located at the corner of Windmill Road and Albro Lake Road. Due to a lack of space in their car lot, they are parking vehicles on Albro Lake Road.

Mr. Moreash indicated that placing 'no parking' signs doesn't present a problem, but if parking passes are to be required, an addition will have to be made to the By-law and brought back for enactment. This is a requirement of the Motor Vehicle Act.

MOTION: That the By-law respecting Residential Parking Permits, have Albro Lake Road added and it be brought back to Council next week.

Moved: Ald. McCluskey
Second: Ald. Thompson

It was suggested by Ald. Levandier that a larger issue needs to be addressed, i.e. when service stations close down, the properties should revert to a zoning to reflect adjacent property uses. He noted that he proposed a motion over a year ago for a by-law to be drafted to this effect. It was passed unanimously. Mayor Savage indicated that the Solicitor will get back to Ald. Levandier re this matter.

Concern was expressed regarding the timelag in both the Legal Department and Development Department to process such matters. An additional Solicitor may be required to deal with the workload.

Ald. Connors suggested that the Solicitor consider amending the By-law to give Council under the By-law the power to add streets by motion of Council.

The vote was taken on the motion.

In Favour: All
Against: None
Motion Carried

BRIGHTWOOD GOLF COURSE - DAMAGES

iii) Ald. Rodgers tabled a petition, for acknowledgement purposes only, from residents abutting the golf course who are directly affected by misdirected golf balls. They expressed a concern about the safety of their families and visitors and a change in policy at Brightwood in dealing with property damage.

It was noted that a meeting had taken place with the Brightwood staff and Executive and hopefully the concerns will be addressed. Should this not be the case, he will raise this petition again.

Mayor Savage stressed to Council that there are regular ways to present petitions, which have not been followed this evening. Henceforth this practice should be followed.

6.0 PROCLAMATIONSJIGGER
MOTT DAY"JIGGER" MOTT DAY

Mayor Savage read a proclamation declaring Saturday, May 12, 1990 "Jigger" Mott Day. Mr. Mott and Mrs. Mott were in attendance and were introduced to Council. They were also congratulated on the celebration of their 50th Wedding Anniversary.

MENTAL HEALTH DAY, MAY 1, 1990MENTAL
HEALTH DAY

A proclamation was read by Mayor Savage declaring May 1st, 1990 Mental Health Day in recognition of Mental Health Week.

7.0 REPORTS7.1 CITY ADMINISTRATOR7.1.1 MAYOR AND ALDERMANIC RENUMERATIONMAYOR
& ALDERMANIC
RENUMERATION

A report was before Council from Mr. Bayer, Acting City Administrator, attaching Resolution 90-19 which set remuneration paid to the Mayor, Deputy Mayor and Members of Council for 1990.

MOTION: That Resolution 90-19 be passed.

Moved: Ald. Hetherington

Second: Ald. Greenough

Mayor Savage left the Chair, so as to debate the motion on the floor. He urged Council not to pass the motion.

A number of aldermen objected to this matter being raised by staff when only a short while ago a report was adopted that there be no increases to Council's remuneration until the next election, wherein it would be set for three years. It was noted that this is a strictly routine practice that the City Administrator present such a resolution annually.

Several arguments were presented against raising the remuneration based on the recent tax hike, an increase not given to those on social assistance, the general need to exercise restraint and a symbolic gesture that Council is serious about controlling costs.

Ald. Pye indicated he would not accept any raise and if given he will contribute it to a charity.

Supporting the motion were those who felt a gradual increase would be preferable to a large one a couple of years hence and the need of an incentive to attract quality individuals into municipal politics.

Mayor Savage returned to the Chair and the vote was taken on the motion.

In Favour: Ald. Hawley, Greenough, Hetherington
Walton, Levandier and Sarto
Against: Ald. McCluskey, Billard, Pye, Connors
Woods, Thompson and Rodgers
Motion Defeated

7.1.2 ASBESTOS ABATEMENT IN CITY OWNED BUILDINGS

ASBESTOS
ABATEMENT
TENDER

Tenders have been received for the removal of asbestos from the Museum Building, 4 Fire Stations, Operation Centre, Main Street Pumping Station and Crichton Avenue Community Centre. In his report to Council, Mr. Burke has recommended that the tender for Asbestos Abatement be awarded to the lowest bidder, Asbestos Abatement Ltd., with a bid price of \$38,300.00.

MOTION: To award the tender for Asbestos Abatement to the lowest bidder, Asbestos Abatement Ltd., with a bid price of \$38,300.00.

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

7.1.3 CONTRACT NO. 89552B - BURNSIDE INDUSTRIAL PARK,
PHASES 8-5, 8-6, 8-7 SITE GRADING

CONTRACT NO.
89552B

Tenders have been received for Contract No. 89552B and in Mr. Burke's report to Council, he recommends that it be awarded to the low bidder, D.A. Lanthier Construction Ltd., with a tender price of \$1,127,309.00 and a completion time of eight (8) months.

MOTION: To award Contract 89552B, Burnside Industrial Park - Phases 8-5, 8-6, 8-7 Site Grading, to the low bidder, D.A. Lanthier Construction Ltd., with a tender price of \$1,127,309.00 and a completion time of eight (8) months.

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

7.1.4 STREET NAME CHANGE - HARRIS STREET TO DUSTAN LANE

STREET NAME CHANGE - HARRIS TO DUSTAN LANE
RES. 90-16

A report dated March 28th from Mr. Burke was before Council recommending the approval of Resolution No. 90-16, which changes the name of Harris Street to Dustan Lane.

MOTION: That Council approve Resolution No. 90-16, which changes the name Harris Street to Dustan Lane.

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

7.1.5 TENDER - PLAYGROUND EQUIPMENT

TENDER -
PLAYGROUND
EQUIPMENT

A report dated April 24th from Mr. Burke to Council recommended that the tender be awarded for a total amount of \$48,535.01 for Paris Playground Equipment and \$52,172.00 for Henderson Playground Equipment. It further recommended that \$1,975.00 be awarded to Athletes Wear and \$339.92 be awarded to Drake Marketing, bringing the total tender price to \$103,021.93.

Moved: Ald. Greenough
Second: Ald. Billard

Ald. Billard referred to the fact that the tender came in \$4,000 less than the budgeted amount. He requested that one Paris Tot Play Unit, \$4,420.00 be included in the tender and located on a vacant lot on Joffre Street. He moved an amendment that Council purchase the above-noted equipment with the surplus funds. There was no seconder to this amendment.

Concern was expressed that the City has not been successful in purchasing the Bedford Street property. Nevertheless, the aldermen for the Ward would like to see the equipment acquired and located in another location in that ward.

The vote was taken on the motion.

In Favour: All
Against: None
Motion Carried

7.2 SOLICITOR7.2.1 RESTRUCTURING OF BOARDS AND COMMITTEESRESTRUCTURING
OF BOARDS &
COMMITTEES

Council was in receipt of a report from the Solicitor, dated April 25 on the restructuring of Boards and Committees. Due to the late hour, it was decided to defer the matter until next week, at which time appointments would be made to the respective Boards and Committees.

MOTION: That discussion of the report on the restructuring of Boards and Committees be deferred for one week.

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

8.0 MOTIONS8.1 ALD. HETHERINGTON8.1.1 TAX DEFERRAL - INCREASE TO TAXABLE INCOMEMOTION:

WHEREAS By-law C-670, respecting the deferral of property taxes in certain cases, has a limitation of \$14,000 per year;

AND WHEREAS Statistics Canada shows that incomes between \$17,000 and \$24,800 are at the estimated poverty line for this region, for two to four persons;

BE IT RESOLVED that the City of Dartmouth increase our limit of taxable income to \$19,500 which would properly reflect the 1990 poverty line in this region.

Moved: Ald. Hetherington
Second: Ald. Sarto

Mayor Savage noted that this matter would have to go to the Solicitor, as an amendment to the By-law would be required.

Ald. Connors expressed some concern about the figure used to denote the poverty line. He suggested the matter be referred to the Finance and Program Review Committee to determine whether the figure is appropriate and justifiable.

MOTION: That the Tax Deferral item be referred to the Finance and Program Review Committee.

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

8.2 ALD. WOODS

8.2.1 GOLDEN ACRES PARKLANDS

MOTION:

WHEREAS Dartmouth, being proud of its heritage, has always taken steps to record its historical events in tangible ways;

AND WHEREAS on December 6, 1917, the collision of the ships Mount Blanc and Imo in the Harbour Narrows, resulted in the cannon on the Mount Blanc hurled skyward and landing in the Albro Lake area;

AND WHEREAS the north end residents have been working with the Dept. of Housing to create a sixty-acre 'Golden Acre Park' on the Albro Lake lands;

AND WHEREAS the rightful resting place for this canon is in the north end, rather than at its present location on Wyse Road;

THEREFORE BE IT RESOLVED that if and when the 'Golden Acres' parklands are deeded to the City, the cannon be moved to an appropriate location in the park and mounted on a suitable base, with a bronze plaque which will carry the history of the events surrounding the Explosion.

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

Ald. Woods distributed a map illustrating three possible locations of where the canon might have fallen.

Mr. Burns, who was in attendance at tonight's meeting, recalled visiting the above mentioned site with his father in the spring of 1918 and seeing the canon in the shallow waters of Little Albro Lake.

9.0 ENQUIRIES & ANSWERS

ALD. PYE Ald. Pye sought clarification of how nominations can be made to the Boards and Commissions to be appointed next week. He was advised to have names submitted to Mr. Brady either in writing or by telephone tomorrow. It will also be possible to put forward names from the floor at Council's next meeting.

ALD. RODGERS Ald. Rodgers expressed concern regarding a high speed car chase which took place early Sunday morning through Wards 3 & 4 and resulted in two police cars being seriously damaged. He hoped that it isn't routine for such chases to take place, particularly during daylight hours, for cases of stolen vehicles. Deputy Chief Cole reviewed the Police Department policy re high speed pursuits, noting that officers can be held responsible, if they are found negligent.

