

DARTMOUTH CITY COUNCIL
AGENDA

* TUES., JULY 02/91 *
* 7:30 PM *
* COUNCIL CHAMBER *
* IN CAMERA SESSION *
* 10:00 PM *

1. PRESENTATION BY MAYOR SAVAGE TO MEMBERS OF POLICE FORCE

2. REPORTS

2.1 CITY ADMINISTRATOR

- 2.1.1 Contract 91-14 - Forest Road - Curb and Sidewalk Reconstruction
- 2.1.2 Tender for Renewal of Ramp Bearings in Dartmouth Ferry Dock and Repainting of Dartmouth and Halifax Ramp and Pontoon Structures
- 2.1.3 Proposed Ferry Fare Adjustment
- 2.1.4 Application for Development Agreement - 30 Fairbanks St (set date for public hearing)
- 2.1.5 M.P.S./Land Use By-law - Debate Process

2.2 CONDOMINIUM COMMITTEE - GARBAGE COLLECTION

- 2.2.1 Report from Committee (to be circulated)

3. SECOND APPROVAL - OVER EXPENDITURE \$20,000 - SUNRISE BEACH
(to be circulated)

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

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

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

1.0 PRESENTATION BY MAYOR SAVAGE TO MEMBERS OF POLICE FORCE

PRESENTATION

A presentation was made at the opening of the meeting, by Mayor Savage, to members of the Dartmouth Police Dept. relay team, which participated in the Multi-Sport Relay held in Prince Edward Island on May 25/91. Of the 225 teams taking part, the Dartmouth team finished first in the Corporate Division, and twelfth overall. Presentations were made to the following members:

- 1) Danny Berrigan
- 2) Ross Denman
- 3) David Piccott
- 4) Bill Morris
- 5) Colin Brien
- 6) Peter Nixon

PRESENTATION - MANAGEMENT/UNION AWARD

A second presentation made by Mayor Savage at this time was the award received at the Canadian Mental Health Association dinner on June 22nd, in the Joint Management/Union category. This award of excellence recognizes the the City's Employment Assistance Program, and was accepted from the Mayor by Ms. Barb Beaver.

2.0 REPORTS

2.1 CITY ADMINISTRATOR

2.1.1 CONTRACT 91-14 - FOREST ROAD - CURB & SIDEWALK RECONSTRUCTION

AWARD TENDER:
 CONTRACT 91-14

Tenders have been received for Contract 91-14, Forest Road curb and sidewalk reconstruction. Mr. Burke has recommended that the tender be awarded to the lowest bidder, Ocean Contractors Ltd., with a bid price of \$90,345.45. Completion time: 30 working days.

MOTION: To award the tender for Contract 91-14 to the lowest bidder, Ocean Contractors Ltd., with a bid price of \$90,345.45, as recommended.

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

2.1.2 TENDER FOR RENEWAL OF RAMP BEARINGS IN DARTMOUTH FERRY DOCK & REPAINTING OF DARTMOUTH & HFX. RAMP & PONTOON STRUCTURES

AWARD TENDER:
FERRY DOCK & RAMP

Report from Mr. Burke (D. Rix, R. Fougere) on tenders received for the renewal of the ramp bearings on the Dartmouth ferry dock ramp, and the repainting of the Dartmouth and Halifax ramp and pontoon structures, recommending that the repainting of the terminal ramps and etc. be awarded to the lowest bidder, Sea Breeze Painting & Contracting Maritime Ltd., for the bid price of \$137,999.85.

MOTION: To award the tender for repainting of the ferry terminal ramps & etc. to the lowest bidder, Sea Breeze Painting & Contracting Maritime Ltd., for the bid price of \$137,999.85, as recommended.

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

2.1.3 PROPOSED FERRY FARE ADJUSTMENT

FERRY FARE
ADJUSTMENT

A report was before Council from Mr. Burke (B. Smith) on the subject of the consultant's report on the ferry operation, and subsequent meeting of the Public Transportation Advisory Committee to deal with the report. As a preliminary measure, based on one of the recommendations from the Price Waterhouse report, staff are recommending to Council that effective July 15/91, the Dartmouth ferry system fare be set at 65¢ for adults for a one-way passage.

Moved: Ald. Hetherington
Second: Ald. Sarto

Some members were not in favour of introducing the fare increase without also implementing the other recommendations from the Price Waterhouse report at the same time. Those supporting the motion felt that an immediate start has to be made to address the ferry deficit, but that the overall plan for the system has to follow as quickly as possible. Mr. Burke indicated to Council that the staff report could be made available without any delay, since it will basically recommend all the points the consultants are proposing.

Ald. Connors had suggested that the staff report be available for the first Council meeting after the summer break, but after hearing Mr. Burke's comments about its more immediate availability, he was in favour of a one-week referral to the July 9th Council meeting, at which time the fare increase and all of the other recommendations would be dealt with at the same time.

After considerable debate, a motion to this effect was adopted.

MOTION: To refer the item back to staff for report and for Council to consider at the July 9th meeting. The Public Transportation Advisory Committee is expected to meet in the meantime and will have a report ready as well.

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

2.1.4 APPLICATION FOR DEVELOPMENT AGREEMENT - 30 FAIRBANKS ST.

APPLICATION: 30 FAIRBANKS ST. An application for Development Agreement for 30 Fairbanks Street has been received (to permit the conversion of the existing dwelling at this location into two units), and Mr. Burke (J. Lukan, G. L'Esperance) has recommended that Tues., Sept. 10th be set as the date for public hearing of the application.

MOTION: To set Tues., Sept. 10th as the date for public hearing of the Development Agreement application for 30 Fairbanks Street.

