



Lib. Ref. Dept.

**DARTMOUTH CITY COUNCIL  
AGENDA**

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**TUES., NOV. 2/93**

**7:30 PM**

**COUNCIL CHAMBER**

**INVOCATION**

**1. PUBLIC HEARING**

- i) 83-87 Portland Street - Application for Development Agreement

**CONTINUATION OF COUNCIL AGENDA OF OCTOBER 26, 1993  
(REPORTS PREVIOUSLY CIRCULATED)**

**2. MOTION**

**2.1 ALD. HETHERINGTON**

WHEREAS most property owners, but not all, cut the grass between the sidewalk, or sidewalk reserve, and the curb in front of their properties;

AND WHEREAS the City does not have the resources to do grass cutting between the sidewalk, or sidewalk reserve, and the curb;

BE IT THEREFORE RESOLVED that the Dartmouth City Charter be amended to allow Council to pass a by-law requiring all property owners to cut the grass between the sidewalk, or sidewalk reserve, and the curb.

**3. REPORTS**

**3.1 CHIEF ADMINISTRATIVE OFFICER**

- 3.1.1 Dartmouth Museum Advisory Committee - Supplementary Report  
3.1.2 Land Exchange - Montebello

**3.2 INVESTMENT COMMITTEE**

3.2.1 Interim Report 1993/94 - 1st Quarter - April 1 to June 30

**3.3 SOLICITOR**

3.3.1 Terms of Reference - Grants Committee

**COUNCIL AGENDA OF NOVEMBER 2, 1993**

4. **APPROVE THE MINUTES FROM THE MEETINGS:** Sept. 22, Oct. 5, 12, 19, 26/93

5. **BUSINESS ARISING FROM THE MINUTES**

6. **DELEGATIONS & HEARINGS OF PROTEST**

7. **ORIGINAL COMMUNICATION**

8. **PRESENTATIONS**

Operations Review (Presentation and Discussion)

8.1 Legislative

8.2 Fire Service

9. **PETITION**

10. **REPORTS**

10.1 **CHIEF ADMINISTRATIVE OFFICER**

10.1.1 Application Development Agreement, 29 Dahlia Street  
(Set dates for Neighbourhood Information Meeting and Public  
Hearing)

10.1.2 Contract 93-04, Overhead Crosswalk Signs (to be circulated)

10.1.3 Contract 93-51, Painting of Ferries

10.1.4 Unpaid Leave Act - City Deductions

10.1.5 Contract 93-61, Repairs to Eliminate Leakage, Dartmouth City  
Hall

10.2 **ADVISORY COMMITTEE ON HUMAN RIGHTS**

10.2.1 Mission Statement: Set Aside Program for Black Entrepreneurs

11. **MOTIONS**

1. **ALDERMAN WOODS**

WHEREAS By-law R-200 respecting Residential Parking Permits, provides for special parking privileges for local area residents on their respective neighbourhood streets;

AND WHEREAS commercial parking problems continue to plague the residential streets which connect to the Windmill Road corridor;

AND WHEREAS a broad application of No Parking signs places an unfair burden on area residents;

THEREFORE BE IT RESOLVED that the following streets be designated as special streets under By-law R-200, requiring residential parking permits:

Lovett Street	(1 side only)
Pinewood Drive	(1 " " )
Sunnydale Ave.	(South side only)
Courtney Road	(Replacing existing restrictions)
Springhill Road	(North side only)
Middle Street	(North & South sides)

AND BE IT FURTHER RESOLVED that the existing No Parking restrictions be maintained:

Lovett Street	(The remaining side)
Pinewood Drive	(" " " )
Sunnydale Ave.	(North side)
Springhill Road	(South side)

12. **NOTICES OF MOTION**

13. **CONCERNS OF COUNCIL MEMBERS OR QUESTIONS**

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

MEMBERS PRESENT: MAYOR MCCLUSKEY  
ALDERMEN MAY, LEVANDIER  
WOODS, PYE, WALTON  
HETHERINGTON, HAWLEY  
GREENOUGH, MACFARLANE  
CUNNINGHAM, MACDONALD  
RODGERS, SARTO, THOMPSON

CHIEF ADMINISTRATIVE OFFICER: L. CORRIGAN  
CITY SOLICITOR: S. HOOD  
ASST. CITY CLERK: V. CARMICHAEL  
DEPARTMENT HEADS & ASSISTANTS

INVOCATION

The meeting opened with the Invocation, led by Mayor McCluskey

PROCLAMATION

A Proclamation was read by the Mayor, proclaiming the week of November 8th to 14th, as Unity and Diversity Week in the City of Dartmouth, on behalf of the Baha'i Faith.

1.0 PUBLIC HEARING

i) 83-87 PORTLAND STREET - APPLICATION FOR DEVELOPMENT AGREEMENT

APPLICATION: This meeting of Council constituted the public hearing for  
83-87 PORTLAND ST. an application for Development Agreement, to permit the  
PUBLIC HEARING conversion of second-floor office space at 83-87 Portland Street, to four residential dwelling units. The report to Council on this application recommends in favour of the Development Agreement and approval of Resolution 93-38, which accompanied the report.

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

The Planning Dept. presentation was made by Roger Wells. He reviewed details of the application, and explained specifically why the requirements for parking and amenity space are considered to have been met; also, from a safety point of view, there will be improvements with the alterations proposed, one being access to a roof deck, not previously available. The Planning Dept. assessment is that the application satisfactorily complies with the M.P.S., and that a Development Agreement is in order for the proposed development. Mr. Wells therefore recommended Council's approval of Resolution 93-38.

The Mayor opened the public hearing, calling for speakers in favour of the application. Only one speaker, Mr. Bernett, the applicant, was heard by Council in favour of the proposal he has made. After calling twice more for speakers in favour, the Mayor called three times for speakers opposed. When there were none, the public hearing was declared to be closed, on motion of Ald. Greenough and Thompson.

Council proceeded with the approval of Resolution 93-38, as recommended.

RES. 93-38

MOTION: To approve Resolution 93-38, as recommended, authorizing the Development Agreement for 83-87 Portland Street.

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

2.0 MOTION

2.1 ALD. HETHERINGTON

MOTION: WHEREAS most property owners, but not all, cut the grass between the sidewalk, or sidewalk reserve, and the curb in front of their properties;

AND WHEREAS the City does not have the resources to do grass cutting between the sidewalk, or sidewalk reserve, and the curb;

BE IT THEREFORE RESOLVED that the Dartmouth City Charter be amended to allow Council to pass a by-law requiring all property owners to cut the grass between the sidewalk, or sidewalk reserve, and the curb.

Moved: Ald. Hetherington  
Second: Ald. MacFarlane

Ald. Sarto and MacDonald had a number of questions about boulevard areas and uncompleted sidewalk reserve areas, discussed with the Solicitor. Ald. Pye asked about penalty provisions. Ms. Hood pointed out that at this time, only a Charter amendment is being requested, and the actual by-law would only come to Council after that amendment has been approved. Ald. Hawley and Greenough

favoured instead, the encouragement of residents to cut these City-owned grassed sections, without imposing a by-law to require grass-cutting. Problems of enforcement were also foreseen by some members.

Ald. Hetherington pointed out that the motion is intended to deal in particular with commercial and industrial offenders, and with Provincially-owned properties where grass is not being cut. He felt the by-law is worth having in place so it can be applied in all these instances.

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

3.0 REPORTS

3.1 CHIEF ADMINISTRATIVE OFFICER

3.1.1 DARTMOUTH MUSEUM ADVISORY COMMITTEE: SUPPLEMENTARY REPORT

BY-LAW M-503  
& TERMS OF  
REFERENCE

As requested by Council, a supplementary report has been submitted by Mr. Corrigan on the subject of a Dartmouth Museum Advisory Committee, and Terms of Reference for such a committee have been drafted to accompany the report. By-law M-503, still in second reading, was also before Council in connection with this item. Three recommendations have been made to Council:

- 1) to approve By-law M-503, being a by-law to repeal the Dartmouth Museum Board By-law, as amended.
- 2) to approve the Terms of Reference for the Dartmouth Museum Advisory Committee, as submitted.
- 3) to seek applicants for the seven positions available on the Dartmouth Museum Advisory Committee, since the general advertisement placed by the City did not include this committee.

Council agreed to hear Mr. L. J. Payzant, a former member and Chairman of the Museum Board. Mr. Payzant stated concerns about and objections to the lack of consultation and communication with Museum Board members, during the past year and up until this present time, while the status of the Board remained undecided; now the Board is proposed to be disbanded, still without any consultation or discussion. Mr. Payzant said the reconstitution of the Board to an advisory capacity will not serve the Dartmouth Heritage Museum well, and that a Board, in a management capacity, is required. As a ten-year Board member, five years as Chairman, Mr. Payzant said that in view of his opposition to the proposed change, he would be submitting his resignation from the Museum Board.