ALD. THOMPSON Ald. Thompson expressed concern about the amount of litter which has not been cleaned up through the City, particularly in his ward. He was assured that Mr. Burke will speak to Mr. Fougere regarding this matter.

ALD. BILLARD Ald. Billard referred to an information memorandum re the proposed crossing guard at Lakeview Road and Prince Albert Road. He requested that this guard be installed at this location until the end of summer and until the end of the year. As some members were not in receipt of the above-mentioned report, Mayor Savage read it. The report referred to the fact that at the April 17th Council meeting, Ald. Billard had requested a report from the Police Chief on the need for a crosswalk guard to be put back on the Lakeview Point Road/Prince Albert Road location. The report did not recommend installing a crosswalk guard at this location. The cost quoted for the remainder of 1990 would be \$2,300.

Ald. Billard moved a motion that Council go on record as supporting this over expenditure. There was no seconder for this motion.

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At approximately 10:15 p.m., Council went in camera, on motion of Ald. Thompson and Ald. Greenough.

After reconvening in open meeting, the action taken in camera was ratified.

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

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

Meeting adjourned at 11:15 p.m.


G.D. Brady,
Deputy City Clerk

ITEMS:

- Invocation, page 1
- Point of Privilege, page 1
- Holiday Inn Postage, pages 1 & 2
- Commissioner Cooper's Initiatives, page 2
- Waste Water Management Charges, page 2
- 1.0 Approval of Minutes, page 2
- 2.0 Business Arising out of Minutes, pages 2 & 3
- 3.0 Delegations & Hearings of Protest, page 3
- 4.0 Original Communications, page 3
- 5.0 Petitions, pages 3 to 5
 - i) Levy on Condominium Garbage, pages 3 & 4
 - ii) Residential Parking Permits - Albro Lake Road, pages 4 & 5
 - iii) Brightwood Golf Course - Damages, pages 5 & 6
- 6.0 Proclamations, page 6
 - i) Proclaiming May 12th "Jigger" Mott Day, page 6
 - ii) Mental Health Day, page 6
- 7.0 Reports, pages 6 - 9
 - 7.1 City Administrator, page 6
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 - 7.1.2 Asbestos Abatement in City Owned Buildings, page 7
 - 7.1.3 Contract No. 89552B - Burnside Industrial Park, Phases 8-5, 8-6, 8-7 Site Grading, page 7
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 - 7.1.5 Tender - Playground Equipment, page 8
 - 7.2 Solicitor, page 9
 - 7.2.1 Restructuring of Boards and Committees, page 9 (deferred)
- 8.0 Motions, pages 9 - 11
 - 8.1 Ald. Hetherington, page 9
 - 8.1.1 Tax Deferral - Increase to Taxable Income, page 9 (deferred)
 - 8.2 Ald. Woods, page 10
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- 9.0 Enquiries and Answers, pages 11 - 12
- 10.0 Notices of Motions, page 12

LOCATION: CITY COUNCIL CHAMBERS

TIME: 7:30 P.M.

MEMBERS PRESENT: DEPUTY MAYOR THOMPSON

ALDERMEN SARTO, MACFARLANE
BILLARD, CONNORS
LEVANDIER, RODGERS
MCCLUSKEY, PYE, WOODS
HAWLEY, GREENOUGH
WALTON, HETHERINGTON

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

POINTS OF PRIVILEGE

Members raising points of privilege were as follows:

Ald. Hetherington: requested a complete inquiry by the Fire Dept. in connection with the drowning accident which has occurred on Russell Lake, including information on where the rescue equipment came from, the type of equipment used and the condition of the equipment. Also, the number of firemen involved from Dartmouth and any other areas, and the number of RCMP officers, plus information on the sequence of events from 3:55 p.m. onward, and including a transcript of all Fire and Police calls relating to the incident. All information requested to be contained in report form.

(b) Ald. Hetherington requested a listing of all vehicles leased to the City and information on the individuals and/or departments using them. Is personal use of the vehicles permitted and if so, is that personal use charged to the individual concerned. He asked to have information back for a one-year period, and to have the report in two weeks time.

Ald. Hetherington thanked Mr. Burke and Mr. Rath for information they provided in response to a procedures inquiry he raised at the May 1st Council meeting.

Ald. Walton: Referring to an item from the Monday Daily News, Ald. Walton stated his concerns about what he considered to be a lack of understanding by the Minister of Education, of the funding situation faced by School Boards in the Province, and those in the metropolitan area in particular. He referred specifically to the allocation for capital repairs to school buildings, and the implications of cut-backs

in these areas. Ald. Walton requested that a letter be sent to the Minister, indicating Council's concern about his recent comments and lack of understanding of the funding situation in Dartmouth, as it affects our education system.

Ald. Billard: Ald. Billard informed Council that Dartmouth is being considered as a possible site for the 1994 Senior Canoe Championships (World), and has been chosen for the 1992 Canadian Canoe Championships; these will take place over four days during the second week in August. He said the 1992 Canoe Championships would not effectively cost anything to the City, although Ald. Hawley was concerned that decisions about canoe championship events are made without prior consultation at Council.

Ald. Hawley asked to be advised who is making decisions about the hosting of canoe championship events, and why Council is not being consulted in advance of the decisions. He requested a report, in response to his questions, for discussion at next week's Council meeting.

Ald. McCluskey: With reference to information provided on appraisal services for the City, Ald. McCluskey asked that copies of the proposal call, which she has received, be circulated to all members of Council.

- 1.0 REPORTS
- 1.1 INVESTMENT COMMITTEE
- 1.1.1 REVIEW OF 1989 INVESTMENT ACTIVITIES

REVIEW: 1989
INVESTMENT
ACTIVITIES

Members of Council have received a year-end review report of the City's 1989 investment activities, as prepared by the Deputy City Treasurer and submitted by the Chairman of the Investment Committee, Mr. Robert Thomson. Mr. Thomson was in attendance to present the report to Council. He highlighted the individual sections of the report and answered questions from members about specific items in it. A motion to accept the report was then presented.

MOTION: To accept the review report from the Investment Committee on the City's 1989 investment activities, dated April 27/90.

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

1.1.2 INTERIM REPORT - FIRST QUARTER 1990

INTERIM REPORT

The Investment Committee has also submitted a report on City investments as of March 31/90, indicating to Council that these investments have been made in accordance with the City of Dartmouth Municipal Investment Policy. A motion to accept this report was presented.

MOTION: To accept the report of the Investment Committee on City investments for the first quarter of 1990, to March 31st, as presented.

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

1.2 CITY ADMINISTRATOR

1.2.1 CONTRACT 90-09 - OVERLAY PAVING

AWARD CONTRACT
90-09: OVERLAY
PAVING

Tenders have been received for Contract 90-09 (overlay paving), and Mr. Burke has recommended to Council that the tender be awarded to the lowest bidder, Ocean Contracting Ltd., with a bid price of \$211,881.; completion time: five weeks after the specified earliest start date of June 18/90.

MOTION: To award the tender for Contract 90-09 to the lowest bidder, Ocean Contracting Ltd., as recommended. Their bid price if \$211,881.00.

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

1.3 SOLICITOR1.3.1 RESTRUCTURING OF BOARDS & COMMITTEESRESTRUCTURING:
BOARDS &
COMMITTEES

A report from the Solicitor was before Council on the proposed restructuring of City Boards and Committees, with related by-law amendments and changes to terms of reference where applicable. These amendments and changes have all been detailed in the report, and it concludes with several recommendations, one being to adopt the by-laws prepared to accomplish the necessary amendments. Council therefore proceeded with the by-law approvals, in accordance with the Solicitor's recommendation.

BY-LAW H-101

Proposed By-law H-101 (Heritage Advisory Committee) was before Council for approval.

MOTION: That leave be given to introduce the said By-law H-101 and that it now be read a first time.

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

MOTION: That By-law H-101 be read a second time.

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

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

MOTION: That By-law H-101 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. Hawley
Second: Ald. Sarto
In Favour: All
Against: None
Motion Carried

BY-LAW E-201

Proposed By-law C-201 (Emergency Measures) was before Council for approval as part of the Solicitor's recommendation.

MOTION: That leave be given to introduce the said By-law E-201 and that it now be read a first time.

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

MOTION: That By-law E-201 be read a second time.

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

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

MOTION: That By-law E-201 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. Hetherington
In Favour: All
Against: None
Motion Carried

BY-LAW P-901

Proposed By-law P-901 (Board of Police Commissioners) was before Council as part of the Solicitor's recommendation.

MOTION: That leave be given to introduce the said By-law P-901 and that it now be read a first time.

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

MOTION: That By-law P-901 be read
a second time.

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

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MOTION: That By-law P-901 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. Hawley
In Favour: All
Against: None
Motion Carried

BY-LAW T-502

Proposed By-law T-502 (licensing of taxis) was before
Council as part of the Solicitor's recommendation.

MOTION: That leave be given to introduce
the said By-law T-502 and that
it now be read a first time.

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

MOTION: That By-law T-502 be read a
second time.

Moved: Ald. Hetherington
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 T-502 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. Pye
Second: Ald. Woods
In Favour: All
Against: None
Motion Carried

BY-LAW M-501

Proposed By-law M-501 (Museum Board) was before Council as part of the Solicitor's recommendation.

MOTION: That leave be given to introduce the said By-law M-501 and that it now be read a first time.

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

MOTION: That By-law M-501 be read a second time.

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

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

MOTION: That By-law M-501 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. Hawley
In Favour: All
Against: None
Motion Carried

BY-LAW T-601

Proposed By-law T-601 (Tourist Commission) was before Council as part of the Solicitor's recommendation.

MOTION: That leave be given to introduce the said By-law T-601 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 T-601 be read a second time.