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

2.1.5 M.P.S./LAND USE BY-LAW - DEBATE PROCESS

M.P.S. DEBATE
PROCESS

Council was again asked to decide the debate process to be followed in dealing with the M.P.S./Land Use By-law, now that all the public hearing material, submissions, etc., have been circulated in a special binder for the purpose. The Mayor noted that as of this point, six members of Council have submitted their comments and concerns to staff for a response, as requested at the June 11th Council meeting.

The Mayor asked if members would like to have weekend sessions for the debate process, or if a series of week-night meetings would be preferred. Only a few members were willing to go along with weekend meetings, and there was a difference of opinion about the merits of a series of meetings and the holding of them under a deadline, creating additional pressures for completion of the M.P.S. debate. Ald. Levandier again suggested adopting the document in its present form, and making amendments to it over a period of time, as required. Ald. Connors said that in fact, the municipal election represents the deadline date, in view of the fact that eight members of Council, voting in favour, are required to adopt the M.P.S./Land Use By-law. Otherwise, you could have new Aldermen who have not heard the public hearing presentations (ie. after the October election).

*** The Mayor asked that any members who have not made their submissions to staff, do so within the next week. He also requested that all of the concerns of all members, with the response to them from staff, be reported to all of the Aldermen and not just to those who raised the concerns.

*** Having heard the opinions of all members wishing to give them, the Mayor proposed to Council that the M.P.S. debate meetings be held during the final week of what was proposed to be part of the summer holiday for Council, that is, the week of August 12th, three or four nights as required. The regular Council meetings would still not commence until the date originally planned, Aug. 20th.

The general response of Council to the suggestion of the Mayor was positive, especially since a consensus could not be reached on any alternative arrangement for meetings. Mayor Savage will therefore choose dates for the M.P.S. debate meetings, and members of Council will be so advised.

There was a brief recess in the meeting at this point, after which Council reconvened. The Mayor called Council's attention to photos of the City's leaf composting process, and acknowledged the assistance and participation of local Rotary organizations.

2.2 CONDOMINIUM COMMITTEE - GARBAGE COLLECTION

2.2.1 REPORT FROM COMMITTEE

REPORT: CONDO
COMMITTEE

Information has been compiled in connection with the work of the committee appointed to study some possible resolution to the issue of solid waste collection for condominiums. The information package, prepared by Mark Bernard, was circulated to members of Council, and a report on behalf of the committee, was given by Ald. Levandier, the Chairman. At the conclusion of his report, he presented a motion for approval of part two of option #3 from the report.

MOTION: To approve service to equal existing service, from July 1/91 to April 1/92, at a cost of \$33,531.54, and to give first approval to the over-expenditure required to fund this amount.

Moved: Ald. Levandier
Second: Ald. McCluskey

The general response of Council to the proposal for service to condos was positive, and members felt the owners of condo units, as taxpayers, have the right to expect some form of garbage collection service. Ald. Greenough proposed, however, that there should be an on-going effort by the condo representatives, working with City staff, to effect necessary modifications (garbage bins & storage areas), so that levels of service can be cut back to lower levels (ie. no greater than three times per week) wherever possible. He proposed an amendment to require this kind of continuing dialogue between the condo representatives and staff, but at the suggestion of the Mayor, the mover and seconder of the motion, were willing to have this proviso included in the motion. Therefore, in addition to the above-noted wording, the following provision is also included:

And that there be an on-going dialogue between condo representatives and City staff, with a view to the effecting of necessary modifications, so that levels of service can be cut back to lower levels, wherever possible.

Ald. Hetherington asked about levels of service for new condos that will be built in the future. The Mayor asked Mr. Bernard to give some consideration to this question, and to draft guidelines for future condo developments. The vote was taken on the motion.

In Favour: All members except

Against: Ald. Pye & Hetherington

Motion Carried (with additional proviso,
bottom of page 5)

Second approval for the over-expenditure required will be given at the July 9th Council meeting.

3.0

SECOND APPROVAL - OVER-EXPENDITURE \$20,000. - SUNRISE BEACH

SECOND APPROVAL:
SUNRISE BEACH

As requested, Parks & Rec. Dept. staff have prepared information on financial, safety, and environmental issues relating to the proposed use of Sunrise Beach as a public beach facility. The report from Mr. Burke (W. Stevens & G. Kaiser) was circulated to members of Council for their consideration.

MOTION: To give second approval to the over-expenditure of \$20,000. for the Sunrise Beach project.

Moved: Ald. Billard

Second: Ald. Hetherington

Mr. Stevens was present to answer questions about the report, and the requirements that are outlined in it. Ald. Billard did not feel that more than \$20,000. would be required to put the beach in readiness for public use, but the other point of concern raised by several members, was about the Water Rights Permit that would be required, and the length of time needed to get it. The report indicates that the permit is not likely to be available before August, and Ald. McCluskey and MacFarlane questioned the expenditure of \$20,000. for a beach area that will only be open for the latter part of the swimming season. The Mayor was willing to take this point up with the Dept. of the Environment, to determine just how much time would be required for an inspection and to process the Water Rights Permit required. Members were therefore agreed that a decision should be deferred for one week, to give the Mayor time to contact the department. Ald. Pye was opposed to the over-expenditure for a beach he did not feel the City needs this summer.

MOTION: To defer for one week, a decision on the Sunrise Beach expenditure, until Mayor Savage has time to contact the Dept. of the Environment.

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

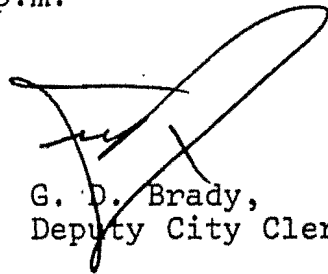
On motion of Ald. Hetherington and Rodgers, Council went in camera at 10:30 p.m.