There were questions from members of Council about the lack of dialogue with Board members before procedures were put in place to eliminate the Board altogether. Information was provided on what has transpired from the time of Mr. Burke's memo in December of 1992 up to the present point in time. It was noted that with the exception of Ald. MacDonald's appointment, no other Board members were appointed for 1993, and basically, the Board has ceased to operate. Terms of Reference for an Advisory Committee had been drafted, but were delayed during the course of a new CAO being appointed for the City.

Several members of Council stated their concerns about the breakdown in communication with former Museum Board members, in view of the valuable contribution these citizens have made over the years to the establishment and operation of a museum facility in Dartmouth. There seemed to be a general support by Council for the concept of operating the Museum as a line department of the City, but at the same time, members felt that the terms of reference, as submitted, for an Advisory Committee are inadequate and do not take advantage of the expertise and ability that Museum Board members have been able to contribute. Ald. Hawley said the Purpose statements are 'wishy, washy' and would apply more to Friends of the Museum than to Board or Committee. There were objections also to the Composition section, specifically 2. (3) (b), calling for preference to be given in the appointments, to persons who are members of affirmative action target groups. Ald. May said the Memorandum of Understanding referred to in this connection applies to employment and not to Committee and Board appointments. He said the Memorandum of Understanding should be circulated to all members of Council for their information.

There was a lengthy debate on this item, with a concensus being reached in favour of a consultation process before going any further with By-law M-503, or with the approval of the Terms of Reference before Council. Ald. Pye and Hetherington were in favour of passing the by-law, and then going on to consultation on the Terms of Reference only, but most other members preferred to defer all three of Mr. Corrigan's recommendations until after a meeting of former Board members, Dr. Field, and Mr. Corrigan.

A motion presented by Ald. Hawley called for a meeting of the past Board Chairman, two citizens, Dr. Field and senior staff, but the motion was amended at the request of Ald. Rodgers, to consist of the Board members who were serving last, plus Dr. Field and Mr. Corrigan, with the meeting to be chaired by Ald. MacDonald. Ald. MacDonald advised that he would not be able to chair a meeting until after November 17th., but he was willing to act as Chair.

Ald. Rodgers also felt the report to Council, following this meeting, should contain suggestions and possible alternatives, rather than recommendations.

MOTION: To defer all three recommendations from Mr. Corrigan, including By-law M-503 in second reading, until after a meeting of the last-serving members of the Museum Board with Dr. Field and Mr. Corrigan, for consultation and discussion. This meeting to be chaired by Ald. MacDonald.

Moved: Ald. Hawley  
Second: Ald. May  
In Favour: All members except  
Against: Ald. Pye; Thompson, Hetherington  
Motion Carried

Ald. Pye said he hoped the people designated to meet would not tamper with the wording of Section 2. (3) (b) of the Terms of Reference for an Advisory Committee.

Mr. Payzant and other former Board members, who were present for this item, were thanked by the Mayor for their attendance.

3.1.2 LAND EXCHANGE - MONTEBELLO (RESOLUTION 93-24)

LAND EXCHANGE:  
RES. 93-24

Council considered a report from Mr. Corrigan (R. Fougere, E. Purdy) on a proposed land exchange between the City and a Montebello Estates developer, recommending that the City exchange Parcels CR-5 and CR-6, for Parcel CR-2, as shown on various plans of subdivision of lands of Montebello Estates Ltd., prepared by Alderney Consultants, and that Resolution 93-24 be approved in this connection.

MOTION: To approve Mr. Corrigan's recommendation:

That the City exchange Parcels CR-5 and CR-6, for Parcel CR-2, as shown on various plans of subdivision of lands of Montebello Estates Ltd., prepared by Alderney Consultants, and to approve Resolution 93-24 in this connection.

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



3.2 INVESTMENT COMMITTEE3.2.1 INTERIM REPORT 1993/94 - FIRST QUARTER - APR. 1 TO JUNE 30INTERIM REPORT:  
INVESTMENT

The Investment Committee has submitted an interim report for the first quarter, 1993/94 (April 1st to June 30th), informing Council that City investments have been made in accordance with the City of Dartmouth Municipal Investment Policy.

MOTION: To receive and file the report of the Investment Committee, dated Sept. 27/93: Interim Report for the first quarter, 1993/94.

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

3.3 SOLICITOR3.3.1 TERMS OF REFERENCE - GRANTS COMMITTEETERMS OF  
REFERENCE:  
GRANTS COMMITTEE

The Solicitor has incorporated into revised Terms of Reference for the Grants Committee, certain changes proposed in June, 1992, and has recommended Council's approval of the new Terms of Reference.

MOTION: To approve the revised Terms of Reference for the Grants Committee, as presented and recommended.

Moved: Ald. Sarto  
Second: Ald. Greenough

Ald. Sarto asked about the appointment of a staff member to assist with the work of the Grants Committee. Mr. Corrigan said that such an appointment will be made, although the staff member or members will not be voting members. Ald. Walton asked about representation from the Dartmouth Community Network; Mr. Corrigan said there are meetings arranged with the organization, but he is not yet in a position to make any recommendation.

In Favour: All  
Against: None  
Motion Carried

4.0 APPROVAL OF MINUTES

MOTION: To approve minutes of the Sept. 22, October 5, 12, 19, & 26/93 Council meetings.

Moved: Ald. Hetherington  
Second: Ald. MacFarlane

Ald. May requested the following correction to item 1.0 of the October 26th minutes, page 1, to read:

'Ald. May informed Council that Mr. Corrigan had informed him that Ms. Hood would not negotiate with Huestis Holm until after she had left the firm.'

Referring to page 8 of the same minutes, Ald. MacDonald inquired about the Finance & Program Review Committee meeting, at which budget cuts are to be dealt with, as per his question from that page. The Mayor advised that the meeting, to which all members are invited, is set for Thursday, November 4th at 6:30 p.m.

Ald. MacDonald also noted that on page 11 of the October 19th minutes, a record was kept of his suggestion that former Museum Board members be invited to attend the Council meeting for input and response to questions. The Mayor pointed out that no motion was made to this effect, as required before she would have taken action, as directed by Council.

Ald. MacDonald questioned why a report, such as budget reductions, would go directly to the Finance & Program Review Committee, without first having been tabled at Council and referred to Committee. Ms. Hood said the procedure of having the item go to Committee was in order, and Ald. Rodgers offered further explanation as well. The vote was then taken on the motion to approve the minutes, with the correction of Ald. May, as recorded in para. 1 above.

In Favour: All  
Against: None  
Motion Carried

5.0 BUSINESS ARISING FROM THE MINUTES

Further to the Horizon Estates II item (item 5.1.1), page 9 of the October 26th minutes, Ald. Rodgers asked if it is understood that any ideas or requests for changes could still come forward from residents at the neighborhood information meeting, and not be precluded from the developer's consideration at that point (ie. after the consultation meeting having been waived). Ms. Hood said they would not be precluded at the neighbourhood information stage.

In connection with the City's presentation to the Law Amendments Committee, regarding the Wage Furlough Bill and arguments to be put forward, Ald. May felt that Council members should have the opportunity for input and debate. Ald. Rodgers said he would be willing to include this item in the agenda of the Finance & Program Review Committee meeting for Thurs., Nov. 4th. Members agreed, but Ald. May said he would be chairing the neighbourhood information meeting of Horizon Estates II at 7:00 p.m. on that date.

6.0 DELEGATIONS & HEARINGS OF PROTEST

7.0 ORIGINAL COMMUNICATION

Rising on a point of privilege, Ald. MacDonald sought to have the item Concerns of Council Members or Questions (Item 13.0) moved up on the agenda to be dealt with at this point. He made a motion to this effect, but it was not seconded and therefore did not stand.

8.0 PRESENTATIONS

OPERATIONS REVIEW (PRESENTATION & DISCUSSION)

8.1 LEGISLATIVE

LEGISLATIVE

In keeping with the Operations Review and Budget Timetable put forward by Mr. Corrigan and approved by Council, the first two presentations took place at this meeting of Council. Mayor McCluskey first proceeded with the Legislative presentation. The first part consisted of information under the headings: (1) Overview/Mission of the Legislative Dept.; (2) Description of Legislative Activities; (3) Mandatory Element of Operations; and (4) Current Issues. This was followed by a budget analysis for 1992/93 and 1993/94, broken down into individual items of expenditure.

The total budget figure (\$402 thousand) represents a 5% reduction for 1993/94 over the year 1992/93 (\$422 thousand). Ald. MacFarlane commended the Mayor, upon completion of her presentation, for 'running a very frugal operation'.

Ald. Greenough requested additional information on the classification 'Benefits' for Aldermen, with some identification of what these actually are. He also suggested that the figure of \$1,000. is inadequate for office supplies, flags, pins, etc., considering the importance of promotional materials, even on a small scale. He asked to have this item reconsidered in this year's budget.

Ald. Pye had several questions about the UNSM membership dues and their possible increase for 1994/95. The Mayor said they are expected to go to \$21,000., from \$19,000.