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

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

MOTION: That By-law T-601 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. Hetherington
In Favour: All
Against: None
Motion Carried

BY-LAW I-201

Proposed By-law I-201 (Industrial Commission) was before Council as part of the Solicitor's recommendation.

MOTION: That leave be given to introduce the said By-law I-201 and that it now be read a first time.

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

MOTION: That By-law I-201 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 I-201 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. Rodgers
In Favour: All
Against: None
Motion Carried

RESOLUTION
90-18

The Solicitor has further recommended that Council pass Resolution 90-18, which sets out guidelines applicable to all committees, as per the report from the Finance & Program Review Committee, adopted some time ago by Council.

MOTION: To adopt Resolution 90-18, as recommended by the Solicitor.

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

TERMS OF
REFERENCE

Members of Council agreed to have one motion for approving recommended terms of reference for the following: the Recreation Advisory Board, Dartmouth Lakes Advisory Board, Public Works & Safety Committee, Public Transportation Advisory Committee, Finance & Program Review Committee, and the Grants Committee.

MOTION: To approve the terms of reference, as recommended, for the above-noted Boards and Committees, as circulated in conjunction with the by-laws approved.

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

The final recommendation of the Solicitor, in compliance with recommendations from the Finance & Program Review Committee report, was that no new committee be established without Terms of Reference, or at the least, without Terms of Reference being prepared within one month of the establishment of that committee.

MOTION: To adopt the recommendations of the Solicitor with respect to Terms of Reference for any new committee being established.

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

1.3.2

APPOINTMENTS TO BOARDS AND COMMITTEES

APPOINTMENTS

Council proceeded to the appointments to Boards and Committees, based on the new structure just adopted, and taking into consideration the names of applicants who have indicated their wish to serve on City Boards and Committees.

HUMAN RIGHTS
ADVISORY COMM.Advisory Committee on Human Rights of Dartmouth

The following appointments were confirmed by Council to serve on the Advisory Committee on Human Rights of Dartmouth:

Ald. McCluskey	Ms. Kandi Howe
Ms. Agnes Lindsay	Mr. Ivan Phillips
Ms. Patricia Jardine	Mr. Michael Zatzman
Mr. Greg Blanchard	Mr. Mukhtyar Tomar
Rev. James Chang	Mr. Ashraf Shaikh
Mr. Vincent Marsh	Ms. Mary Edwards

BOARD OF HEALTH

Board of Health

The following appointments were confirmed by Council to serve on the Board of Health:

Mayor Savage	Ald. McCluskey
Ms. Geraldine Phillips	Hetherington
Ms. Marilyn Worth	MacFarlane
Ms. Donna Smith	

COMMONS
COMMITTEECommons Committee

The following appointments were confirmed by Council to serve on the Commons Committee:

Ald. Billard	Ms. Marijke Simons
Mr. Bob Frame	Joan Payzant
Tom Gribbin	Jean Pulsifer
Myles McCormick	

In addition, the following elected representatives also serve on the Commons Committee:

Mr. Ron MacDonald
Hon. Roland Thornhill
Ms. Sandy Jolly
Ald. J. Connors
P. Levandier

COURT HOUSE
COMMISSIONCourt House Commission

Deputy Mayor Thompson was appointed by Council to serve on the Court House Commission. The staff appointment will be made by Mr. Burke

CULTURAL AFFAIRS
COMMITTEECultural Affairs Committee

Appointments to the Cultural Affairs Committee were deferred until a later date, on motion of Ald. Sarto and Hawley.

SCHOOL BOARD

Dartmouth District School Board

The following appointments were confirmed by Council to serve on the Dartmouth District School Board:

Ald. Pye
Rodgers
Walton
MacFarlane

In addition, four elected members serve on the Board, as follows:

Ms. Susan Pring	Mr. L. M. Fredericks
Anne White	John Cunningham

Four Provincial appointees also serve; they are:

Ms. Sandra Everett	Mr. Arnold Langille
Lindsay May	Kenneth Harris

DOWNTOWN
B.I.D.C.

Downtown Business Improvement District Committee

Ald. Levandier was appointed by Council to serve on the Downtown B.I.D.C. Also confirmed on that Committee are:

Sheila Sperry
Mike O'Brien
Paige Bickford
Paul Roderick

DOWNTOWN
REVITALIZATION
COMMITTEE

Downtown Revitalization Committee

In view of the uncertain status of the Downtown Revitalization Committee, appointments were deferred pending clarification, on motion of Ald. Connors and Hetherington.

FINANCE COMMITTEE Finance & Program Review Committee

The following appointments were confirmed by Council to serve on the Finance & Program Review Committee:

Ald. Greenough
Rodgers
Connors
Hetherington

GRANTS COMMITTEE Grants Committee

The following appointments were confirmed by Council to serve on the Grants Committee:

Ald. Hawley
Walton
MacFarlane

The two staff appointments will be made by Mr. Burke.

PORT COMMISSION Halifax-Dartmouth Port Development Commission

Serving as Dartmouth's representative on the Halifax-Dartmouth Port Commission, to November, 1991, is Mr. John Kavanaugh.

HERITAGE
ADVISORY COMM.

Heritage Advisory Board

The following appointments were confirmed by Council to serve on the Heritage Advisory Board:

Ald. Connors
Mr. James Dixon
Robert Northcott
Ms. Suzanne Lewis

Mr. John Davies
Wm. Waugh
Carmen Moir
John MacLeod

Also serving on this Board are: Ms. Joan Payzant
Mr. Harry Chapman
James Harrison

HOSPITAL
COMMISSION

Hospital Commission

Members of Council previously confirmed in their appointment to the Hospital Commission, are:

Ald. Rodgers
Woods
Walton
Billard

HOUSING
COMMITTEE

Housing Committee

The following appointments were confirmed by Council to serve on the Housing Committee:

Mayor Savage
Ald. Walton
Levandier
Rev. David Ferguson

Ms. Laura Legere
Mary Williams
Mr. Larry Worthen

INDUSTRIAL
COMMISSION

Industrial Commission

The following appointments were confirmed by Council to serve on the Industrial Commission:

Mayor Savage
Ald. Greenough
McCluskey
Hawley
Woods

Mr. Wm. Young
Fraser Conrad
C. L. Myra
Charles Douglas
Roger Perry

INVESTMENT
COMMITTEE

Investment Committee

The presently-constituted Investment Committee will remain as appointed; the members are:

Mr. Harry Steele
Robert Thomson
Jack Forbes

LAKES ADVISORY
BOARDLakes Advisory Board

Ald. Hawley was appointed by Council to serve on the Lakes Advisory Board. Other members of this Board are as follows:

Mr. John Slor	Ms. Maureen Vine
Frank Dalziel	Audrey Manzer
Gary McMahon	Jean Wagener
Pat Griggs	Catherine Lunn
Michael Willett	Dr. Donald Gordon
Lawrence MacDonald	Klaus Hellenbrand

M.A.P.C.

Metropolitan Area Planning Commission

Appointments confirmed to M.A.P.C. were: Mayor Savage and Ald. Woods.

METROPOLITAN
AUTHORITYMetropolitan Authority

Appointments confirmed to the Metropolitan Authority were: Mayor Savage
Ald. Rodgers
Levandier

MULTI-SPORT
COMMITTEEMulti-Sport Committee

Appointments confirmed to serve on the Multi-Sport Committee were: Ald. Sarto
Billard
Mr. Walter Vandekieft
Ms. Barbara Hicks

One additional citizen appointment is required to complete the composition of this committee. The staff member will be appointed by Mr. Burke.

M.P.S. REVIEW
COMMITTEEM.P.S. Review Committee

The appointment of Ald. Woods and Pye was confirmed to the M.P.S. Review Committee. Other members of this committee are:

Mr. John MacLeod	Ms. Nancy McInnis-Leek
John Pearston	Audrey Manzer
Richard Boomer	Jean Beeler
Stephen MacDonald	Marianne Feetham
John Hall	Linda Forbes
Peter Connor	Mr. Kent Robinson
F. Axnick	

MUSEUM BOARD

Museum Board

Appointments confirmed to serve on the Museum Board were:

Ald. Pye
Mr. L. J. Payzant
James Harrison
Mrs. Nesta Olive
Mr. Myles McCormick
Guy Williams
Krishan Sharma

NATAL DAY
COMMITTEENatal Day Committee

Ald. Levandier was appointed by Council to serve on the Natal Day Committee.

NON-PROFIT
HOUSINGNon-Profit Housing Committee

The following appointments were confirmed by Council to serve on the Non-Profit Housing Committee:

Ald. Woods	Mr. Gervais Samson
Sarto	Atze Douma
Hetherington	Jim Reardon
Mr. Terry Butler	

PENSION
COMMITTEEPension Committee

The following appointments were confirmed by Council for appointment to the Pension Committee:

Ald. Greenough
Thompson
Rodgers

On motion of Ald. Hawley and Walton, Council named Ald. Greenough to be the Chairman of the Pension Committee, as required under the terms of the Pension By-law, which stipulate that the appointment of the Chairman is to be made by Council.

PUBLIC TRANS-
PORTATION
ADVISORY COMM.Public Transportation Advisory Committee

The following appointments were confirmed by Council for appointment to the Public Transportation Advisory Committee:

Ald. Sarto	Mr. Harry Taggart
Hetherington	Adrian Gallant
Levandier	

PUBLIC WORKS &
SAFETY COMM.Public Works & Safety Committee

The following appointments were confirmed by Council for appointment to the Public Works & Safety Committee:

Ald. Pye

Connors

MacFarlane

Greenough

Ms. Audrey Goodyer (when Committee sits as the Police Commission)

RECREATION
ADVISORY BOARDRecreation Advisory Board

Appointments confirmed to serve on the Recreation Advisory Board were: Ald. Walton
Mr. Charles Weatherby
Ms. Noreen Murphy

Also serving on this Committee are Jean Beeler & Kay Connolly.