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

MOTION: To ratify the action taken by Council while meeting in camera on this date. (Reports: land & leasing)

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

Meeting adjourned at 11:10 p.m.



G. D. Brady,
Deputy City Clerk.

ITEMS:

- 1.0 Presentation by Mayor Savage to members of Police Force, pg. 1.
Presentation - Management/Union Award, page 1.
 - 2.0 Reports, page 1.
 - 2.1 City Administrator, page 1.
 - 2.1.1 Contract 91-14, Forest Road, Curb & sidewalk reconstruction, pg 1
 - 2.1.2 Tender for renewal of ramp bearings in Dartmouth ferry dock &
repainting of Dartmouth & Hfx. ramp, etc., page 2.
 - 2.1.3 Proposed ferry fare adjustment, page 2
 - 2.1.4 Application for Development Agreement, 30 Fairbanks St., pg. 3.
 - 2.1.5 M.P.S./Land Use By-law, debate process, page 4.
 - 2.2 Condominium Committee, garbage collection, page 5.
 - 2.2.1 Report from Committee, page 5.
 - 3.0 Second approval, over-expenditure of \$20,000. (Sunrise Beach),
Page 6.
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Lib. Ref. Dept.

DARTMOUTH CITY COUNCIL
AGENDA

* TUES., JULY 09/91 *
* 7:00 PM *
* COUNCIL CHAMBER *
* IN CAMERA SESSION *
* 10:00 PM *

1. INVOCATION
2. APPROVE THE MINUTES FROM THE MEETINGS: May 15, 16, 28, June 4, 11, 18, July 2, 1991.
3. BUSINESS ARISING FROM THE MINUTES
4. CONCERNS OF COUNCIL MEMBERS OR QUESTIONS (15 MINUTE MAXIMUM)
5. DELEGATIONS & HEARINGS OF PROTEST
6. ORIGINAL COMMUNICATIONS
 - i) Dartmouth District Soccer Association
7. PRESENTATIONS
 - i) Atlantic School of Theology - Funding Request - Kevin Moynihan
 - ii) Nova Scotia Government Employees Union - Dartmouth Children's Training Centre - Linda Cormier
 - iii) Parent Presentation - Children's Training Centre
8. PETITIONS
 - i) Request for a three-way stop zone for vehicular traffic and pedestrian walkway lines at the intersection on Mount Edward Road and Cranberry Crescent
 - ii) Residents concerns over increased traffic flow between Crichton Park Road and Maple Street
 - iii) Residents of Rose, Oak, and Mayflower Streets requesting three way stop sign at intersections of Rose and Oak St.
9. SECOND APPROVAL - OVER EXPENDITURES (reports prev. circulated)
 - i) Sunrise Beach - \$20,000
 - ii) Condominium Garbage Collection - \$33,531.54

10. REPORTS

10.1 CITY ADMINISTRATOR

- 10.1.1 Report - Ferry Service
- 10.1.2 By-law W-300 - Wyse Road Business Improvement District Commission
- 10.1.3 Tender - Self-Contained Breathing Apparatus - Fire Dept.
- 10.1.4 Application to Amend Land Use By-law - Recycling Facilities and Salvage Yards
- 10.1.5 Application, Retail Video Outlet, F & S Grocery & Video
- 10.1.6 Tender - Contract 90-38, Curb & Paving, Michael Lane
- 10.1.7 Club House - Lawn Bowling

10.2 SOLICITORS

- 10.2.1 Street Takeover - Michael Lane

10.3 PENSION COMMITTEE

- 10.3.1 Ad Hoc Adjustment for Present Pensioners
- 10.3.2 Interest Rate on Pension Refunds to Terminating Employees
- 10.3.3 Career Average Earnings Plan - By-Law P-404
- 10.3.4 Best Five Years Average Earnings Plan - By-Law P-405
- 10.3.5 Repeal By-Law P-403

11. MOTIONS

11.1 Ald. Woods

- 11.1.1 Speeding - Highfield Park Drive

11.2 Ald. McCluskey

- 11.2.1 Responsibility for Damages - Tree Falling

11.3 Ald. Connors

- 11.3.1 Reduction of Aldermen/Wards and new ward boundaries

12. NOTICES OF MOTION

LOCATION: CITY COUNCIL CHAMBERS

TIME: 7:00 P.M.

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

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

1.0 INVOCATION

The meeting was opened by Mayor Savage, with the Invocation.

2.0 APPROVAL OF MINUTES

MOTION: To approve the minutes of meetings held on May 15, 16, 28, June 4, 11, 18, July 2/91, with one correction noted: both Ald. Connors and Billard should have been recorded as present for the May 16th meeting, which was a public hearing.

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

3.0 BUSINESS ARISING FROM THE MINUTES

4.0 CONCERNS OF COUNCIL MEMBERS OR QUESTIONS

ALD. MCCLUSKEY Ald. McCluskey requested that the T.M.G. consider a sign change on Crichton Ave., in the vicinity of St. Peter's Church, to permit parking on Saturdays and Sundays, so that people attending mass will not be ticketed for parking violations.

Ald. McCluskey reported another instance of flyers being put on the windshields of cars in the downtown. The Mayor agreed to have the Solicitor look into what is being done in the way of enforcement in these instances.

Ald. McCluskey advised that concerns have been stated to her about the policy of not releasing information on incidents of crime and where they are occurring.

The Mayor noted that a committee, to include media representatives, is being proposed to review the policy on releasing information.

Ald. Pye had a question as well on the same subject and was informed by the Mayor that the Police Commission will be meeting in two weeks time and all members of Council are free to attend and give their opinions. Ald. Connors felt that senior Police Dept. staff should be clarifying questions of policy before any committee discussions take place.