8.2 FIRE SERVICE

FIRE SERVICE

The Fire Service presentation, also scheduled for this meeting, was given by Fire Chief Greene, assisted by Deputy Chief Lawlor. A number of staff members from this department, were present in the gallery. Copies of the overheads used in the presentation, were circulated to Council, to be retained for future information.

Besides all the statistical information on apparatus & equipment, staff complement and costs, according to divisional breakdown, department downsizing since 1987, and under the heading of 'Personnel Strength' (Immediate Future), Chief Greene also included capital cost considerations for major apparatus replacements that are going to have to be budgeted for, and on such other capital implications as the three-fire-station option, Opticom system, and communication capabilities. He stressed in particular, the fact that by March 1/94, his department will be down in strength by a total of ten firefighters, and explained how platoon requirements are affected until they can be brought up to acceptable levels. In his concluding statements, Chief Greene quoted from the wording of a Supreme Court decision, relative to the legal liability of a municipality for damages resulting from inadequate fire service protection.

A general question and discussion period followed, during which the following points were made by members of Council, and responded to by Chief Greene:

- 1) Ald. Levandier said that in spite of the need for ten additional firefighters, it may be necessary to look at a restructuring of the department instead, to try and find some extra personnel that way. Ald. Thompson asked about possibilities for mutual aid in providing fire services, and Chief Greene advised that his department works with Cole Harbour, Eastern Passage, and Halifax already in this regard.
- 2) During questions from Ald. Woods about ways of reducing fire risk and losses (through the Building Code requirements, etc.), a question was also asked about apparatus replacement and the major cost represented. Chief Greene suggested that major apparatus purchases such as this should be considered on a regional basis.
- 3) Further on the matter of the 1975 Aerial Scope replacement, Ald. Hetherington felt there should be some preliminary capital budget planning for

such a major item, in the 1995/96 capital budget, considering how long it will be to take delivery of the replacement unit. He was concerned that the department's present unit will not remain useable until we have the replacement, otherwise. He discussed the feasibility of this lead-time approach with Mr. Corrigan, who agreed that it is required.

Ald. May said Council needs a report from the Fire Chief, outlining what equipment will be needed in the next three years, based on his professional expertise, so that members are at least aware now of these requirements.

- 4) Ald. Thompson asked about cost savings for the department with three stations, at other locations, replacing the existing four. Chief Greene said the savings would possibly be in the area of \$200,000. per year. Ald. Thompson said it may be advisable to look to private enterprise for construction of new stations.

Ald. Thompson had a question about vehicles without City markings, and Mr. Corrigan agreed to have prepared a list of vehicles that are unmarked, indicating why.

- 5) Ald. Rodgers had a number of questions for Chief Greene about his sources of information for dealing effectively with problems and arriving at effective solutions, and said he would appreciate receiving a condensation of such information on management techniques drawn upon and followed by Chief Greene. He described the approach of the Fire Dept. as being pro-active, and commended initiatives that the Chief has undertaken. Other members of Council also commended Chief Greene on the operation of his department and on the report he has presented to Council.

- 6) Ald. May felt that this is the kind of report and information that should have been dealt with in detail by the Public Works & Safety Committee; he said the Committee should not have been disbanded, for this reason and others.

The Mayor thanked Chief Greene and Deputy Chief Lawlor for their attendance, and asked the Chief to thank the staff of his department for their efforts on the City's behalf.

9.0 PETITION10.0 REPORTS10.1 CHIEF ADMINISTRATIVE OFFICER10.1.1 APPLICATION, DEVELOPMENT AGREEMENT, 29 DAHLIA STREET

APPLICATION:  
29 DAHLIA ST.

Report from Mr. Corrigan (V. Spencer, R. Wells) on an application for Development Agreement, to permit the creation of a second residential dwelling unit at 29 Dahlia Street, with recommendations to Council for proceeding with the application.

MOTION: To adopt the three recommendations:

- 1) to waive the requirement to hold a neighbourhood consultation meeting concerning this particular application.
- 2) to instruct staff to proceed with a neighbourhood information meeting.
- 3) to set Tues., Dec. 7/93 as the date for the public hearing of the proposed development.

Moved Ald. Sarto

Second: Ald. Thompson

Ald. May was in favour of deferral until Council could be informed why the consultation meeting requirement is being waived.

Moved: Ald. May

Second: Ald. Levandier

In Favour: Seven members ) Tie vote

Against: Seven members )  
Motion Defeated, with Mayor voting against.

The vote was then taken on the main motion.

In Favour: All members except

Against: Ald. May

Motion Carried

10.1.2 CONTRACT T93-04, OVERHEAD CROSSWALK SIGNS

AWARD TENDER:  
CONTRACT 93-04

Report from Mr. Corrigan (R. Fougere, E. Purdy) on tenders received for Contract T93-04, overhead crosswalk signs (new and upgrade) at the locations named in the report. Council proceeded to award the tender to the low bidder, Black & McDonald Ltd., in the amount of \$51,205.83.

MOTION: To award the tender for Contract T93-04 to the low bidder, Black & McDonald Ltd., in the amount of \$51,205.83.

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

10.1.3 CONTRACT 93-51, PAINTING OF FERRIES

AWARD TENDER:  
CONTRACT 93-51

Report from Mr. Corrigan (H. George) on tenders for the painting of the Dartmouth III, Halifax III, and the Woodside I ferries, recommending that the tender be awarded to the lowest evaluated bidder, General Applicators Ltd., for a total tendered price of \$27,174.96.

MOTION: To award the tender for Contract 93-51 (painting of ferries) to the lowest evaluated bidder, General Applicators Ltd., for a total tendered price of \$27,174.96, as recommended.

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

Ald. Levandier suggested there should be some consultation on the colors.

10.1.4 UNPAID LEAVE ACT - CITY DEDUCTIONS

UNPAID LEAVE

Report from Mr. Corrigan on the Unpaid Leave Act and City deductions, recommending that Council authorize, commencing with the November 18/93 pay, payroll deductions equal to 2% of regular earnings for all employees who earn in excess of \$22,000. per year.

MOTION: To adopt the recommendation:

That Council authorize, commencing with the November 18/93 pay, payroll deductions equal to 2% of regular earnings, for all employees who earn in excess of \$22,000. per year.

Moved: Ald. MacFarlane  
Second: Ald. Sarto

At 11:00 p.m., Ald. MacDonald and Pye moved that Council continue to meet after 11:00 p.m., but the motion was defeated. Council adjourned, on motion of Ald. Hetherington and Sarto, without the vote having been taken on the motion on the floor.

Meeting adjourned at 11:00 p.m.

*V. Carmichael*

V. Carmichael,  
Asst. City Clerk.

ITEMS:

- Invocation, page 1.
- Proclamation, page 1.
- 1.0 Public Hearing, page 1.
  - i) 83-87 Portland St., Application for Development Agreement, pg.1
  - Resolution 93-38, page 2.
- 2.0 Motion, page 2.
- 2.1 Ald. Hetherington, page 2.
- 3.0 Reports, page 3.
- 3.1 Chief Administrative Officer, page 3.
- 3.1.1 Dartmouth Museum Advisory Comm., Supplementary report, pg. 3 to
- 3.1.2 Land exchange, Montebello, page 5.
  - Resolution 93-24, page 5.
- 3.2 Investment Committee, page 6.
- 3.2.1 Interim report 1993/94, First Quarter, page 6.
- 3.3 Solicitor, page 6.
- 3.3.1 Terms of Reference, Grants Committee, page 6.
- 4.0 Approval of minutes, page 6 & 7.
- 5.0 Business Arising from Minutes, page 7.
- 6.0 Delegations & Hearings of Protest, page 8.
- 7.0 Original Communication, page 8.
- 8.0 Presentations, page ;8.
  - Operations Review Presentation & Discussion, page 8.
- 8.1 Legislative, page 8.
- 8.2 Fire Service, page 9 & 10.
- 9.0 Petition, page 11.
- 10.0 Reports, page 11.
- 10.1 Chief Administrative Officer, page 11.
  - 10.1.1 Application, Development Agreement, 29 Dahlia St., page 11.
  - 10.1.2 Contract T93-04, Overhead crosswalk signs, page 11.
  - 10.1.3 Contract 93-51, Painting of ferries, page 12.
  - 10.1.4 Unpaid Leave Act, City deductions, page 12.





Lib. Ref. Dept.