REGIONAL
LIBRARY BOARDRegional Library Board

Appointments confirmed to serve on the Regional Library Board were: Ald. Hawley

Ms. Carol Gallant

Linda MacDonald

Joan Fraser

Linda MacQueen

Mr. Larry Graham

Wm. Murphy

Also serving on the Board are Provincial appointees, Donna Boutilier and Laura Shea.

It was agreed by Council that the tenure of the presently-serving members of the Library Board will be maintained until the first of July and the official opening of the new Library facility.

SPORTSPLEX
COMMISSIONSportsplex Commission

Appointments confirmed to serve on the Sportsplex Commission were: Ald. Sarto Mr. Peter Hope
Thompson Charles Dolan
McCluskey Pat Griggs
Billard Jack Regan

TOURIST
COMMISSIONTourist Commission

Appointments confirmed to serve on the Tourist Commission were: Ald. Connors Mr. Murray Gouin
Maj. Wm. Clair Glen Bagnell

Also serving on the Commission are Ms. Pearl MacDougall and Ms. Carol MacDonald.

WATER UTILITY
COMMITTEE

Water Utility Committee

The following appointments were confirmed by Council to serve on the Water Utility Committee:

Ald. Pye	Ald. Greenough
Sarto	Hetherington
Billard	

WINTER CARNIVAL
COMMITTEE

Winter Carnival Committee

Ald. McCluskey was appointed by Council to serve on the Winter Carnival Committee. While citizen appointments to this committee are normally made by the members, Council agreed to include the names of Assad Chedrawe and Mary Edwards, two new applicants who have submitted their names for appointment. The motion to include these two names, moved by Ald. Hawley and Connors, carried.

WYSE ROAD MAIN
STREET BIDC

Wyse Road Main Street B.I.D.C.

Appointments confirmed to serve on the Wyse Road Main Street B.I.D.C. were:

Ald. MacFarlane	Mr. Jan Jachimowicz
Mr. Don Melanson	Brian Smith
Gordon Organ	Wm. Withers
Assad Chedrawe	

(On motion of Ald. Pye and Woods, Council approved meeting beyond the hour of 11:00 p.m.)

1.3.4

RESIDENTIAL PARKING PERMIT BY-LAW

RESIDENTIAL
PARKING BY-LAW
R-201

Proposed By-law R-201 (Residential Parking Permit By-law), which adds a portion of Albro Lake Road, was before Council for approval.

MOTION: That leave be given to introduce the said By-law R-201 and that it now be read a first time.

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

MOTION: That By-law R-201 be read
a second time.

Moved: Ald. McCluskey
Second: Ald. Hawley

Ald. Pye raised a point of concern about authorized parking for the commercial sector in the Windmill Road corridor, and was not willing to see the by-law passed until this concern has been addressed.

MOTION: To refer the by-law to Planning staff for consideration of the question raised about authorized parking provision for commercial vehicles in the Windmill Road corridor.

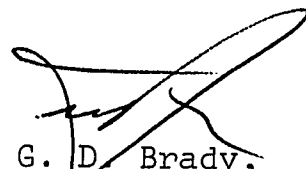
Moved: Ald. Levandier
Second: Ald. Greenough
In Favour: All members except
Against: Ald. McCluskey
Motion Carried

At 11:15 p.m., Council went in camera, on motion of Ald. Greenough and Hawley. Council later reconvened in open meeting to ratify action taken in camera.

MOTION: To ratify the action taken while meeting in camera on this date. (Property items.)

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

Meeting adjourned at 11:35 p.m.


G. D. Brady,
Deputy City Clerk.

ITEMS:

- 1.0 Points of Privilege, page 1 & 2.
- 1.1 Reports, page 2.
- 1.1 Investment Committee, page 2.
- 1.1.1 Review of 1989 Investment activities, page 2.
- 1.1.2 Interim Report, First Quarter 1990, page 3.
- 1.2 City Administrator, page 3.
- 1.2.1 Contract 90-09, overlay paving, page 3.
- 1.3 Solicitor, page 4.
- 1.3.1 Restructuring of Boards & Committees, page 4.
 - By-law H-101, page 4.
 - E-201, page 5.
 - P-901, page 5.
 - T-502, page 6.
 - M-501, page 7.
 - T-601, page 8.
 - I-201, page 8.
- 1.3.2 Resolution 90-18, page 9.
- Terms of reference, page 9.
- Appointments to Boards & Committees, page 10.
- Human Rights Advisory Committee, page 10.
- Board of Health, page 10.
- Commons Committee, page 11.
- Court House Commission, page 11.
- Cultural Affairs Committee, page 11.
- School Board, page 11.
- Downtown B.I.D.C., page 12.
- Downtown Revitalization Committee, page 12.
- Finance Committee, page 12.
- Grants Committee, page 12.
- Port Commission, page 12.
- Heritage Advisory Committee, page 12.
- Hospital Commission, page 13.
- Housing Committee, page 13.
- Industrial Commission, page 13.
- Investment Committee, page 13.
- Lakes Advisory Board, page 14.
- M.A.P.C., page 14.
- Metropolitan Authority, page 14.
- Multi-Sport Committee, page 14.
- M.P.S. Review Committee, page 14.
- Museum Board, page 15.
- Natal Day Committee, page 15.
- Non-Profit Housing, page 15.
- Pension Committee, page 15.
- Public Transportation Advisory Comm., page 15.
- Public Works & Safety Committee, page 16.
- Recreation Advisory Board, page 16.

ITEMS:

- Regional Library Board, page 16.
 - Sportsplex Commission, page 16.
 - Tourist Commission, page 16.
 - Water Utility Committee, page 17.
 - Winter Carnival Committee, page 17.
 - Wyse Road Main Street BIDC, page 17.
 - 1.3.4 Residential Parking Permit By-law (R-201), page 17.
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DARTMOUTH CITY COUNCIL

MAY 15, 1990

LOCATION: CITY COUNCIL CHAMBERS

TIME: 7:30 P.M.

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

MEMBER ABSENT: ALD. BILLARD

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

REPORT - VIDEO ARCADES

Ald. McCluskey expressed concern about a staff report on video arcades, prepared without any input from the three Aldermen who were supposed to have met with the Solicitor prior to its preparation. She asked that these members (Ald. Woods, Hetherington & McCluskey) be consulted, as they should have been, before Council deals with the report.

Ald. McCluskey also asked to have By-law R-201 (Residential Parking Permit By-law) included in the agenda for this meeting. It was added as item 2.1.2.

INFORMATION - WATER BILLS

Ald. Walton stated a concern about information being given out by City staff about water rate increases, in response to public calls. He said staff are suggesting that people contact their Aldermen, without providing any additional information on the increases. Mr. Burke informed Ald. Walton and Council of the procedures that staff have been directed to follow in these instances.

REPORT - VIDEO ARCADES

Ald. Hetherington concurred with Ald. McCluskey's points about the video arcade report, and with the suggested deferral of this item until the three Aldermen concerned have met with the Solicitor for further discussion.

RUSSELL LAKE INCIDENT

Referring to the report provided by the Fire Chief on the recent incident at Russell Lake, Ald. Hetherington suggested the need for a review of procedures involving the diving unit operation; he moved referral to the Public Works & Safety Committee for this purpose.

MOTION: To refer the matter of diving unit procedures to the Public Works & Safety Committee, so that a sub-committee can be set up to deal with the item, for report back to Council.

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

1.0 PUBLIC HEARINGSi) REGISTRATION OF HERITAGE PROPERTIESREGISTRATION:
HERITAGE
PROPERTIES

Council set this date for hearing of proposed heritage property registrations for the following:

- 1) 78 Shore Road
- 2) 287 Portland Street
- 3) 7 North Street
- 4) 50 Summit Street
- 5) 55 Crichton Ave.
- 6) 22 Dahlia Street.

The Heritage Advisory Committee has recommended that these properties be registered as Heritage Properties in the Dartmouth Registry.

Mr. John MacLeod made the Committee's presentation to Council, showing slides of each of the recommended properties, and giving background historical information on each. Ms. Patricia Richards, who was also present for this item, asked that 78 Shore Road be removed from the list at this time, since it was not possible to serve the necessary notice to the owner prior to this meeting of Council. She advised that agreement with the proposed registrations has been received from all other owners, except for the property at 7 North St.

Deputy Mayor Thompson proceeded to call for any objections to the registrations individually. No objection was indicated for the property at 287 Portland Street, but Mr. Michael O'Brien, President of Burnside Holdings Ltd., stated objection on behalf of the registered owner of 7 North Street. His position was that the historical merit of the building at this address is in the interior, which has been restored and maintained. He felt the exterior of the building does not have the same heritage value, and stated his opposition to it being registered as a heritage property. Council was willing to delete 7 North St. from the present list being recommended.

MOTION: To delete the property at 7 North Street from the list of properties recommended for heritage registration.

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

There were no objections to the remaining registrations proposed for: 50 Summit Street, 55 Crichton Ave. and 22 Dahlia Street. Council therefore proceeded with the approval of these four registrations.

MOTION: To approve the registration of the following heritage properties in the Dartmouth Registry:

287 Portland Street
50 Summit Street
55 Crichton Ave.
22 Dahlia Street

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

Ald. Connors commended the work of the Heritage Advisory Committee and Mr. MacLeod, for his presentation to Council. Deputy Mayor Thompson also acknowledged the contribution of Mr. MacLeod and the other Committee members, in preserving Dartmouth's heritage.

ii) PROPOSED HIGHFIELD FOCAL POINT TERMINALTERMINAL:
HIGHFIELD PARK

This meeting of Council also constituted the public hearing for Council's proposed action in changing the use of a portion of City park lands on Highfield Drive, from a park use to a focal point transit terminal. The City Charter requires such a public hearing before Council could take any such action.

CONFLICT OF
INTEREST

Ald. McCluskey declared a conflict of interest on this item, in view of the fact that Mr. Novac is an assessment client of her company. She withdrew from her place on Council and did not take part in the public hearing or in the Council discussion.