ALD. HETHERINGTON Ald. Hetherington asked for information in connection with rumors that H.D.I.L. will be moving their operation from Dartmouth to Halifax; if this is true, he also requested information on the terms and conditions of funding assistance they are receiving.

Ald. Hetherington questioned the use of Eagle Security people to check for permits to use playing fields. Mr. Atkinson explained why this service has been put into effect, including the attempt to reduce vandalism, and why Parks & Rec. vehicles are being used by the security people, in order to cut costs. Ald. Hetherington said he would prefer to have our own staff carrying out these duties and using our vehicles, instead of Eagle Security.

ALD. PYE Ald. Pye was concerned that sludge is again being dumped at the Tufts Cove location; he gave the license number of a green and yellow truck that is doing the dumping, #73199C, and asked to have this looked into further.

Ald. Pye requested that an objection be registered with the Province and through the U.N.S.M., with regard to the taxing of flea markets.

ALD. WALTON Ald. Walton suggested that during the current dry spell, any Fire Dept. practicing in the use of hoses, be done at playing fields, so the water can be made use of to water the fields at the same time.

ALD. THOMPSON Ald. Thompson asked about the status of walkways approved as capital projects at Muriel Ave. & Dorothea Dr., and at Lucien Drive and Carlson. His inquiry was directed by the Mayor to Mr. Fougere.

ALD. HAWLEY Ald. Hawley requested that the one-way signage for Michael Lane be put into effect immediately, without waiting for street construction there to begin.

ALD. SARTO

Ald. Sarto asked to have a request looked at for a Stop sign on Oakwood Court, at Oakwood Court and Oakwood Ave.

5.0 DELEGATIONS & HEARINGS OF PROTEST6.0 ORIGINAL COMMUNICATIONSi) DARTMOUTH DISTRICT SOCCER ASSOCIATIONDART. DISTRICT
SOCCER ASSN.

A letter was before Council from the Dartmouth District Soccer Association, regarding their use of a site on Brown Ave., Burnside, for development of a playing field.

Ald. Connors proposed that approval in principle be given for the Association to have the use of this site, and further, that their request be forwarded to Mr. Rath and to the Industrial Commission for consideration and response.

MOTION: To approve in principle the request for use of the Brown Ave. site by the Dartmouth District Soccer Assn., and to forward their letter to Mr. Rath and to the Industrial Commission, for consideration and response.

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

7.0 PRESENTATIONSi) ATLANTIC SCHOOL OF THEOLOGY - FUNDING REQUESTFUNDING
REQUEST: A.S.T.

Representatives of the Atlantic School of Theology Library Campaign were present in connection with their request for funding assistance from the City; they are seeking from Dartmouth, a contribution in the amount of \$15,000., to be paid either at one time or over the next three-year period. Material and information on the new library project has been circulated to members of Council with the agenda for this meeting. Introductory remarks were made to Council, but before the presentation took place, a motion was put forward to approve financial participation on the part of the City.

MOTION: To approve a \$5,000. contribution for the next three-year period, toward the new AST library project, for a total City of Dartmouth grant in the amount of \$15,000., as requested by the campaign representatives.

Moved: Ald. Hetherington

Second: Ald. Hawley

In Favour: All

Against: None

Motion Carried

ii) N.S. GOVERNMENT EMPLOYEES UNION - DARTMOUTH CHILDREN'S
TRAINING CENTRE

CHILDREN'S
TRAINING CENTRE

A presentation was made to Council by Ms. Linda Cormier, Employee Relations Officer for the Nova Scotia Government Employees Union, on behalf of staff at the Dartmouth Children's Training Centre, one of four centres in the province designated by the Minister of Community Services for closure. Approx. thirty staff members will be laid off in Dartmouth if the centre is closed. Mr. Blanchard, the Union President, was also heard by Council.

In connection with this same item, three parents addressed Council, stating their concerns about the adverse impact of closing the centre, as it would affect their own children. The parents making the presentation were: Lorraine Bartlett, Maureen Pallard, and Barb Horner. They provided copies of a brief submitted in May to the Government of Nova Scotia, on the subject of the training centre closures, by the Nova Scotia Association for Community Living. Copies of the N.S. Government Employees Union submission to Council, were circulated to all members as well.

A memo from the Mayor on the item, concludes with a summation that formed the intent of a motion adopted by Council, that is, to oppose '... the hasty, ill-advised transfer of children into places where they are likely not be provided with adequate education and health opportunities'. Basically, Council supported the intent of this summary statement, even though the wording of a motion presented was more extensive.

MOTION: That Council object to the closure of the children's training centre in Dartmouth, and seek the support of the U.N.S.M. in opposing the closure of all four centres. Further, that these centres remain open until such time as a

proper and carefully-thought management plan can be determined and put in place as an alternative to these facilities.

Moved: Ald. Hetherington
Second: Ald. Walton

Ald. Rodgers asked for an executive summary that would explain the rationale for the decision to proceed with a closure of the training centres. Ald. Hawley's request was for information from City Social Services on the number of young adults in Dartmouth who will reach the age of 19 by October of this year and would be affected by the Provincial decision; also, where could they be placed and at what cost. Reference was made throughout the debate to the added municipal cost represented by this institutional closing, and to the fact that the municipalities were not consulted in any way before the decision was taken by the Provincial Dept. of Community Services.

The vote was taken on the motion, as set out in the Mayor's summary statement from page 4 of these minutes.

In Favour: All
Against: None
Motion Carried

8.0 PETITIONS

i) REQUEST FOR THREE-WAY STOP ZONE: MOUNT EDWARD RD. AND CRANBERRY CRESCENT

REQUEST: THREE-WAY STOP

Ald. Sarto presented a petition from area residents, requesting a three-way Stop zone at Mount Edward Road and Cranberry Crescent, and moved that staff be authorized to proceed with the installation of Stop signs at this location.