**DARTMOUTH CITY COUNCIL  
AGENDA**

**TUES., NOV. 9/93**

**7:30 PM**

**COUNCIL CHAMBER**

**1. PUBLIC HEARING**

- i) Street Closure - West End of Foston Street

**CONTINUATION OF COUNCIL AGENDA OF NOVEMBER 2, 1993  
(REPORTS PREVIOUSLY CIRCULATED)**

**2. REPORTS**

**2.1 CHIEF ADMINISTRATIVE OFFICER**

- 2.1.1 Unpaid Leave Act - City Deductions  
2.1.2 Contract 93-61, Repairs to Eliminate Leakage,  
Dartmouth City Hall

**2.2 ADVISORY COMMITTEE ON HUMAN RIGHTS**

- 2.2.1 Mission Statement: Set Aside Program for Black  
Entrepreneurs

**3. MOTION**

**ALDERMAN WOODS**

WHEREAS By-law R-200 respecting Residential Parking Permits, provides for special parking privileges for local area residents on their respective neighbourhood streets;

AND WHEREAS commercial parking problems continue to plague the residential streets which connect to the Windmill Road corridor;

AND WHEREAS a broad application of No Parking signs places an unfair burden on area residents;

THEREFORE BE IT RESOLVED that the following streets be designated as special streets under By-law R-200, requiring residential parking permits:

Lovett Street	(1 side only)
Pinewood Drive	(1 " " )
Sunnydale Ave.	(South side only)
Courtney Road	(Replacing existing restrictions)
Springhill Road	(North side only)
Middle Street	(North & South sides)

AND BE IT FURTHER RESOLVED that the existing No Parking restrictions be maintained on:

Lovett Street	(The remaining side)
Pinewood Drive	( " " " )
Sunnydale Ave.	(North side)
Springhill Road	(South side)

4. **NOTICES OF MOTION**

**COUNCIL AGENDA OF NOVEMBER 9, 1993**

5. **PRESENTATIONS**

Operations Review (Presentation and Discussion)

5.1 City Administration  
5.2 Parks and Recreation

6. **REPORTS**

6.1 **CHIEF ADMINISTRATIVE OFFICER**

6.1 Land Required for Sidewalk Construction -  
- 49, 51, and 53 Fenwick Street  
6.2 Sale of Land 704-706 Windmill Road to SIDHU  
Investments Limited  
6.3 Surplus City-Owned Property - 611 Portland St.

7. **CONCERNS OF COUNCIL MEMBERS OR QUESTIONS**

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

MEMBERS PRESENT: MAYOR MCCLUSKEY  
ALDERMEN SARTO, THOMPSON  
CUNNINGHAM, MAY  
LEVANDIER, RODGERS  
MACDONALD, WOODS, PYE  
GREENOUGH, WALTON, HETHERINGTON

MEMBERS ABSENT: ALD. HAWLEY (ILLNESS) & MACFARLANE

C/A OFFICER: L. CORRIGAN  
CITY SOLICITOR: M. MOREASH  
ASST. CITY CLERK: V. CARMICHAEL  
DEPARTMENT HEADS & ASSISTANTS

Mayor McCluskey opened the meeting, and reminded Council of those sections of the Procedural By-law that relate to members talking, or disturbance of Council meetings by interruption and/or coming and going from the Council Chamber. She asked that Council observe these requirements in the interest of better order during meetings.

The Mayor asked that Council add item 6.4 (Harbour Cleanup report) to the main agenda, and that one personnel item be added for in camera, at the end of the regular meeting. At the request of Ald. Pye, members agreed to move item 2.2.1 up on the agenda, as the first item immediately following the public hearing. Items 6.1, 6.2 and 6.3 were also moved up, to be dealt with prior to the budget presentations.

Ald. Pye sought to have the item Concerns of Council moved up from its place on the agenda, but it was indicated by a vote of Council that members did not wish to move the item forward. Ald. MacDonald said that Concerns of Council should be coming further up on the agenda in future.

1.0 PUBLIC HEARING

i) STREET CLOSURE - WEST END OF FOSTON STREET

PUBLIC HEARING:  
FOSTON STREET

This date has been set for public hearing of the proposed closure of the west end of Foston Street, to improve safety conditions for pedestrians in the area. With the proposed closure, access to Foston Street and Amelia Place, for vehicular traffic, would be via Rodney Road only. The report from Mr. Corrigan (R. Fougere, E. Purdy) recommends Council's approval of the street closure to vehicular traffic, at Portland Street, and the adoption of Resolution 93-40 in this connection.

All members of Council were recorded as being present, with the exception of Ald. Hawley and MacFarlane.

the other petition originally received.

Ald. Hetherington said it would be a good idea to have the neighborhood information meeting advertised before it is held in the community school.

2.2 ADVISORY COMMITTEE ON HUMAN RIGHTS

2.2.1 MISSION STATEMENT: SET ASIDE PROGRAM FOR BLACK ENTREPRENEURS

**MISSION STATEMENT: SET ASIDE PROGRAM** Ms. Sue Edmonds, Chair of the Human Rights Advisory Committee, addressed Council with regard to her concerns about statements made during discussion at the Nov. 2nd Council meeting, when the status of the Museum Board was under consideration. She felt that the references to target groups, on that occasion, indicated a bias toward visible minorities as Museum Board members, and she offered background information on black history in Nova Scotia, suggesting the contribution that black citizens have to make by right of that place in history.

Mr. James Francois then proceeded with the Committee's presentation of a Mission Statement for the Set Aside Program, in keeping with a recommendation to Council, adopted in June of this year. Copies of this submission were previously circulated to members of Council, along with information on the subject from the Minority Construction Association of Nova Scotia.

Ald. Walton felt the submission should be reviewed by the staff Set Aside Committee, and moved referral for this purpose.

MOTION: To refer the submission to the staff Set Aside Committee for review and report, to include dialogue with the representatives making the presentation.

Moved: Ald. Walton

Second: Ald. May

Ald. MacDonald was concerned that his remarks from the Nov. 2nd Council meeting would have been misinterpreted, when he referred and objected to 'preference' given to target groups. He said he has sought clarification from the Solicitor, on the question of this wording, and Mr. Moreash stated to Council that the word denotes the target group membership as being the most important criteria for selecting members to be appointed to the Museum Board.

In Favour: All  
Against: None  
Motion Carried

2.0 REPORTS

2.1 CHIEF ADMINISTRATIVE OFFICER

2.1.1 UNPAID LEAVE ACT - CITY DEDUCTIONS

UNPAID LEAVE ACT An item before Council at the adjournment of the November 2nd meeting, was again on the agenda. Further to the Unpaid Leave Act, expected to be passed by the Province, it has been recommended to Council by Mr. Corrigan that Council authorize, commencing with the Nov. 18/93 pay, payroll deductions equal to 2% of regular earnings for all employees who earn in excess of \$22,000. per year.

MOTION: To adopt the recommendation:

That Council authorize, commencing with the November 18/93 pay, payroll deductions equal to 2% of regular earnings for all employees who earn in excess of \$22,000. per year.

Moved: Ald. Hetherington  
Second: Ald. Levandier

Responding to a number of questions from Council, Mr. Corrigan advised that only essential services will be provided on the first unpaid leave day, November 12th, and these do not include ferry service. There will be full bus service on that day, however, so that people will not be left without some alternate form of transportation. Ald. May said that maybe consideration should be given to Friday evening ferry service at least.

Several members were particularly concerned that the City and City representatives are taking the brunt of public displeasure over the shut-down in municipal services, especially the ferry operation. They felt the responsibility of the Province, for these measures, should be made known to the public. Ald. Pye was in favour of challenging the Province, even if it has to be done legally. Rising on a point of order, Ald. Cunningham noted, during the debate, that according to procedural rules, members of Council should not speak disrespectfully about members of other government levels. Generally, members of Council did not want to have to pass the motion on the floor, but realized that City compliance with the Unpaid Leave Act is required by municipalities.

AND BE IT FURTHER RESOLVED that  
the existing No Parking restrictions  
be maintained on:

Lovett Street	(The remaining side)
Pinewood Drive	(The remaining side)
Sunnydale Ave.	(North side)
Springhill Road	(South side)

Moved: Ald. Woods

Second: Ald. Sarto

Ald. May asked to have two streets added to the  
by-law, after the listing on page 6, which ends  
with the words 'Middle Street'; these are:

Fairbanks St (east & west side, south of Best St.  
Dahlia Street (south side between Pine & Maple St

With these two additions to the list for street designation,  
under By-law R-200, the vote was taken.

In Favour: All

Against: None

Motion Carried

6.0 REPORTS

6.1 CHIEF ADMINISTRATIVE OFFICER

6.1 LAND REQUIRED FOR SIDEWALK CONSTRUCTION: 49, 51 & 53 FENWICK ST.

LAND REQUIRED: Report from Mr. Corrigan (T. Rath) on land required to  
49, 51 & 53 FENWICK complete the construction of sidewalk on Fenwick Street,  
STREET recommending the acquisition of individual parcels of land  
from property owners at 49, 51 and 53 Fenwick Street.

MOTION: To approve the recommendation:

That Council authorize the purchase of  
Parcel 19Y at 49 Fenwick Street;  
Parcel 20Y at 51 Fenwick Street;  
and Parcel 21Y at 53 Fenwick Street,  
according to terms and conditions, as  
per the report to Council, dated Oct. 29/93.

Moved: Ald. Hetherington

Second: Ald. Thompson

In Favour: All

Against: None

Motion Carried

6.2 SALE OF LAND 704-706 WINDMILL RD. TO SIDHU Investments Ltd.

SALE OF LAND: Report from Mr. Corrigan (T. Rath) on the proposed sale of  
704/706 WINDMILL City-owned land at 704-706 Windmill Road to Sidhu Investments  
ROAD

Federal funding participation are now being raised, especially in the light of this major additional cost projection, and Mr. Corrigan sought direction from Council on the position he should take on the City's behalf, with respect to continuing expenditures by H.H.C.I., given the present uncertainty over funding provisions and cost-sharing in the extra \$200 million dollars that will have to be funded.