Mr. Bayer was asked about the policy followed in the past where similar requests for parkland use have had to be decided. He advised that utility uses, such as this one, have been permitted in residential and park zones throughout the City. He later gave examples of specific instances, namely, the Maritime Tel & Tel switching station next to Prince Andrew Highschool, and the postal kiosks on land in Portland Estates.

Mr. Brian Smith of Metro Transit explained to Council why this particular location is being recommended for a combined terminal and bus gate facility that will provide improved transit accessibility for the Pinecrest/Highfield residential community, and for Burnside transit service. He said it is more economically viable to have the bus gate and terminal combined in this way, and the cost saving to Metro Transit will be considerable. He stressed the need for a transit link into the Pinecrest area in order for the effectiveness of transit services throughout this section of the north end of Dartmouth to be improved.

Deputy Mayor Thompson called for speakers in favour of the bus gate/terminal use that is proposed. Council first heard Mr. Bill Seagers, the Coordinator for the Highfield Park Coop; he spoke in favour of the facility and the improved level of transit service it will permit in a residential community where transit is important.

A second speaker, Mr. Dodge, also supported the bus gate/terminal use, and asked that consideration be given to allowing taxis to use the gate route, in order to cut down on user costs, particularly in the case of people to whom bus service is not accessible.

After the Deputy Mayor had called three times for speakers in favour, he called for speakers opposed to the terminal/bus gate use of the land in question.

Council was then addressed by Mr. Robert Grant, Solicitor representing Dorchester Properties, the developers of land in Highfield Park, and owners of property still to be developed there.

Mr. Grant stated three main reasons for his client's opposition to the land use proposed:

- 1) the designation is unfair and not consistent with the intention at the time of park land being conveyed to the City.
- 2) the proposal is an instance of poor planning.
- 3) the proposal does not follow proper procedural rules.

Mr. Grant took the position that the City's Land Use By-law does not permit a facility such as the bus terminal/gate in a park zone, without a zoning amendment. He maintained that such a facility is not an appropriate use of land designated for park purposes, and that in fact, it contravenes the spirit of the original transaction when land was transferred to the City for park purposes. He indicated to Council that his client would be willing to integrate a bus terminal facility in any future development on land owned by the developer, across the street from the location in question. Further, his client would not be opposed to a laneway for bus use, in an alternate location that does not encroach on park land.

Ald. Woods asked Mr. Grant a series of questions about his attendance at any planning meetings and/or M.P.S. meetings when this matter has been discussed at length. He also questioned his specific knowledge of the area and the affect of fumes from a bus terminal, indicated by Mr. Grant as being a problem that area residents would experience in connection with the proposed bus terminal. Other questions to Mr. Grant were directed by Ald. Connors and Pye.

Mr. Allison MacAlduff presented a petition from residents living in the Pinecrest/Brule Street area, opposed to the terminal/bus gate facility on the basis of increased traffic on their streets, concerns about the safety of school children and the noise factor, plus the concern that access will eventually be opened up via this route, into and out of Highfield Park.

Mr. Ed Birch, another Ward 5 resident, asked about plans for left-turn access onto Victoria Road from Highfield, suggesting that a bus terminal could then be incorporated at that point, a preferable location to the one proposed.

Mr. Bayer provided information on the signalized three-way intersection that is planned for Victoria Road at Highfield, and on the funding arrangements for it, through the Dept. of Transportation and the developer. Subsequently, however, the City is being asked to participate in the funding and there is no provision for the project in the 1990 capital budget. Therefore, the intersection cannot be expected this year. Ald. Greenough later raised similar points and sought further clarification from Mr. Bayer on the cost-sharing question and on the need for the facility now under consideration, if transit accessibility were to be accommodated via the Victoria Road intersection as an alternative to what is being proposed.

Ald. Levandier had a number of questions for Brian Smith about the location selected for the terminal/bus gate facility, and at the conclusion of these, noted that Mr. Smith is a transit planner and not a land-use planner, as reflected in his answers to Council. Ald. Levandier asked if the process of a fair public hearing has been violated in this instance, since Council originally received a report and recommendation prior to any public hearing date being set or recommended. The Solicitor did not feel there was any problem with the procedures followed. He noted that the present hearing relates only to the question of whether the use of land can be changed from park for the purpose designated. In his opinion, there is no indication that information was pre-judged in such a way as to render any decision of Council questionable.

Ald. Connors followed up with questions about the additional need for a zoning change in this instance, and whether Council should have this point clarified before going any further with a decision on the bus terminal/gate use. The Solicitor acknowledged that this is an option for Council to consider, and a decision could be deferred until the zoning question is addressed further. Members tended to favour deferral for one week, to provide time for a legal opinion on the possible need for a rezoning.

The Deputy Mayor had called three times for speakers opposed to the proposed park land use, and when there were no further speakers wanting to address Council,

Mr. Ed Birch, another Ward 5 resident, asked about plans for left-turn access onto Victoria Road from Highfield, suggesting that a bus terminal could then be incorporated at that point, a preferable location to the one proposed.

Mr. Bayer provided information on the signalized three-way intersection that is planned for Victoria Road at Highfield, and on the funding arrangements for it, through the Dept. of Transportation and the developer. Subsequently, however, the City is being asked to participate in the funding and there is no provision for the project in the 1990 capital budget. Therefore, the intersection cannot be expected this year. Ald. Greenough later raised similar points and sought further clarification from Mr. Bayer on the cost-sharing question and on the need for the facility now under consideration, if transit accessibility were to be accommodated via the Victoria Road intersection as an alternative to what is being proposed.

Ald. Levandier had a number of questions for Brian Smith about the location selected for the terminal/bus gate facility, and at the conclusion of these, noted that Mr. Smith is a transit planner and not a land-use planner, as reflected in his answers to Council. Ald. Levandier asked if the process of a fair public hearing has been violated in this instance, since Council originally received a report and recommendation prior to any public hearing date being set or recommended. The Solicitor did not feel there was any problem with the procedures followed. He noted that the present hearing relates only to the question of whether the use of land can be changed from park for the purpose designated. In his opinion, there is no indication that information was pre-judged in such a way as to render any decision of Council questionable.

Ald. Connors followed up with questions about the additional need for a zoning change in this instance, and whether Council should have this point clarified before going any further with a decision on the bus terminal/gate use. The Solicitor acknowledged that this is an option for Council to consider, and a decision could be deferred until the zoning question is addressed further. Members tended to favour deferral for one week, to provide time for a legal opinion on the possible need for a rezoning.

The Deputy Mayor had called three times for speakers opposed to the proposed park land use, and when there were no further speakers wanting to address Council,

the public hearing was declared closed, on motion of Ald. Greenough and Hetherington (Ald. Levandier voting against). A motion to defer for one week was then presented.

MOTION: To defer a decision on the terminal/
bus gate use proposed, pending a legal
opinion on the possible need for rezoning.
Deferral is for one week.

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

Mayor Savage was present from this point onward in the meeting and chaired the remainder of it.

2.0 REPORTS

2.1 SOLICITOR

2.1.1 TRUCK ROUTES BY-LAW

TRUCK ROUTES
BY-LAW

The Solicitor has submitted a report on the Truck Routes By-law and problems with its enforceability. The report requests that Council establish a committee to work further with staff in analyzing the existing problems, for recommendation back to Council.

MOTION: That a committee be established
as requested by the Solicitor.

Moved: Ald. McCluskey
Second: Ald. Thompson

Ald. Connors suggested that rather than setting up a new committee, Council refer this item to the Public Works & Safety Committee for discussion. When this committee deals with the item, all members of Council can be invited to attend.

MOTION: To refer the item to the Public
Works & Safety Committee, and to
have all members of Council receive
notification of the meeting when the
item is to be considered.

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

2.1.2 RESIDENTIAL PARKING PERMIT BY-LAW

BY-LAW R-201

Proposed By-law R-201 (Residential Parking Permit By-law) was before Council in second reading, having been deferred from the May 8th Council meeting. An additional report from the Solicitor was included.

MOTION: That By-law R-201 be read a second time.

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

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

MOTION: That By-law R-201 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. Hawley
Second: Ald. Thompson
In Favour: All
Against: None
Motion Carried

3.0 REPORTS

3.1 CITY ADMINISTRATOR

3.1.1 ROOF REPAIRS - OPERATIONS CENTER

AWARD TENDER:
ROOF REPAIRS
OPERATIONS CENTER

Tenders have been received for roof repairs to the Operations Centre. In his report to Council, Mr. Burke (R. Fougere, D. Rix) has recommended that the tender be awarded to the low bidder, Fosco Contracting Services, for the bid price of \$88,795.00.

MOTION: To award the tender for roof repairs to the Operations Centre, to the low bidder, Fosco Contracting Services, for the bid price of \$88,795.00.

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

3.1.2 ROOF REPAIRS - CRICHTON AVE. COMMUNITY CENTRE

AWARD TENDER:
ROOF REPAIRS
COMMUNITY
CENTRE

Tenders have been received for roof repairs to the Crichton Ave. Community Centre. In his report to Council, Mr. Burke (R. Fougere, D. Rix) has recommended that the tender be awarded to the low bidder, Blunden Construction Ltd., for the bid price of \$36,250.00. Further, that the shortfall in funding of \$3,250. for this project be taken from the funds remaining in the account for the Operations Centre Roof project in the 1990 capital budget.

MOTION: To award the tender for roof repairs to the Crichton Ave. Community Centre, to the low bidder, Blunden Construction Ltd., for the bid price of \$36,250., and further that the shortfall in funding (\$3,250.) for this project be taken from the funds remaining in the account for the Operations Centre Roof project in the 1990 capital budget.

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

3.1.3 ACQUISITION OF PARCEL "MK2" CLEARY DRIVE

ACQUISITION:
PARCEL "MK2"
CLEARY DR.