MOTION: That Council authorize staff to proceed with the installation of three-way Stop signs at Mount Edward Road and Cranberry Crescent, as per the request of area residents.

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

Ald. Pye felt that petitions for traffic control in local areas, should be referred to the T.M.G. and not just approved by Council without recommendation. Ald. Hawley felt the T.M.G. rationale for objecting to three-way Stop signs, should be explained to Council.

Ald. Thompson requested that the T.M.G. look at the problems being caused by traffic short-cutting through Ridgecrest onto Mount Edward Road, particularly during peak rush-hours.

PETITION:
JOSEPHINE COURT

PETITION - JOSEPHINE COURT RESIDENTS

Ald. Walton asked to have referred to the T.M.G., a petition from Josephine Court residents, who are requesting No Parking signs at the point of a dangerous turn on their street.

ii)

REQUEST - THISTLE STREET RESIDENTS ASSOCIATION

REQUEST: THISTLE
ST. RESIDENTS

Ald. Connors presented a petition from residents and members of the Thistle Street Residents Association, seeking to have their street, in the Maple/Crichton Park Road corridor, designated as a residential street and not a collector street, for purposes of traffic volumes and considerations. At the suggestion of the Mayor, Council agreed to deal with this petition further in conjunction with the MPS debate in August.

iii)

REQUEST - RESIDENTS OF ROSE, OAK & MAYFLOWER STREETS

REQUEST: ROSE,
OAK & MAYFLOWER

Ald. Levandier presented a petition from the residents of Rose, Oak and Mayflower Streets, requesting a number of traffic-control measures. Ald. Levandier asked for Council's approval of a three-way Stop designation at the location of these streets, and referral of the other items to the T.M.G. for further consideration.

MOTION: To approve a three-way Stop at Rose, Oak and Mayflower Streets, as requested by area residents, and to refer other traffic controls requested to the T.M.G. for consideration.

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

At 8:30 p.m., Council agreed to deal with the Pension Committee items, for which the actuary, Mr. Conrad, was present.

10.3 PENSION COMMITTEE10.3.1 AD HOC ADJUSTMENT FOR PRESENT PENSIONERSADJUSTMENT FOR
PENSIONERS

The Pension Committee has recommended to Council an ad hoc pension benefits adjustment for all individuals receiving pension payments from the City's pension plan as of Dec. 31/90. This adjustment would create an additional liability to the pension fund of \$851,933.

CONFLICT OF INTEREST

Ald. Rodgers declared a conflict of interest on this item, since his father is a City pensioner at present. He withdrew from his place on Council while the item was under consideration.

MOTION: To approve the recommendation of the Pension Committee.

Moved: Ald. Greenough

Second: Ald. Thompson

In a separate memo to Council, dated July 5/91, Mr. Burke has urged Council not to approve the recommendation, for the reasons stated by him in the memo. He gave a verbal report at this time, indicating his opposition to the proposed adjustment.

Members of Council agreed to hear Mr. Conrad before proceeding to debate the motion. He gave a brief synopsis of the actuarial report he presented to the Pension Committee, advising that the present assets of the City Pension Fund stand at 58.8 million dollars, and the liability of the Fund, at 60.3 million dollars, for a net deficit of 1.447 million dollars. He described this as not being a serious deficit and likely to be recouped through investment.

Questions from members of Council during debate had to do with the cost of the Plan improvement (the 2% of best five-year average); the change in status of the Pension Fund, from being in a surplus position to being in the present deficit position; the impact of provisions negotiated with the Police Dept., in conjunction with their collective agreement, as referred to in a letter from the Wyatt Company, quoted from by Ald. McCluskey.

Only a minority of Council members were willing to support the motion. Most other members shared the opinion of Mr. Burke on the costs involved to go ahead with the adjustment for pensioners, for the reasons given by him.

The vote was taken on the motion.

In Favour: Ald. Billard, Walton,
MacFarlane & Hetherington

Against: All other members
Motion Defeated

10.3.2 INTEREST RATE ON PENSION REFUNDS TO TERMINATING EMPLOYEES

INTEREST RATE

The Pension Committee has recommended an interest rate on pension refunds to terminating employees, based on the average of the yields of five year personal fixed term chartered bank deposit rates (CANSIM Series B 14045), over a reasonably recent period, the averaging period not to exceed 12 months.

MOTION: To adopt the recommendation of the Pension Committee.

Moved: Ald. Greenough

Second: Ald. Thompson

In Favour: All

Against: None
Motion Carried

10.3.3 CAREER AVERAGE EARNINGS PLAN - BY-LAW P-404

BY-LAW P-404

Proposed By-law P-404, to enact a Career Average Earnings Retirement Pension Plan for the City of Dartmouth, was before Council for approval, having been recommended by Mr. Burke (G. Roussel). The employee groups designated, for purposes of this by-law, are the Dartmouth Firefighters Association (IAFF Local 1398), and non-union employees (School Bus Garage) of the Dartmouth District School Board.

Ald. Connors felt the School Board workers should not be designated against their wishes, and that the employee group referred to by Mr. Garron, Supervisor of Pupil Transportation, should be consulted with further before a decision is taken to include them. A memo from Mr. Burke has been circulated, further to the communication from Mr. Garron, directed to members of Council.

MOTION: That the workers at the School Bus Garage be consulted before any move is made to include them in the new Pension Plan provision.

Moved: Ald. Connors

Second: Ald. McCluskey

In Favour: All

Against: None
Motion Carried

Ald. Thompson asked for information on the cost implications of these workers not participating.