CONFLICT OF  
INTEREST

Ald. Woods declared a conflict of interest, being employed with one of the firms involved in the project. He withdrew from his place on Council and sat in the gallery while the item was being discussed.

Ald. May said that the agreement in place should stand, and any changes would have to be negotiated. Ald. Sarto and Greenough felt that City monies should be frozen at this point until clarification has been given as to responsibility for the over-expenditure, and the position of the Province and the Federal Government in this regard. Ald. Rodgers was prepared to see the City stay at the negotiating table for thirty or so more days, and to go along with expenditures of up to \$10,000., as required, during that interim period. He noted that there may be possibilities for infra-structure funding for tunneling work, and we should at least find<sup>out</sup> about these first. Ald. MacDonald asked about private sector involvement possibilities, to assist in funding costs.

From the opinions of members, no clear concensus was evident, except for concerns about the future of the project and the need for statements of commitment from the other government levels so the City can know where to go from here.

5.0 PRESENTATIONS

OPERATIONS REVIEW (PRESENTATION & DISCUSSION)

5.1 CITY ADMINISTRATION

Mr. Corrigan made the presentation to Council of the City Administration review, noting the staffing reductions from six to three and an 11% reduction associated with financial cutbacks in the Chief Administrative Officer's Department. The CAO's secretary is to be reduced to a part-time position, and the Director of Corporate Planning position will be replaced with a Projects Assistant.

Ald. May had several questions about duties, responsibility and authority of employees in the classified service, and asked that Mr. Corrigan and the Solicitor review sections 198, 199 and 200 of the Charter, in this connection. He also asked if the Vincent Scale is considered to be a contractual obligation.

- 2) Problems of vandalism in **St. Peter's** Cemetery, and the need for new higher fencing, and repairs to existing fencing where there are breaks allowing access to the cemetery. Ald. May said that what is really required is for the cemetery to be closed altogether and only opened upon request. He asked that Mr. Stevens and Mr. Corrigan bring back a report on this problem.
- 3) Ald. Woods asked about shared services with the Works Dept., and Mr. Stevens indicated areas where shared types of service are being looked at, for a maximization of the work force of both departments.  
  
Ald. Woods felt there should be a ranking of programs, starting now, and that other departments should be doing this as well. He had other questions for Ms. Kaiser about rentals, the present cost for these, and what the traffic will bear; he requested additional information in this area.
- 4) Another point raised by Ald. Woods concerned the Burnside maintenance program. Mr. Stevens said the program is being assessed, and a recommendation will be made during budget deliberations. Ald. Woods asked that it be available in advance of the budget.
- 5) Ald. Pye asked if there is any way to show Council the consequences of budget reductions during the past years. He was particularly concerned about the consequences for less fortunate citizens, with programs being cut and user fees becoming more common. He said he would like to see some information on this concern of his.
- 6) Ald. Thompson was concerned that two different fees are charged for summer and winter burials; he felt there should be an averaging out of these fees so there is one common rate for both seasons.
- 7) Ald. Walton asked about discussions with the Sportsplex, and Mr. Stevens provided information on programs that have been looked at, especially the swim program, where it is felt there would be no financial benefits.

Ald. Hetherington left the meeting during the review discussion. On motion of Ald. Pye and May, Council agreed to continue meeting after 11:00 p.m.



ITEMS:

- 1.- Public hearing, page 1.
  - i) Street closure, west end of Foston Street, page 1 & 2.
  - 2.2 Advisory Committee on Human Rights, page 3.
  - 2.2.1 Mission Statement, Set Aside Program, page 3 & 4.
  - 2.0 Reports, page 5.
  - 2.1 Chief Administrative Officer, page 5.
  - 2.1.1 Unpaid Leave Act, City deductions, page 5.
  - 2.1.2 Contract 93-61, repairs to eliminate leakage, City Hall, pg. 6.
  - 3.0 Motion, page 6.  
Ald. Woods, page 6.
  - 6.0 Reports, page 7.
  - 6.1 Chief Administrative Officer, page 7.
  - 6.1 Land required for sidewalk, 49,51 & 53 Fenwick St., page 7.
  - 6.2 Sale of land, 704-706 Windmill Rd., page 7.
  - 6.3 Surplus City-owned property, 611 Portland St., page 8.  
Harbour Clean-up, page 8 & 9.
  - 5.0 Presentations, page 9.  
Operations Review, page 9.
  - 5.1 City Administration, page 9.
  - 5.2 Parks & Recreation Dept., page 10.& 11.
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Lib. Ref. Dept.

**DARTMOUTH CITY COUNCIL  
AGENDA**

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**MON. NOV. 15/93**

**7:30 PM**

**COUNCIL CHAMBER**

**1. PRESENTATIONS**

Operations Review (Presentation and Discussion)

- 1.1 Professional and Other Services
- 1.2 Planning and Development

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

MEMBERS PRESENT: MAYOR MCCLUSKEY  
ALDERMEN: WALTON, WOODS, SARTO,  
PYE, HAWLEY, GREENOUGH  
LEVANDIER, THOMPSON  
HETHERINGTON, MAY  
CUNNINGHAM, MACFARLANE

CHIEF ADMINISTRATIVE OFFICER: L. CORRIGAN  
CITY CLERK TREASURER: B. SMITH  
DEPARTMENT HEADS AND ASSISTANTS

REGRETS: ALD. MACDONALD

DARTMOUTH PATRIOT ARTICLE:

Before the presentations began, Mayor McCluskey raised the issue of a newspaper article in Thursday's edition of the Dartmouth Patriot written by Mr. Reg Horner. Mayor McCluskey stated that in her opinion the sole purpose of the article was to cause a rift in Council. She stated that she felt the article was unfounded and untrue. Mayor McCluskey stated as long as she has been a member of Council, since 1985, they have always worked together in the best interest of the citizens of Dartmouth and have put petty differences aside when it comes to making decisions. She asked Council to disregard the article and ignore the comments regarding which members are in her good books. She also stated that she felt the Dartmouth Patriot could better serve the residents of the City.

Ald. May suggested sending a copy of her comments to the editor of the Dartmouth Patriot on behalf of Council. Mayor McCluskey agreed to do this.

1.0 PRESENTATIONS

1.1 PROFESSIONAL AND OTHER SERVICES

Mr. Corrigan stated that he would begin his presentation by covering a few miscellaneous areas which included legal, audit, advisory assistance and other.

Mr. Corrigan showed a slide of the history of legal costs. He noted that the lawyers are back to working five days per week at City Hall. Mr. Burke had proposed to reduce them to four days but the work was piling up and they had to go back to five.

Mr. Corrigan then showed a slide illustrating the history of audit costs. He noted that the increases have been attributed to inflation.

Ald. Cunningham inquired if tenders are submitted each year for the auditors. Mr. Corrigan responded that up to a few years ago they did not. At that time, a tender was put out for a five year term. The auditors did not want a shorter period of time due to the amount of work involved. Mr. Corrigan noted that the five year term ended in 1992-93. At that time, the contract and metro restructuring were discussed by the Audit Committee. The Committee did not feel they could offer a five year term to anyone at that time and could only go from year to year. The Committee also felt that they needed the experience of Doane Raymond. Therefore, it was agreed not to put out a tender and to have Doane Raymond's services for another year with an increase for inflation. It was noted that at the time of the original tender Doane Raymond had the lowest bid and the highest amount of technical points.

(Ald. Hetherington arrived at this time.)

With regards to the City Council pay study, Ald. Pye stated that he did not recall this. Mr. Corrigan explained that it was started 15 months ago but was aborted. He noted that there was \$2,000 work in progress at the time it was aborted.

With regards to pension consulting, Ald. Thompson asked if these funds would come from the pension fund. Mr. Corrigan replied that they would come from the advisory services account in the operating fund. Ald. Thompson asked who requests information on pension consulting. Mr. Corrigan replied that this would be Mr. Smith's department as they look after the preparation of the financial statements. Mr. Corrigan noted that the pension consulting also provides valuable information to the Pension Committee. He noted that the auditors also use the information for verification purposes.

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Ald. Greenough stated that he thought the figure was high. Mr. Corrigan stated that a study was also done for early retirement allowances. Ald. Greenough requested that a breakdown of the actual consulting jobs be brought to the Pension Committee.

With regards to public liability insurance, Mr. Smith stated that their claim history has been bad. Mayor McCluskey asked what were the types of claims. Mr. Smith replied that the worst were general liability and

automotive. It was noted that in 1994-95 the amount budgeted for public liability insurance is expected to increase more than five percent.

Ald. May asked what the ratio was for the split of cost for liability insurance with the Water Utility. Mr. Smith replied that it was about 60/40 and was based on experience. He noted that it has not been set yet for this year.