In connection with the acceptance of Cleary Drive as a City street, and finalization of the takeover, a property acquisition is required, being part of a building lot owned by Eva & Marek Kreft, 61 Gaston Road. A report on this item has been submitted by Mr. Burke (T. Rath), recommending that Council authorize the purchase of Parcel MK2 on Cleary Drive, according to the following terms and conditions:

- 1) a purchase price of \$7,500., to be paid at the time of closing.
- 2) the City, at its expense, to prepare the plan of subdivision and legal descriptions.
- 3) the funds for the acquisition of the property to be drawn from the Local Streets Capital Account #800420101-04.

MOTION: To approve the purchase of Parcel "MK2" on Cleary Drive, from Eva & Marek Kreft, for a purchase price of \$7,500., subject to terms and conditions noted on page 9 of these minutes.

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

3.1.4 CONTRACT 88504H - PHASE 8-5 SERVICES - B.I.P.

AWARD TENDER:
CONTRACT 88504H

Report from Mr. Burke (R. Fougere, E. Purdy) on the tenders received for Contract 88504H, (Phase 8-5 services), recommending that the tender be awarded to the lowest bidder, Harbour Construction Co. Ltd., at a bid price of \$457,376.50; completion time: six months.

MOTION: To award the tender for Contract 88504H (Phase 8-5 services, B.I.P.) to the lowest bidder, Harbour Construction Co. Ltd., at a bid price of \$457,376.50, as recommended.

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

3.2 GRANTS COMMITTEE

3.2.1 1990 GRANTS COMMITTEE RECOMMENDATIONS

1990 GRANT
RECOMMENDATIONS

The Grants Committee has reported to Council, recommending a list of grants for 1990, to be approved in the amount of \$942,643. The listing of grants recommended includes: \$250,000. for the Dartmouth General Hospital; \$100,000. for the Grace Maternity Hospital; and \$70,000. for the Izaak Walton Killam Hospital.

MOTION: To approve the grant recommendations for 1990, as per the listing recommended by the Grants Committee, in the amount of \$942,643.

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

Council adjourned to meet in camera, on motion of Ald. Hetherington and MacFarlane.

Meeting adjourned at 10:15 p.m.



G. D. Brady,
Deputy City Clerk.

ITEMS:

- Report, Video arcades, page 1.
 - Information, Water bills, page 1.
 - Report, Video Arcades, page 1.
 - Russell Lake incident, page 2.
 - 1.0 Public Hearings, page 2.
 - i) Registration of Heritage Properties, page 2 & 3.
 - ii) Proposed Highfield focal point terminal, page 4 to 7.
 - 2.0 Reports, page 7.
 - 2.1 Solicitor, page 7.
 - 2.1.1 Truck Routes By-law, page 7.
 - 2.1.2 Residential Parking Permit By-law, page 8.
 - 3.0 Reports, page 8.
 - 3.1 City Administrator, page 8.
 - 3.1.1 Roof repairs, Operations Center, page 8.
 - 3.1.2 Roof repairs, Crichton Ave. Community Centre, page 9.
 - 3.1.3 Acquisition of Parcel MK2 Cleary Dr., page 9.
 - 3.1.4 Contract 88504H, Phase 8-5 services, page 10.
 - 3.2 Grants Committee, page 10.
 - 3.2.1. 1990 Grants Committee recommendations, page 10.
-

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

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

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

PROCLAMATION - NATIONAL GARDEN MONTH

The Proclamation of National Garden Month was given by Mayor Savage; members of Council have received copies of the Proclamation with their agenda.

1.0 PUBLIC HEARINGS

i) APPLICATION TO AMEND ZONING BY-LAW - 60 SIMMONDS DR.

PUBLIC HEARING:
60 SIMMONDS DR.

This meeting of Council constituted the public hearing for a zoning application for 60 Simmonds Drive, received from Maritime Recycling Ltd.; the application is to rezone from I-2 Zone to I-4 Zone, to permit a scrapyard at this location. Members of Council have received related documentation, including an environmental report from OCL Services Ltd.

The Mayor announced the public hearing and noted the members of Council present for it. All members were in attendance, with the exception of Ald. Billard.

The Planning Dept. presentation was made by Mr. L'Esperance. He described the site at 60 Simmonds Drive and the land use proposed for it by the applicant. He advised that the proposal has been analyzed by the Planning Dept., in accordance with M.P.S. policies, and they have determined that the criteria applicable for a salvage yard operation have been met. They have therefore recommended that the rezoning be approved as requested.

Questions for Mr. L'Esperance at this point, pertained to such items as the fencing requirements for the site, the impact of a salvage operation on adjacent property values, the enforcement of environmental protection

requirements, and a previous rezoning application for this same site, in 1986. With respect to the previous application, Mr. L'Esperance said it was withdrawn before the point at which Planning Dept. would have responded to it.

When there were no further questions for Planning Dept., Mayor Savage called for speakers in favour of the rezoning application. Mr. John McArthur of Realtycor introduced a number of business representatives present for the hearing, as follows: Scott MacKnight of OCL Services Ltd., Jay Goldblatt of Maritime Recycling, Eric Chaytor of Maritime Recycling, and Wm. MacDonald, the lawyer acting for the applicant.

Mr. McArthur explained why Maritime Recycling wish to locate in Burnside, and indicated the company would have been quite willing to proceed through a development agreement, rather than a rezoning application, if it were possible to do so. In that way, the various concerns raised in the application process could have been resolved through a specific mechanism. He referred to the alternatives being proposed, in order to address operating and environmental requirements, such as the establishment of an Environmental Review Committee, to monitor the operation on a regular basis, and also, the education of employees so that they are conscious of environmental considerations in their everyday work activities.

Mr. McArthur did not feel that property values in the area of 60 Simmonds Drive will be depreciated by the location of Maritime Recycling at this location. He considered the types of business already operating on sites in the same area, to be quite compatible with the operation proposed by the applicant.

Dr. Scott MacKnight then addressed Council on the environmental issues dealt with in his report. He listed the main considerations as being those of: visual appearance, noise and pollution. He outlined the protective measures being proposed under each of the three categories, and explained in further detail, the concept of an Environmental Review Committee to oversee the Maritime Recycling operation on a regular basis, along with the education program for employees, so that environmental protection measures will be adhered to in the workplace.

These on-going monitoring and protective procedures were also referred to by Wm. MacDonald, who made the legal representation on behalf of Maritime Recycling. He felt the site in question is well-suited and located

for recycling purposes, and will in fact, be enhanced by a business compatible with other land uses around it. He advised that letters of support for Maritime Recycling have been received from M. & M. Manufacturing, IMP, Phillips Cable Ltd. and Westinghouse.

At the conclusion of the presentations for the applicant, the Mayor called twice for any further speakers in favour of the rezoning request. Since there were no further speakers, he called for any wishing to oppose the application.

Council heard Mr. Steven Zatzman, a lawyer representing John Ross & Sons Ltd. He questioned the granting of permission for a salvage operation at 60 Simmonds Drive when the City was not prepared to sell the lot for a similar purpose previously, in the case of another company, Dominion Metals. He asked that the City be consistent in their decisions, and reject this particular application, as the application of the other company was rejected. He noted instances where the present applicant has had problems at other locations, such as the one in the Woodside area, and at their National Harbours Board (Shed 9) location in Halifax.

Also speaking against the application was Mr. Peter Gyverson of Dartmouth Metals & Bottles Ltd., who stated that his company would have ' . . . to turn to transformers and other items not environmentally clear, if this company is allowed to proceed.' He said the operation would be visible from both Burnside Drive and Simmonds Drive, and indicated concerns about possible pollution of nearby lakes, through runoff from the site being considered.

When there were no further speakers opposed, members of Council were able to ask questions without debating the application. There were questions to all of the principals representing the applicant, and to members of staff, Mr. Rath and Mr. L'Esperance.

(Ald. Billard was present from this point in the meeting, but did not take his place on Council while the remainder of the public hearing was in progress. He did not participate in the public hearing in any way.)

There were a number of questions from Council about Maritime Recycling operations at other locations, especially in the Windsor Junction/Fall River area, where legal action against the company has been initiated by Halifax County. Problems at the Woodside location were questioned also.

Mr. L'Esperance advised that the company was operating illegally in Woodside for several months, on a team track site. Other questions pertained to:

- 1) environmental protection guarantees and some way in which these could be confirmed in the form of an agreement between the company and the City. Mr. Goldblatt stated to Council that the company would be willing to enter into a binding agreement with the City.
- 2) Mr. Rath's recommendation against the proposed rezoning request, and the impact of a scrap metal recycling facility on the marketability of other industrial sites in the immediate area of 60 Simmonds Drive.
- 3) any jurisdictional authority Council has over the environmental issues raised, and the implications of adjourning the public hearing, to seek additional information that help Council reach a decision on the application.
- 4) what recourse would there be to follow-up procedures in the event of any violations, once the salvage yard was in operation.
- 5) how would the employee practices and training be undertaken, and how would the proposed Review Committee function.

There were numerous questions about specific environmental concerns, including the neutralization process for dealing with battery acid, the handling of transformers, dust control, storage and transportation of materials (storage on site and transportation to and from the site), noise levels, in relation to levels already present in the area, and so on. It was stated to Council by Dr. MacKnight that the company will not be handling automobiles or white goods such as refrigerators. All non-ferrous metal work would be done inside the building, and the cutting of ferrous metals would be done on a concrete platform.

In view of the many questions Council still felt were outstanding, and the need for confirmation that protective requirements will be strictly adhered to by the company, Ald. Connors proposed an adjournment of the public hearing for further information to be provided by the applicant. He presented the following motion.