The Solicitor informed Council that it would still be necessary to proceed with the approval of By-law P-404 at this time; he then presented an amendment to Section 1.4.1 of the by-law, covering the wishes of Council with respect to the School Bus employees. The section is amended with the addition of the words '. . . and shall include School Bus drivers!.

With the above-noted amendment, Council was willing to proceed with By-law P-404, as presented.

MOTION: That leave be given to introduce the said By-law P-404 (as amended) and that it now be read a first time.

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

MOTION: That By-law P-404 be read a second time.

Moved: Ald. Thompson
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 P-404 (as amended) be read a third time, and that the Mayor and the City Clerk be authorized to sign and seal the said by-law on behalf of the City.

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

10.3.4 BEST FIVE YEARS AVERAGE EARNINGS PLAN - BY-LAW P-405

BY-LAW P-405

A corresponding amendment to proposed By-law P-405 was recommended by the Solicitor, prior to Council's consideration and approval of it. Section 1.4.1 would be amended with the addition of the words: '. . . or School Bus drivers'.

MOTION: That leave be given to introduce said By-law P-405 (as amended) and that it now be read a first time.

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

MOTION: That By-law P-405 be read a second time.

Moved: Ald. Greenough
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 P-405 (as amended) be read a third time, and that the Mayor and the City Clerk be authorized to sign and seal the said by-law on behalf of the City.

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

REPEAL OF P-403 10.3.5 In view of the fact that the Dartmouth Firefighters Local have subsequently decided to join the Best Five Years Average Earnings Plan (By-law P-405), and provision has been made for consultation with the School Bus employees, excluding them under Section 1.4.1, as previously noted, further action was not required to repeal By-law P-403, item 10.3.5 on the agenda.

9.0 SECOND APPROVAL - OVER-EXPENDITURES

i) SUNRISE BEACH - \$20,000.

SUNRISE BEACH

The Sunrise Beach item was back before Council, and in this connection, members were circulated with copies of a letter from Ms. Coish of the Environment Dept., outlining authorizations that would be required before a public beach could be developed and opened at Sunrise.

Also, the Mayor gave a verbal report on his discussions with the Minister and Deputy Minister, when he was informed that in going through normal channels for approvals required, at least a month's time would be necessary.

Recognizing that over half the summer would be over before the beach could become operational, members tended to feel that the \$20,000. over-expenditure given first approval, would not be justified. Ald. Billard and Greenough were prepared to go ahead with second approval, however, and made this motion.

MOTION: That second approval be given for the \$20,000. over-expenditure required for the development and use of Sunrise Beach.

Moved: Ald. Billard
Second: Ald. Greenough

After points from Ms. Coish's letter had been further clarified, Ald. Greenough agreed that it would not be feasible to proceed further with the Sunrise Beach project this year; Ald. Billard continued to support the motion. Ald. Hawley proposed that Parks & Rec. Dept. begin now to take the necessary steps, so the beach can be open for public use next summer; also, to include provision for the necessary expenditures in next year's department budget. The vote was taken on the motion.

In Favour: Ald. Billard
Against: All other members
Motion Defeated

ii) CONDOMINIUM GARBAGE COLLECTION - \$33,531.54

CONDO GARBAGE COLLECTION
(SECOND APPROVAL) Council was asked to give second approval to an over-expenditure in the amount of \$33,531.54, to cover the additional cost associated with garbage collection services for condo units in the City.

MOTION: To give second approval for an over-expenditure in the amount of \$33,531.54, to cover the cost of garbage collection services for condo units.

Moved: Ald. Sarto
Second: Ald. Connors
In Favour: All members except
Against: Ald. Hetherington, Pye, Hawley & Walton
Motion Carried

Ald. Woods then presented a request from the Highfield Park Housing Co-operative, for solid waste collection services to be extended to their development.

REQUEST:
HIGHFIELD
PARK CO-OP

MOTION: To refer the request from Highfield Park Co-op to staff for recommendation.

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

10.1 CITY ADMINISTRATOR

10.1.1 REPORT - FERRY SERVICE

REPORT: FERRY
SERVICE

Mr. Burke reviewed with Council, his report on the Price Waterhouse study of the Dartmouth Ferry system, with a recommended management plan for addressing the deficit position of the operation. The Plan has seven key elements, being recommended to Council for implementation. Contingency plan items, which represent a fall-back position, if the management plan does not produce desired results, have also been outlined in Mr. Burke's report.

MOTION: That the recommendations of the Management Plan proposed, be approved, and that staff and the Transportation Advisory Committee, continue to work on the contingency plan items.

Moved: Ald. Hetherington
Second: Ald. Sarto

After presenting the position of the Committee, as Chairman, Ald. Hetherington proposed an amendment to delete recommendation #2 and 3 B), which is associated with it.

AMENDMENT: To delete recommendation #2 and also 3 B), which read as follows:

#2. Dartmouth/Halifax Service - Change to 20 minute peak shuttle, and 30 minute off-peak for balance of schedule.

#3 B) Woodside/Halifax - Service to be changed to one-quarter hour departures if item #2 is approved.

Moved: Ald. Hetherington
Second: Ald. Billard

In presenting his amendment, Ald. Hetherington suggested that recommendation #2 can be assessed again at some future date, when it will have been determined how the other recommendations are working.

Ald. Levandier was opposed to both the motion and the amendment, on the basis that the ferry operation should be taken over by the Metropolitan Authority as part of the total transportation network in metro. There were other members who felt that Dartmouth can no longer bear the full cost of operating the ferry system alone. Ald. Connors felt the City should be making plans now to discontinue operating the service, and begin negotiations with the Province and regional bodies responsible, for a take-over of the system. Also, some members were not convinced that it is a good idea to increase fares to 65¢, or that they should continue to be increased over the next five-year period. Ald. Rodgers said he would like to have information from the consultants on the question of 'elasticity' and just how far we can go with fare increases before the public will begin to respond negatively.