Ald. Hawley inquired about the commissionaire budget. Mr. Corrigan stated that this amount includes all costs associated with the commissionaire. It was noted that besides making deliveries to the aldermen, the commissionaire coordinates all activities of the mailroom. Mr. Smith noted that the complicated element of the commissionaire's job is dealing with the mailroom equipment, and that making deliveries to aldermen comprises less than half of his duties.

Ald. Hawley asked if electronic mail would cut out a lot of work for the commissionaire. Mr. Corrigan replied that electronic mail, in its present state, would not. With respect to parking and enforcement, Ald. Sarto asked if the by-laws could be detailed. Mr. Smith replied that they included such things as parking meters, private property, City property, fire lanes and handicapped parking.

(Ald. MacFarlane arrived at this time.)

Ald. Sarto asked who should be called with respect to violations of parking in fire lanes. Mr. Smith replied that the Police Service should be contacted.

Ald. Hawley asked if the City lost the parking lot in the Woodside Ferry Terminal. Mr. Smith replied that they did, however, he noted that money from ticketing will still go to the City.

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Ald. Hetherington raised an issue regarding the parking lot behind the fire station in Woodside. He stated that people are parking there and taking the ferry or going to the Dartmouth General Hospital. He stated that he felt the City should be addressing this issue. He requested that a letter be sent to the Administrator of the Dartmouth General Hospital requesting him to direct his staff to refrain from parking there. Mr. Corrigan agreed to look into this.

Ald. May asked if the City ensures that outside legal services submit their bills before the year end. Mr.

Smith replied that they ask that bills or estimates be provided at year end even if the work is still in progress.

Ald. May suggested that the budgeted amount for legal costs be raised to at least what was spent in 1992-93. Mr. Corrigan stated that there will have to be somewhat of a smoothing approach. Ald. May stated that this is one item that he wants to flag that is a problem for the upcoming budget. He stated that year after year the City will be spending more money in the budget due to legal expenses.

With regards to the decision to enlist the services of Doane Raymond for another year, Mr. Corrigan stated that the Audit Committee should come to Council soon with its formal report and recommendation.

Ald. MacFarlane asked what the justification was for the 53.8% increase in liability insurance. Mr. Corrigan replied that it was experience. He stated that a lot of people are making claims against the City and insurance companies charge accordingly.

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Ald. MacFarlane requested statistics on how many claims were made last year and how many were successful. Mr. Corrigan agreed to provide this information. Ald. MacFarlane stated that he would be interested in knowing more about the factors that contribute to the increase.

Ald. Sarto inquired about the impact in-house legal services will have. Mr. Corrigan stated that \$50,000 will be saved by the City by having in-house legal services. Ald. Sarto suggested hiring a third person if the legal expenses keep going up. Mr. Corrigan stated that they are exploring the possibility of employing articling students and paralegals.

With regards to claims, Ald. May stated that he felt if the City constantly cuts back on cleaning sewers and catchbasins they will end up paying for it. Mr. Smith stated that any claims he has been involved with were with realistic accidents. He stated that most flooding occurred only with extreme weather conditions. Ald. May stated that if a lawyer could prove that if Council consistently cuts back on basic maintenance, they will be faced with a claim.

Ald. Pye inquired about self insurance policies. Mr. Smith stated that the City had provided information to UNSM about a year ago as they are considering a self insurance package but have not heard anything back yet.

He felt that they were waiting to see the results of the self insurance program under the school boards. Mr. Smith noted that the City would have to have funds to cover basic claims as well as a possible serious one before starting a self insurance program. Ald. Pye stated that he felt this was an area worth looking at.

\*\*\* Ald. Hawley expressed concern with the public liability and insurance. He stated that there were several employees driving City vehicles who have had several driving infractions. He felt these people were a danger to the City as well as an additional cost. He stated that the City has to check this out and get on top of these employees. He requested that Council be provided with a list of claims, the cost of the claim and the frequency of claims per individuals. He also wanted copies of the report that was prepared previously for comparison purposes. It was noted that employees' names would not be included in the report.

\*\*\* Ald. Hetherington expressed concern with the amount of leaves on the City streets. He stated that he wanted the Engineering Department put on notice regarding this. Ald. Hetherington also requested that no vehicle be driven by a City employee unless the City decal is on the side of the vehicle. He reported that he has seen vehicles driven by City employees with no markings on them. Mr. Corrigan agreed to take this up with the Fleet Manager.

Ald. Hawley expressed concern regarding the excessive number of vehicles at a work site. He referred to a specific incident he witnessed about a week ago. Mr. Corrigan replied that often the vehicles seen are contractors which are paid a flat rate by the City. He stated that this is frequently the case when citizens call these complaints in. Ald. Hawley stated that this was not the case in this particular incident. He noted that he did not call this in as it had slipped his mind after arriving at work. Mr. Corrigan stated that if these things are seen they should be called in in the future.

As there were no further questions, Mayor McCluskey thanked Mr. Corrigan for his presentation.

## 1.2 PLANNING AND DEVELOPMENT

Ms. V. Spencer gave a verbal presentation. Due to a theft incident, she was not able to provide a written or overhead presentation. Ms. Spencer stated that if something came out of this discussion that required

documentation she would provide it as quickly as possible.

Ms. Spencer then reviewed the operations review of the Planning and Development Department. She stated that she was very pleased when Council opted to do this process as she felt it was important for the Planning Department with respect to what they want to try to achieve. She stated that the department would like to have a closer relationship with Council.

Ms. Spencer stated that development control was a priority for her department and they have been working on a number of initiatives.

Ald. Hetherington inquired if human resource development would be built into their budget as he stressed that staff have to be properly trained. Ms. Spencer replied that they have to increase training and have done so. She noted that they now have keyboard training in-house. Mr. Corrigan also noted that they are looking at the training program this year to be higher than it was last year.

Ald. Walton asked if the building inspection level was more thorough now than it was. Ms. Spencer replied that she is involved a lot in building inspection and she believes that it is improving. She noted that this is a complex piece of business and some of the things that they talked about doing are not necessarily things that are easily done. However, they have done some work and although they still have problems, she feels there has been improvement. Ald. Walton stated that he would like to see this department doing a lot more in this area.

Ms. Spencer stated that she felt there were times when her department and Council could get together a little better to help people in the gallery at Council meetings understand what is happening. She stated that it would be her preference not to send by-laws to Council to be approved as she felt it was not easy for Council to see the process they follow. Ms. Spencer stated that she would like to put together a new by-law and put together easy pieces to show the process not only to the aldermen but also for their constituents; so when the time came to approve the by-law they will have more understanding. Ms. Spencer stated that this is something she will come back to again in the future.

Ms. Spencer stated that Council and the department have to agree on what the priorities are for the Planning Department. Ald. Walton asked Ms. Spencer if she found



the problem with by-law enforcement was the courts. Ms. Spencer replied that one of the things that she is concerned with is that municipalities do not get a lot of respect from judges on minimum standards charges when the next case is much bigger. She stated that she cannot recommend that they have the resources for a by-law enforcement officer.

Ald. Hetherington asked if the City has ever looked at having people who are charged under the by-laws and who feel that the charge is legitimate pay their fines at City Hall and only go to court if they object. Ms. Spencer replied that there may be some opportunities in this area. She stated that she feels that with cutbacks in resources all over they may be given the ability to get into areas of enforcement that they were not previously involved in. Ald. Hetherington stated that he wanted general enforcement of the by-laws and was not looking for revenue generation. Ms. Spencer stated that she has been making it clear to all staff that they are not in a revenue making business.

Ald. Hetherington asked if costs in the Planning Department are cut down because there are not isolated developments all over the City. Ms. Spencer replied that it does not affect costs tremendously as they do not have a lot of flexibility. In 1991, they had the lowest amount of planning and control resources in the metro area and the inspectors are fewer in number per area. Therefore, their people are handling a fair amount of volume.

Ald. Hetherington also raised the issue of the numerous staff hours spent on the MPS. Ms. Spencer noted that the MPS was probably costing between \$30,000 and \$50,000 per year. However, she said she would not treat this as lost money although they do not have the resources to bring it in as a document. She stated that the foundation and planning for development are more important at this time.

Ms. Spencer stated that the Planning people still have a role in capital costs. In the last couple of years they have drawn back on staff made capital projects but can not afford these studies any more.

Mayor McCluskey inquired about occupancy permits which she also raised a few years ago. She asked Ms. Spencer if they are ensuring that businesses are on the list for tax purposes. Ms. Spencer replied that this is not in the new building by-law that they have devised. She explained that the feedback that she got from the legal department was that it may be difficult to include this


in the by-law. Mayor McCluskey noted that they have it in Halifax and they could check with them. Ms. Spencer stated that they would be looking into this.

Ald. Pye noted that Ms. Spencer has given a view of the Planning Department and asked if Council will be getting a division forecast of the Planning Department and a future forecast before budget deliberations. He noted that each department has given a financial forecast and some indication of what will come. Ms. Spencer replied that she can do this and noted that their budget will be the same or less than last year.