MOTION: That the public hearing be adjourned to June 12th at 7:30 p.m. to allow the applicant to prepare and present a detailed plan of the operation of the complete facility; the processes to be used; materials that will and will not be dealt with; and details of emergency and contingency plans for spillage containment;

secondly, to offer to the City, a legally ~~binding~~ agreement to which the City could become a party, whereby the applicant, its successors and assigns, as owner or operator of 60 Simmonds Drive, undertakes to conduct its operation in accordance with the detailed plan of operation, and in conformance with the recommendations contained in the OCL Services report, and the assumptions on which that report is based. Further, that a provision be considered for the ownership of the property to revert to the City, in the event of the property being sold by the applicant.

Moved: Ald. Connors
Second: Ald. Thompson

There were some members who were prepared to come to a decision on the rezoning application at this meeting, with ^{out} adjournment for additional information, as called for in the motion. The vote was taken on the motion.

In Favour: All members except
Against: Ald. Hawley, Pye, Rodgers
 McCluskey and Greenough
 (Ald. Billard did not vote.)
Motion Carried

Ald. Billard took his place on Council at this point for the remainder of the items dealt with by Council.

ii) CLOSURE OF A PORTION OF WOODLAWN ROAD RIGHT-OF-WAY

PUBLIC HEARING:
WOODLAWN RD.

Council had also set this date for public hearing of the proposed closure of a portion of Woodlawn Road, required in connection with street reconstruction, and entailing a land exchange with Woodlawn Shopping Centre and receipt by the City of the sum of \$35,000. from Woodlawn Shopping Centre.

All members of Council were present for this public hearing, which the Mayor announced and called three times for any speakers or representations in favour of the street closure. There being no speakers in favour, he called for any opposed, and after calling three times, declared the public hearing to be closed, on motion of Ald. Sarto and Thompson

MOTION: To close the public hearing for the proposed closure of a section of Woodlawn Road, required for reconstruction purposes.

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

RES. 90-21

Resolution 90-21, authorizing the closure of the portion of Woodlawn Road concerned, has been prepared by the Solicitor, and Council now proceeded with approval of it.

MOTION: To approve Resolution 90-21, authorizing the closure of a portion of Woodlawn Road as described in Schedule "A".

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

REQUEST: N.G.M. PRODUCTIONS LTD.

REQUEST: N.G.M.
PRODUCTIONS LTD.

Ald. Hetherington presented a request from N.G.M. Productions Ltd., for permission to hold a family entertainment program on the Dartmouth Sportsfield, on June 17th, from 3:00 p.m. to 8:30 p.m. A voluntary donation of loonies is proposed, and program details have been outlined in a submission from Garfield Hendrickson of N.G.M. Productions Inc., circulated at this time to all members of Council.

Ald. Billard indicated the willingness of the Commons Committee to have this event proceed, and Ald. Hetherington proposed a motion to give approval for it on June 17th.

MOTION: That approval be given for the N.G.M. Productions entertainment program on the Dartmouth Sportsfield, proposed for June 17th.

Moved: Ald. Hetherington
Second: Ald. Connors

A point was raised by the Mayor about costs associated with the event, such as publicity and policing. Ald. Greenough and several other members felt that any such costs should be identified and reported to Council before approval of the event is confirmed.

AMENDMENT: That approval in principle only be given at this time, and that a report, defining and assessing costs (including policing) be provided for Council, for next week's meeting; this report would also identify sources of funding as well.

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

A motion to continue meeting beyond 11:00 p.m. was adopted, moved by Ald. Hawley and seconded by Ald. Pye.

2.2 SOLICITORS

2.2.1 PROPOSED HIGHFIELD FOCAL POINT TERMINAL

HIGHFIELD
TERMINAL

A report requested from the Solicitor has been provided in connection with the land use requirement for the proposed Highfield Park transit terminal/bus gate, dealt with at the May 15th Council meeting.

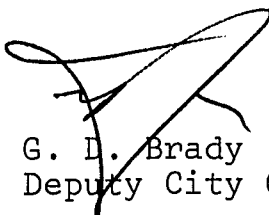
CONFLICT OF INTEREST

Ald. McCluskey declared a conflict of interest on this item, due to the fact that Mr. Novac is an assessment client of her company. She withdrew from her place on Council while the item was under consideration.

MOTION: That Council authorize the Metropolitan Authority to proceed with the creation of the Highfield Park transit terminal, located, as proposed, on City-owned land on the south side of Highfield Park Drive.

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

Council adjourned to meet in camera, on motion of
Ald. Hawley and Walton.



G. D. Brady
Deputy City Clerk.

ITEMS:

- Proclamation: National Garden Month, page 1.
1.0 Public Hearings, page 1.
i) Application to amend Zoning By-law, 60 Simmonds Dr., page 1
ii) Closure of a portion of Woodlawn Road right-of- to page 5.
way, page 5.
Resolution 90-21, page 6.
Request, N.G.M. Productions Ltd., page 6.
2.2 Solicitors, page 7.
2.2.1 Proposed Highfield focal point terminal, page 7.

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

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

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

PARTICIPACTION PRESENTATION

At the opening of the meeting, a presentation was given by several members of the Participaction Committee, to promote Participaction Day (May 30th) and Dartmouth's challenge to the City of Markham, Ontario. Ald. McCluskey provided information on the events that will be taking place throughout the day, and members of Council and the public were urged to become involved in the Participaction Day program. Maj. J. P. Leboeuf, representing the Base Commander for Shearwater, issued a challenge to a volleyball game at Shearwater, to members of Council.

TWINNING OF DARTMOUTH & SHERBROOKE

In a gesture of friendliness and to overcome some of the recent differences that have arisen within Canada, the Mayor proposed a twinning of Dartmouth with the City of Sherbrooke, Quebec, as a demonstration of goodwill between our city and theirs. Members of Council were in agreement with this goodwill gesture.

MOTION: That steps be taken to arrange for the twinning of Dartmouth with the City of Sherbrooke, Quebec, as a demonstration of goodwill between the two cities.

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

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

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

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

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MOTION: That steps be taken to arrange for the twinning of Dartmouth with the City of Sherbrooke, Quebec, as a demonstration of goodwill between the two cities.

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

DRAINAGE PROBLEM - LAKECREST DRIVE

Ald. Hawley asked to have the Engineering Dept. prepare a report and cost estimate to correct a drainage problem affecting three homes on Raymond Street and one on Lakecrest Drive.

NEWSPAPER FLYERS

Concerns were expressed by Ald. McCluskey and Billard about advertising flyers in local newspapers, one being that they are printed on paper that is not able to be recycled, and secondly, that they are ending up in areas such as the one around Maynards Lake and thereby adding to environmental problems, from two points of view. Ald. Walton advised that a new recycling firm in Burnside is now accepting the flyers. The Mayor also advised that the matter of newspaper flyers and the paper on which they are printed, is being addressed through the Metropolitan Authority.

POINTS OF PRIVILEGE

Points of privilege raised, in addition to the items already recorded, were as follows:

- 1) Ald. McCluskey: Thanked the Police Dept., on behalf of Woodland Ave. residents, for patrols on this street to apprehend speeders.
(b) She asked that staff look at the cost of changing lights at crosswalks, from amber to red, in order to increase their effectiveness.
- 2) Ald. Thompson: Thanked members of staff for the birch tree they have planted at Sullivan's Pond. Also, for their efforts that led to the recently-received environmental award.
- 3) Ald. Billard: Advised that members of City staff have challenged Dept. of Environment staff in the Cleaner/Greener program for June 9th.
(b) He requested that a letter of objection to newspaper flyers, be forwarded to the Mail-Star, based on the fact that the flyers are both wasting resources and adding to litter problems.

FIVE STAR AWARD

The Mayor advised Council that the City Parks & Recreation Dept. has just been awarded a gold star, through the FCM Five Star Community Award Program. Mr. Atkinson, head of the department, was commended by the Mayor and Council. He said he will be passing Council's appreciation on to members of his staff.

EASTERN PASSAGE REPORT

Ald. Rodgers provided information on the Municipal Affairs Dept. report on costs associated with a township for Eastern Passage. A phase two study and report, which will address the alternative of amalgamation with Dartmouth, will now proceed. The phase two document is expected to be completed some time in the fall, after which Eastern Passage residents will decide if they want to pursue a formal application further, and also, the City will have to look at considerations on behalf of its own citizens.

WELCOME - SCOUT TROOP

The Mayor and Council welcomed to the meeting, members of the 15th Dartmouth Scout Troop, present with their leaders.

PROCLAMATION - NATIONAL TRANSPORTATION WEEK, JUNE 3 TO 9TH

The Mayor proclaimed the week of June 3rd to 9th as National Transportation Week, and read the formal proclamation to this effect; copies of the proclamation were circulated with the agenda for this meeting.

1.0

PRESENTATION

i)

1994 WORLD SENIOR CANOE CHAMPIONSHIPPRESENTATION:
CANOE SOCIETY

Present for the next item were representatives of the Society for Canoe Championships, Bob Russell, Art Russell and Alan Barry. A video was first shown to Council, based on the 1989 Junior World Canoe Championships, held in Dartmouth; the video also promotes Dartmouth as a location for such events.

The Society is now proposing to bid for the 1994 (1995) World Senior Championship, with the endorsement of the Canadian Canoe Assn., and is seeking formal endorsement from the City, together with an indication of financial support if the Dartmouth bid is accepted by the International Canoe Federation.

Mr. Bob Russell, who made the presentation to Council, explained in detail, the procedures that are followed in bidding to host this prestigious canoeing event, and he commented on the economic benefits that accrue to the host city. He noted that while there will not be any major capital costs required to host the senior championship, there will be operating costs involved, and the Society is requesting an amount of \$75,000. from the City, over a four-year period, beginning as of next year. This financial assistance is requested, in addition to the formal City endorsement being asked for as well.

At the conclusion of Mr. Russell's presentation, a motion was presented by Ald. Billard and MacFarlane

MOTION: That the City of Dartmouth officially endorse the bid of the Society for Canoe Championships for the 1994 World Senior Canoe Championships, and that senior staff negotiate with the Society a funding mechanism, whereby the Society can be provided with funds, over a four-year period, in percentages acceptable to both the City and the Society.