Ald. Billard asked if it would not be possible to start the marketing plan immediately, without waiting for the 1992/93 budget. He discussed this feasibility in further detail with Mr. Burke.

(On motion of Ald. Pye and McCluskey, Council agreed to continue meeting after 11:00 p.m.)

There was further debate, following which the vote was taken on the amendment.

In Favour: All
Against: None
Amendment Carried

The Mayor then took the vote on the amended motion.

In Favour: All members except
Against: Ald. Levandier, Billard, Pye, & MacFarlane
Motion Carried, as amended.

Ald. Connors proceeded to move that two further items be added to the Management Plan.

MOTION: To add items 8 and 9 to the Management Plan, as follows:

- #8. That the City intends to discontinue the Woodside run, effective April 1/92.
- #9. The City is prepared to enter an agreement with the appropriate agency or department of the Provincial Government, for the transfer of all or a portion of the assets and operation of the ferry system. The objective of the City would be to have such agreement in place by April 1/92.

Moved: Ald. Connors

Second: Ald. Rodgers

Ald. Rodgers requested that staff provide an information break-out on ridership for both the Woodside and downtown services. The vote was taken on the motion.

In Favour: Six members

Against: Eight members

Motion Defeated

Another motion, presented by Ald. Billard, calling for a start on the marketing plan in time for September of this year, and pro-rated at 1.5% of revenues, for funding purposes, did not receive a seconder.

There was general agreement that items 2 and 3 B) will be reviewed in six months time, to determine if it is necessary to implement them.

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

10.1.2 BY-LAW W-300 - WYSE ROAD BUSINESS IMPROVEMENT DISTRICT

COMMISSION

BY-LAW W-300

Proposed By-law W-300 has been prepared and recommended for Council's approval. This by-law will establish the Wyse Road Business Improvement District Commission, and it is further recommended that Council disband the Wyse Road Business Improvement District Committee and appoint the Commission membership.

MOTION: That leave be given to introduce the said By-law W-300 and that it now be read a first time.

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

MOTION: That By-law W-300 be read
a second time.

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

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

MOTION: That By-law W-300 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. Sarto
Second: Ald. Pye
In Favour: All
Against: None
Motion Carried

10.1.3 TENDER - SELF-CONTAINED BREATHING APPARATUS - FIRE DEPT.

AWARD TENDER:
FIRE DEPT.

Report from Mr. Burke (Fire Chief Greene & Purchasing)
on the tenders received for self-contained breathing
apparatus for the Fire Dept., recommending that the
tender be awarded to the lowest bidder, Draeger Canada
Ltd., in the total amount of \$46,471.50.

MOTION: To award the tender as recommended
for self-contained breathing apparatus,
to the lowest bidder, Draeger Canada
Ltd., in the total amount of \$46,471.50

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

10.1.4 APPLICATION TO AMEND LAND USE BY-LAW - RECYCLING FACILITIES
& SALVAGE YARDS

APPLICATION:
RECYCLING
FACILITIES

Council decided to defer a report on By-law C-690 (Recycling & Salvage Yard Facilities) until the next meeting, in view of the lateness of the hour and the number of items still remaining to be dealt with on the present agenda.

MOTION: To defer until the next Council meeting, the report from staff on By-law C-690 (in second reading).

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

10.1.5 APPLICATION, RETAIL VIDEO OUTLET, F & S GROCERY & VIDEO

APPLICATION:
VIDEO OUTLET

Council has been asked for an indication of any objection to an application for a retail video outlet at 99 Woodlawn Road (F & S Grocery & Video). Police Dept. have expressed no concerns about this application.

MOTION: To indicate no objection to the application for a retail video outlet at 99 Woodlawn Road (F & S Grocery & Video).

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

Council agreed to move up on the agenda, the Solicitor's report on the City takeover of Michael Lane, prior to dealing with the tender for work on this street.

10.2 SOLICITORS

10.2.1. STREET TAKEOVER - MICHAEL LANE (RESOLUTIONS 91-21 & 91-18)

STREET TAKEOVER:
MICHAEL LANE

The Solicitor has submitted a report on the street takeover of Michael Lane, recommending the approval of Resolution 91-21 (expropriating Parcel MGD from owner unknown, as required), and Resolution 91-18, to take over the street.

RESOLUTIONS
91-21 & 91-18

MOTION: To approve Resolutions 91-21 and 91-18, as recommended.

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

10.1.6 TENDER - CONTRACT 90-38, CURB & PAVING, MICHAEL LANE

AWARD TENDER:
CONTRACT 90-38

Report from Mr. Burke (R. Fougere, E. Purdy) on tenders received for Contract 90-38 (curb & paving) Michael Lane, recommending that the tender be awarded to the low bidder, Dexter Construction Co. Ltd., with a bid price of \$59,000.00.; completion time: 4 weeks.

MOTION: To award the tender for Contract 90-38 (curb & paving, Michael Lane) to the low bidder, Dexter Construction Co. Ltd., in the amount of \$59,000.00, as recommended.

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

10.1.7 CLUB HOUSE - LAWN BOWLING

CLUB HOUSE:
LAWN BOWLING

Mr. Burke has submitted a report to Council (prepared by Mr. Atkinson) on the request received from Dartmouth Lawn Bowling Club, to construct a club-house on City land adjacent to the Woodside Lawn Bowling green. It has been recommended that permission be granted to the Dartmouth Lawn Bowling Club to construct a club-house, subject to satisfactory leasing arrangements being completed.