MOTION: that the meeting adjourn.

Moved: Ald. Thompson  
Second: Ald. Hetherington  
In Favor: All  
Against: None  
Motion carried.

Meeting adjourned 9:45 p.m.



Bruce S. Smith  
City Clerk Treasurer

Dartmouth City Council, November 15, 1993

ITEMS:

- 1.0 Presentations, Page 1
- 1.1 Professional and Other Services, Page 1
- 1.2 Planning and Development, Page 5

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**DARTMOUTH CITY COUNCIL  
AGENDA**

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**TUES., NOV 16/93**

**7:30 PM**

**COUNCIL CHAMBER**

1. Appointment of Deputy Mayor
2. Appointments to Boards and Commissions
3. **NOTICES OF MOTION**
4. **REPORTS**
  - 4.1 **CHIEF ADMINISTRATIVE OFFICER**
    - 4.1.1 Contract 93-31, Prince Albert Road, Curley Drive to east end, Street and Sidewalk Construction (report to be circulated)
    - 4.1.2 Interest Charged on Overdue Taxes

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

MEMBERS PRESENT: MAYOR MCCLUSKEY  
ALDERMEN SARTO, THOMPSON  
CUNNINGHAM, MAY, PYE  
MACFARLANE, MACDONALD  
RODGERS, LEVANDIER  
WOODS, GREENOUGH, HAWLEY  
WALTON, HETHERINGTON

CHIEF ADMINISTRATIVE OFFICER: L. CORRIGAN  
CITY SOLICITOR: S. HOOD  
ASST. CITY CLERK: V. CARMICHAEL

After Mayor McCluskey had opened the meeting, Ald. Hetherington rose on a point of privilege, to ask that Council and City recognition be given to Mr. Harry Bennett, the Supt. at 357 Portland Street, who saved a mother and her five-year old child and alerted other residents during a fire in the building.

Ald. Hetherington also indicated his concern about a news story dealing with the possible shut-down of the Nova Scotia Hospital, and requested that the Mayor send a letter to the Minister of Health and to the Premier, who is MLA for Dartmouth South, seeking information on the future of the hospital.

Ald. MacFarlane rose on a point of privilege, to recognize the City Solicitor, Ms. Suzanne Hood having officially received Q.C. status on this date. She received acknowledgement from other members of Council. Council also extended birthday greetings (belated) to Mr. Corrigan.

Ald. Hawley brought to Council's attention, the resignation of Carol Gallant from the Dartmouth Library Board, after 24 years of service, additionally to all the other provincial and national library committees and boards on which she has served. The Mayor said it is planned that her services on the City's behalf will be suitably honored.

1.0 APPOINTMENT OF DEPUTY MAYOR

APPOINTMENT:  
DEPUTY MAYOR

Council proceeded to the appointment of a Deputy Mayor, and a single nomination was presented, for Ald. Pye. He was declared to be duly appointed to the position of Deputy Mayor, on the nomination of Ald. Hetherington and MacFarlane. Ald. Pye has been a member of Council for nine years. He received congratulations from Mayor McCluskey, and addressed Council briefly. He said it was an honor to be chosen to serve as Deputy Mayor, and immediately following another ward 5 Alderman, Ald. Woods. Ald. Woods thanked Council for the opportunity

to serve a fourteen-month term as Deputy Mayor, and went on to comment on some of the highlights of his term. He wished Ald. Pye well, and moved the Deputy Mayor sign to his desk!

2.0 APPOINTMENTS TO BOARDS & COMMISSIONS

APPOINTMENTS:  
BOARDS AND  
COMMISSIONS

A report on appointments to Boards and Committees of Council, has been submitted by Mr. Corrigan (B. Smith, V. Carmichael), which includes a section dealing with Resolution 93-39, incorporating amendments to Resolution 90-18, with respect to persons serving on any committee for more than five years time; Council's approval of Resolution 93-39 is requested.

MOTION: To adopt Resolution 93-39.

Moved: Ald. Thompson

Second: Ald. Walton

Ald. Rodgers was concerned about a lack of consistency with the present wording, and proposed an amendment to correct this inconsistency.

AMENDMENT: To amend Section 1. of Resolution 93-39 to read:

No person shall serve on any Committee of Council for more than five consecutive years, or three consecutive terms, whichever is less.

Moved: Ald. Rodgers

Second: Ald. May

In Favour: All

Against: None

Amendment Carried

The vote was taken on the motion, as amended.

In Favour: All

Against: None

Motion Carried, as amended

Ald. Sarto then proposed a motion that would stipulate that no one citizen-at-large would serve on more than one Board of Committee of Council.

MOTION: That no one citizen-at-large will serve on more than one Board or Committee of Council.

Moved: Ald. Sarto

Second: Ald. Thompson

Generally, members preferred to have this as a guideline, rather than put in place by a motion, so that exceptions can be made in certain circumstances, where it may be necessary. The motion therefore, did not receive the support of Council.

In Favour: Ald. Sarto & May  
Against: All other members  
Motion Defeated

The next motion, proposed by Ald. Hetherington, was to approve a stipulation that all applicants (for membership on Boards & Committees) must be residents of the City of Dartmouth, at the time of appointment.

MOTION : That all applicants for membership on Boards & Committees of Council must be residents of the City of Dartmouth at the time of appointment.

Moved: Ald. Hetherington  
Second: Ald. May

During a brief debate on the motion, Ald. May suggested that it might be advisable to defer any decision on the motion for two weeks time, for review of the minutes when this item was previously debated by Council (in 1991).

MOTION: To defer any decision on the motion for two weeks time, for review of the minutes when this item was previously debated by Council (in 1991).

Moved: Ald. May  
Second: Ald. MacFarlane  
In Favour: Majority of Council  
Against: Minority of Council  
Motion Carried

#### Dartmouth Youth Committee

#### DARTMOUTH YOUTH COMMITTEE

Four additional applications for the Dartmouth Youth Committee membership, were circulated, but even with these and the other eleven received, Wards 2, 3, and 7 would still not be represented on the Committee. Ald. Hetherington proposed that the present eleven applicants be appointed, with three appointments still to be pending, for a total of fourteen members on the Committee.

MOTION: To appoint eleven members to serve on the Dartmouth Youth Committee, with three additional appointments (from Wards 2, 3 & 7) pending.

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

Since this increase to fourteen members would necessitate an amendment to the terms of reference for the Dartmouth Youth Committee, a second motion was adopted.

MOTION: To amend the terms of reference for the Dartmouth Youth Committee, to reflect the number change approved in the previous motion (page 3 of these minutes).

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

Appointments approved by Council, to the Dartmouth Youth Committee, including the four applicants whose names were placed before Council at this meeting, were as follows:

Kiran Clair	Greg Nepean
Chris Gillies	Sylvia Doersam Pike
Gin Hing Yee	Lisa Walsh
Denise Howell	Corina Jenkins
Kevin McPhee	Jennifer DeYoung
	Ryan Graham

(Three appointments still pending, from Wards 2, 3 & 7)

#### Advisory Committee on Human Rights

#### HUMAN RIGHTS COMMITTEE

Further to the appointment of members of the Advisory Committee on Human Rights, Ald. May referred to the classification specifics for a number of membership requirements, as defined in the Memorandum of Understanding signed by the City. Ald. MacDonald proposed that only ten appointments to the Committee be made at this meeting, leaving five vacancies to be filled in the specific categories, such as labour, religious, etc.

MOTION: That only ten appointments be made at this time to the Advisory Committee on Human Rights, with five being deferred so the vacancies can be filled according to the specific category requirements of the Memorandum of Understanding.

Moved: Ald. MacDonald  
 Second: Ald. May  
 In Favour: Ald. May & MacDonald  
 Against: All other members  
Motion Defeated

Appointments approved by Council, to the Advisory Committee on Human Rights, were as follows:

Tammy MacDonald (new)  
 Armando Regala (new)  
 Alan Taylor (new)  
 Wayne Sitland (new)

Kathryn Craig	Ann Guy
Bahan Deonarine	David Hill
James Francois	Thomas Rissesco
Tim Gabriel	Mervyn Sinanan
Don Trider	Judy Spicer
	Mukhtyar Tomar

As a means of determining the one and two-year appointments, it was decided that new members on the Committee would fill four of the eight appointments in this category, with the remaining four to be determined from past attendance records and interest; the remaining seven appointments would be for the one-year term. A motion to this effect was adopted.

MOTION: That the two-year terms of appointment (8) be filled by the four new members, plus four determined from past attendance records and interest shown by serving members; the remaining seven appointments left would be for the one-year term, making up the total composition of 15 members.

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

#### Arbitration Committee

#### ARBITRATION COMMITTEE

The two serving members of the Arbitration Committee, Ald. Hawley and Levandier, were reappointed by Council, on motion of Ald. Hetherington and MacFarlane.

Appointed: Ald. Hawley  
 Levandier

#### Board of Health

#### BOARD OF HEALTH

Members presently serving on the Board of Health, were reappointed, on motion of Ald. Hetherington and Greenough.