Moved: Ald. Billard
Second: Ald. MacFarlane

Members of Council were willing to support the motion, but it was requested that the funding discussion be referred to the Grants Committee, in conjunction with senior staff. The Mayor concurred with this request, and the vote on the motion was taken on this basis.

In Favour: All
Against: None
Motion Carried(unanimously)

2.0 REPORTS

2.1 CITY ADMINISTRATOR

2.1.1 SALE BY TENDER - LOT B1-A, CREST DRIVE

SALE: LOT B1-A
CREST DRIVE

A report from Mr. Burke (Tom Rath) was before Council, recommending the sale of Civic No. 15 Crest Drive (Lot B1-A), by a publicly-advertised tender call, according to terms and conditions specified in the report, dated May 15/90.

MOTION: To adopt the recommendation on the sale of City land at Civic No. 15 Crest Drive.

Moved: Ald. Sarto
Second: Ald. Thompson

Ald. Pye objected to the sale of this lot, taking the position that it should be retained by the City and developed for housing purposes. It was noted that the lot is in an R-1 Zone, and several other members of Council opposed any suggestion that it should be rezoned to R-2, in order to permit a duplex development on it. Ald. Greenough said this would amount to spot rezoning, initiated by the City, when Council's efforts in the past have been directed against spot rezoning applications. Ald. Levandier agreed with the position taken by Ald. Pye that the lot could be put to better use for City housing. The vote was taken on the motion.

In Favour: All members except
Against: Ald. Pye & Levandier
Motion Carried

2.2 SOLICITORS

2.2.1 LANDS BEHIND 65 ALDERNEY DRIVE

CITY LANDS:
 65 ALDERNEY DR.

The Solicitor has reported on negotiations carried on with Canarose Ltd., for the sale of a parcel of City land (765 sq. ft.) behind 65 Alderney Drive. A total sale price of \$11,475. has been agreed to, subject to the following conditions: (1) closing on June 15/90; (2) lands to be conveyed subject to rights-of-way; and (3) purchaser to do the grading, repairing & re-surfacing of the right-of-way.

RESOLUTION 90-20 Approval of Resolution 90-20, authorizing the sale of this land, has been recommended to Council.

MOTION: To approve Resolution 90-20, as recommended by the Solicitor.

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

3.0 REPORTS

3.1 MAYOR

3.1.1 RESOLUTION RE PROVINCIAL DEED TRANSFER TAX

RESOLUTION: The Mayor has proposed a resolution to the effect that
 DEED TRANSFER TAX the City prepare an objection to the deed transfer tax

the Province is planning to introduce, to be delivered by personal appearance before the Law Amendments Committee. Copies of the resolution have been circulated with the agenda for this meeting.

MOTION: To approve the resolution proposed by Mayor Savage, objecting to the implementation of a deed transfer tax by the Province; this objection to be presented to the Law Amendments Committee.

Moved: Ald. Hetherington
Second: Ald. Levandier

Members of Council who spoke on the motion were in complete agreement with it, and felt the Province is planning to infringe on a municipal jurisdiction by levying a special 2% deed transfer tax, when municipalities already have this tax in place as a source of revenue. Ald. Hetherington suggested that the U.N.S.M. be informed of the City's resolution and appearance before the Law Amendments Committee. The vote was taken on the motion.

In Favour: All
Against: None
Motion Carried (Unanimously)

3.2 CITY ADMINISTRATOR

3.2.1 AFFIRMATIVE ACTION/EMPLOYMENT EQUITY PROGRAM

AFFIRMATIVE
ACTION/EQUITY
PROGRAM

A proposed Affirmative Action/Employment Equity Program for the City of Dartmouth, has been prepared by a Task Force on the subject, and the Program has been recommended by Mr. Burke for Council's approval, as presented. Several members of the Task Force were present for this item, and presentation of the proposal was made by Gillian Osborne, the Chairperson.

MOTION: To approve the Affirmative Action/Employment Equity Program for the City, as it has been recommended. The Program encompasses a total of 44 recommendations.

Moved: Ald. Hetherington
Second: Ald. MacFarlane

After Mr. Burke's introductory remarks, Ms. Osborne proceeded with her presentation of the Program details, giving an overview of the document that has been circulated to all members of Council. She was then available to respond to any questions from members.

(Ald. Connors left the meeting at this point.)

Ald. McCluskey asked for information on summer employees, with a breakdown indicating what is being done in the way of the Affirmative Action Program in this regard.

Ald. Hetherington suggested that it would be worthwhile to have some input from minority groups outside the City. The Mayor noted that the Affirmative Action Committee had input while the Task Force was in the process of preparing the Program, and representatives from various community groups serve on that Committee. Ald. Pye said it would be a good idea to make it known to companies we do business with, that the City would appreciate similar initiatives on their part in their hiring and employment practices.

Concerns raised by Ald. Billard and Hawley about costs associated with implementation of the Program, were discussed with Mr. Burke. Both members questioned the need for the new position of Employment Equity Coordinator; they felt the functions of such a position could be assumed by existing staff.

At the conclusion of the question and discussion period, the vote was taken on the motion.

In Favour: All
Against: None
Motion Carried

3.2.2 N.G.M. PRODUCTIONS - DARTMOUTH COMMONS

N.G.M.PRODUCTIONS As Council requested, information has been provided on costs associated with the N.G.M. Productions show proposed for the Dartmouth Sportsfield on June 17/90. Of the costs outlined, Mr. Burke advises that there are no funds available in the Parks & Recreation budget for the \$800. amount required for security and the provision of portable toilets. He therefore recommends that the sum of \$800. be funded from the Legislative Budget.

MOTION: To approve Mr. Burke's recommendation on the \$800. amount required for funding, from the Legislative Budget.

Moved: Ald. Levandier
Second: Ald. Sarto

Ald. Greenough was opposed to the expenditure of any City funds for this event, and Ald. Pye asked if it would not be possible to have the money collected that day, put back into City revenue. Ald. Billard pointed out that any money generated is intended for use in projects to improve the Commons. Ald. Pye requested, and received, information on the capital and operating allocations in this years's budget for Commons projects. The vote was taken on the motion.

In Favour: All members except
Against: Ald. Greenough
Motion Carried.

3.2.3 BILL 36 - N.S. EMERGENCY MEASURES ACT

BILL 36

Report from Mr. Burke (G.M. Osborne) on areas of concern for the City of Dartmouth, in connection with proposed Provincial Bill 36 (An Act to Provide for a Prompt & Coordinated Response to a State of Emergency). Mr. Burke recommends that in view of these concerns, Council instruct staff to appear at the Law Amendments Committee meeting with regard to the proposed Act.

MOTION: To approve Mr. Burke's recommendation that staff be instructed to appear at the Law Amendments Committee, on behalf of the City, in connection with proposed Provincial Bill 36 (E.M.O. Act).

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

3.2.4 TENDER - FIRE RESCUE TRUCK

AWARD TENDER:
RESCUE TRUCK

Tenders have been received for a rescue vehicle for the Fire Dept., and Mr. Burke has recommended, in his report to Council, that the tender be awarded to the lowest evaluated bidder, MicMac Fire & Safety, for the total price of \$138,931.25.

MOTION: To award the tender for the Fire Dept. rescue truck, to the lowest evaluated bidder, MicMac Fire & Safety, for the total price of \$138,931.25.

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

3.2.5. TENDER - ENGINEERING SERVICES, B.I.P. & CITY OF LAKES PARK

AWARD TENDER:
ENGINEERING
SERVICES

Proposals have been received for engineering services for the ongoing planning and development of the Burnside Park and the City of Lakes Business Park, over the next three years. These proposals have been reviewed and it is the recommendation of Mr. Burke (R. Fougere, E. Purdy) that the contract for engineering services be awarded to CBCL Ltd. for a three-year period, in accordance with the terms of reference and the contract agreement contained in the request for proposals of March, 1990.

MOTION: To adopt Mr. Burke's recommendation on the awarding of the contract for engineering services (Burnside Park & the City of Lakes Park) to CBCL Ltd., for a three-year period.

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

3.2.6 TENDER - DUST COLLECTION SYSTEM - CARPENTRY SHOP, O. CENTRE

AWARD TENDER:
DUST COLLECTION
SYSTEM

Tenders have been received for a dust collection system for the carpentry shop in the Operations Centre. It has been recommended by Mr. Burke (R. Fougere, D. Rix) that the tender for this system be awarded to the low bidder, J. L. Construction Ltd., for the bid price of \$29,900.; further, that the \$7,900. in additional funding required for this project, be taken from the funds for the 1990 capital budget project 'City Hall Plaza & Steps', for which, as a result of a detailed investigation, repairs are now estimated at \$15,000., rather than the \$30,000. included in the budget.

MOTION: To approve the above-noted recommendations on the awarding of the tender for a dust collection system for the carpentry shop in the Operations Centre.

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

3.3 INDUSTRIAL COMMISSION3.3.1 HEIGHT RESTRICTIONS - CITY OF LAKES BUSINESS PARK

HEIGHT
RESTRICTIONS:
BUSINESS PARK


The Industrial Commission has requested that Council give immediate consideration to amending the M.P.S. and Land Use By-law, to permit the construction of office buildings of no more than five stories in the City of Lakes Business Park, and has made that recommendation to Council.

MOTION: That staff be directed to proceed with a neighborhood meeting in connection with the M.P.S. and Land Use By-law amendments recommended.

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

The Mayor advised that there will be no Council meeting on June 5th, due to the FCM conference and attendance at it by him and several other members.

At 10:00 p.m., Council adjourned to meet in camera, on motion of Ald. Thompson and Hawley. There being no business to ratify from in camera, Council did not reconvene and final adjournment was from the in camera meeting.


G. D. Brady,
Deputy City Clerk.

ITEMS

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- Drainage problem, Lakecrest Dr., page 2.
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