MOTION: To approve the recommendation that Dartmouth Lawn Bowling Club be permitted to construct a club-house on City land, subject to satisfactory leasing arrangements.

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

10.1.8 TENDER - STREET CONSTRUCTION - CONTRACT 91-31AWARD TENDER:
CONTRACT 91-31

Report from Mr. Burke (R. Fougere, E. Purdy) on tenders received for Contract 91-31, street construction on Dustan Street and Everette Street, recommending that the contract be awarded to the lowest bidder, Standard Paving Maritime Ltd., with a bid price of \$277,130.00; completion time: 40 days.

MOTION: To award the tender for Contract 91-31 (Dustan & Everette Sts.) to the lowest bidder, Standard Paving Maritime Ltd., with a bid price of \$277,130.00, as recommended.

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

Since this tender came in \$102,000. under budget, Ald. Hetherington requested permission to add a small street section on Dustan Lane, joining Dustan Street and Johnstone Ave., to be carried out with the main tender.

MOTION: To incorporate with the main tender for Contract 91-31, a small street section, Dustan Lane, to be completed in the same project.

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

12.0 NOTICES OF MOTION

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

Ald. Billard

(a) WHEREAS the City of Dartmouth has been able to effect repairs to almost all of Erskine St. (its sidewalks and road surface);

BE IT RESOLVED that the final quarter of the street, from Hawthorne St. to Summit, be included for debate in the 1992 capital budget, with reference to its sidewalk and street surface.

- (b) WHEREAS the development of small, multi-unit housing opportunities is limited by zone categories like R-1, R-2, R-3;

AND WHEREAS these broad categories do not reflect the need to encourage refurbishing of small two-unit building to acceptably-sized three-unit building (ie. adding one unit through reconstruction);

BE IT RESOLVED that City Planning staff review the potential of a proposed amendment to the Halifax Land Use By-law (Section 43AE), which states: 'Notwithstanding any other provisions of the by-law, a building which was in existence on September 17, 1987, may be converted to R-1, R-2 or R2A uses, to a maximum of 14 units, provided there is no increase in building volume and 50% of the dwelling units contain a minimum of 800 sq. ft. of floor area.'

- (c) WHEREAS a significant number of complaints are reported as coming from neighbours of certain lounges;

AND WHEREAS the complaints have tended to indicate a list of repeating sources, particularly late on weekend nights;

AND WHEREAS the City's police service is repeatedly called out to deal with the same locations, time after time, at considerable expense to tax payers;

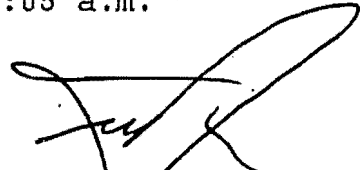
BE IT RESOLVED that ways and means of easing this burden on the police budget be sought (including some type of user-pay), and investigated for future debate by City Council.

At 12:00 a.m., Council went in camera, on motion of Ald. Sarto and Thompson. Council reconvened to ratify the action taken while meeting in camera. (Ald. Woods and McCluskey left the meeting before Council went in camera.)

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

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

The meeting adjourned at 12:05 a.m.



G. D. Brady,
Deputy City Clerk.

ITEMS:

- 1.0 Invocation, page 1.
- 2.0 Approval of minutes, page 1.
- 3.0 Business Arising from the Minutes, page 1.
- 4.0 Concens of Council members or questions, page 1 to 3.
- 5.0 Delegations & Hearings of Protest, page 3.
- 6.0 Original Communications, page 3.
 - i) Dartmouth District Soccer Assn., page 3.
- 7.0 Presentations, page 3.
 - i) Atlantic School of Theology, funding request, page 3.
 - ii) N. S. Government Employees Union, Dart. Children's Training Centre, page 4.
- 8.0 Petitions, page 5.
 - i) Request for three-way Stop zone, Mount Edward Road and Cranberry Crescent, pg. 5.
 - Petition, Josephine Court residents, page 6.
 - ii) Request, Thistle St. Residents Association, page 6.
 - iii) Request, residents of Rose, Oak & Mayflower Streets, pg. 6.
- 10.3 Pension Committee, page 7.
 - 10.3.1 Ad hoc adjustment for present pensioners, page 7
 - 10.3.2 Interest rate on pension refunds to terminating employees, pg.8.
 - 10.3.3 Career Average Earnings Plan, By-law P-404, pg. 8.
 - 10.3.4 Best Five Years Average Earnings Plan, By-law P-405, pg. 9.
 - 10.3.5 Repeal of P-403, pg. 10.
- 9.0 Second approval, over-expenditures, page 10.
 - i) Sunrise Beach, \$20,000., pg. 10
 - ii) Condominium garbage collection, \$33,531.54, page 11.
 - Request, Highfield Park Co-operative, page 12.
- 10.1 City Administrator, page 12.
 - 10.1.1 Report, Ferry service, page 12 to 14.
 - 10.1.2 By-law W-300, Wyse Road Business Improvement District Commission, page 14.
 - 10.1.3 Tender, self-contained breathing apparatus, page 15.
 - 10.1.4 Application to amend Land Use By-law, recycling facilities, pg.1
 - 10.1.5 Application, Retail Video Outlet, 99 Woodlawn Rd., page 16.
 - 10.2 Solicitors, page 16.
 - 10.2.1 Street takeover, Michael Lane, page 16.
 - Resolutions 91-21 and 91-18, page 16.
 - 10.1.6 Tender, Contract 90-38, curb & paving, Michael Lane, pg. 17.
 - 10.1.7 Club house, lawn bowling, page 17.
 - 10.1.8 Tender, street construction, Contract 91-31, page 18.
- 12.0 Notices of motion (Ald. Billard), page 18 & 19.