Appointed: Ald. Cunningham  
Hetherington  
MacFarlane  
Ms. Anne Lindsey  
Noreen Murphy  
Geraldine Phillips  
Donna Smith

Board of Police Commissioners

POLICE COMMISSION Ald. Levandier stated concerns he has about the composition of the Police Commission, suggesting that it should have a larger Council representation than at present. Other members felt that at this point in the Police Chief's probationary period, there should be some continuity in the Council appointments, particularly until the assessment of his first year has been completed.

Nominations were presented for the Aldermanic appointments, and following a vote by secret ballot, the following members, in addition to Mayor McCluskey, were declared to be appointed:

Appointed: Ald. Woods  
Rodgers  
Hetherington

A vote by secret ballot followed for the two citizen appointments, as a result of which, the following two members were declared to be appointed:

Mr. Charles Dolan  
Ms. Kathleen Naylor

Ald. May proposed that the names of unsuccessful candidates for Police Commission membership, be forwarded to the Chief of Police, for his use in forming the Police Liaison Committee.

MOTION: That the names of unsuccessful candidates for Police Commission membership, be forwarded to the Chief of Police, for his use in forming the Police Liaison Committee.

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

Common Committee

COMMON COMMITTEE Ald. Cunningham was nominated, along with Mayor McCluskey, to serve on the Common Committee. He was duly appointed, and on motion of Ald. Hetherington and Thompson, four serving members and one new member, Donald Chard, were approved for appointment, as follows:

Donald Chard (new)  
Robert Cooke  
Tom Gribbin  
Myles McCormick  
Elizabeth Macdonald

Court House Commission

COURT HOUSE  
COMMISSION

Following a vote by secret ballot, Council approved the appointment of Ald. Thompson and Bruce Smith to serve on the Court House Commission.

Downtown Business Improvement District Committee

DOWNTOWN  
B.I.D.C.

Ald. May was reappointed as the Aldermanic member of the Downtown B.I.D.C., and on motion of Ald. Sarto and Hawley, Council confirmed the appointment of the Executive of the Downtown Dartmouth Corporation, who are also members:

Darrell Dexter  
Richard Neima  
Brad Scott  
Marina Skerrett

Finance & Program Review Committee

FINANCE & PROGRAM  
REVIEW COMMITTEE

Nominations were presented for membership on the Finance & Program Review Committee, and following a vote by secret ballot, the following appointments were approved by Council, additionally to the Mayor:

Appointed: Ald. Greenough  
Cunningham  
Rodgers  
Thompson

Five Star Committee

FIVE STAR  
COMMITTEE

Members confirmed for appointment to the Five Star Committee, as organizational representatives, were:

Lori Patterson  
Janet Hoyt-Doen  
Eleanor McDonald  
Tony Myers

Ald. Walton requested the appointment of the applicants for membership, including the appointment of Spencer Bevon-John as Honorary Chair of the Committee. It was noted, however, that there are still some organizations that have not named their representatives, which would ultimately take the number of Committee members over the present fourteen maximum. Ald. Hetherington presented two amendments to the terms of reference for the Committee, one dealing with the quorum requirement, and the second, increasing Committee membership to seventeen.

MOTION: That 50% of appointed members constitute a quorum, and that the terms of reference for the Committee be amended accordingly.

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

MOTION: That terms of reference for the Committee also be amended to provide for a membership increase from fourteen to seventeen members.

Moved: Ald. Hetherington  
Second: Ald. Cunningham  
In Favour: All members except  
Against: Ald. May  
Motion Carried

MOTION: To approve the appointment of Spencer Bevon-John as Honorary Chair, and to approve the following appointments:

Neil Black (new)  
Faye McIntosh (new)  
Mary Williams (new)  
John Den Hollander  
Bob Venus  
Linda Zambolin

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

Grants Committee

GRANTS COMMITTEE Council approved the following appointments to the Grants Committee, as nominated:

Appointed: Ald. Hawley  
Walton  
Sarto

Halifax-Dartmouth Port Development Commission

PORT COMMISSION The term of the City's appointee to the Port Commission, M. Elaine Brown, does not expire until November of 1994, and therefore, no action was required on this appointment.

Healthy Dartmouth Committee

HEALTHY DART. Ald. Walton's appointment to the Healthy Dartmouth COMMITTEE Committee was confirmed by Council, along with the following:

Donna Smith	John Chesley
Anne Cogdon	Carmen Willmes
Elaine Jeffrey	Byrne Williams
Kevin MacDonald	Linda Zambolin
	Beatrice MacGregor

New applicants also approved for appointment, on motion of Ald. Hetherington and Pye, were:

Delilah Hughes  
Noreen MacPherson

Hospital Commission

HOSPITAL NOMINATIONS Commission were presented for membership on the Hospital COMMISSION Commission, and following a vote by secret ballot, the following appointments were approved by Council:

Appointed: Ald. Cunningham  
MacDonald  
May  
Hawley

Industrial Commission

INDUSTRIAL NOMINATIONS Commission were presented for Aldermanic members of COMMISSION the Industrial Commission (additionally to Mayor McCluskey). After a vote by secret ballot, the following appointments were approved by Council:

Appointed: Ald. Greenough  
Rodgers  
Thompson  
Hetherington

There were also nominations for citizen appointments (additionally to Harry Taggart & Miles Sweeney), and after a vote by secret ballot, the following appointments

were approved by Council:

Harry Poole  
Gordon Stanfield  
Doug Hartt

(plus Harry Taggart & Miles Sweeney)

Investment Committee

INVESTMENT  
COMMITTEE

The Investment Committee was approved, as presently constituted, on motion of Ald. Levandier and MacFarlane.

Jack Forbes  
R. E. Everette  
Roy McBurnie

Lakes Advisory Board

LAKES ADVISORY  
BOARD

Council appointed Ald. Levandier as the Aldermanic member of the Lakes Advisory Board, and confirmed the appointment of members appointed for the three-year term expiring in November, 1996, as follows:

Dr. Ron Beazley  
Dr. Donald Gordon  
Mr. John Osborne  
Mr. Randy Haggett

Confirmed, on motion of Ald. Hawley and Thompson.

Metropolitan Area Planning Commission

M.A.P.C.

Reappointed to the Metropolitan Area Planning Commission, additionally to Mayor McCluskey, was Ald. Woods.

Metropolitan Authority

METROPOLITAN  
AUTHORITY

Besides Mayor McCluskey, nominations were received for appointment to the Metropolitan Authority. Following a vote by secret ballot, Council approved the appointment of Ald. May and Levandier, in addition to Mayor McCluskey.

Natal Day Committee

NATAL DAY  
COMMITTEE

Council appointed Ald. Levandier as Aldermanic representative to serve on the Natal Day Committee, and on motion of Ald. Hetherington and Walton, confirmed the following other appointments to the Committee:

Elwood Boone	Harry Poole
Donna Boutillier	Ted Rigby
Harry Chapman	Tom Rissesco
Carol Gallant	Hugh Rutter
Leo Greenwood	Rachel Smith
Cindy Henderson	Susan Smith
Audrey Manzer	Leanne Todd
	Ollie Woods

Plus: James Bruce (new)  
Pat McCluskey (new)  
Louise Moores (new)

Pension Committee

PENSION COMMITTEE Approved by Council for appointment to the Pension Committee, were:

Appointed: Ald. Greenough  
Pye  
Thompson

On motion of Ald. Thompson and May, Council also approved the appointment of Ald. Greenough as Committee Chair, as per the by-law requirement.

Public Transportation Advisory Committee

P.T.A.C.

Nominations were received for appointment to the Public Transportation Advisory Committee, and after a vote by secret ballot, the following appointments were approved:

Appointed: Ald. Pye  
Sarto  
Levandier

Also approved for appointment, on motion of Ald. Thompson and Greenough, were:

Joseph Macdonald (new)  
Alan Williams

Recreation Advisory Board

REC. ADVISORY  
BOARD

Ald. Walton was approved as the Aldermanic appointment to the Recreation Advisory Board, and also appointed, after a vote by secret ballot, were:

Rose Featherstone, terms to Nov/95  
Joseph Robichaud  
and: Christina Baert-Wilson, term to Nov/94

Regional Library Board

REGIONAL LIBRARY  
BOARD

Ald. Hawley was approved as the Aldermanic appointment to the Regional Library Board, and also appointed, were the following, on motion of Ald. Hawley & Thompson:

Mark Albertstat  
Linda Bellefontaine  
Larry Graham  
Suzanne Huett  
Linda MacDonald  
William Murphy

Sportsplex CommissionSPORTSPLEX  
COMMISSION

Aldermanic appointments to the Sportsplex Commission, approved by Council, were:

Appointed: Ald. May  
Woods  
MacDonald  
MacFarlane

Following a vote by secret ballot, the citizen appointments approved by Council were as follows:

Joanne Byrne  
Alex McDonald  
John Veinot  
Sean Hennessey

Water Utility CommitteeWATER UTILITY  
COMMITTEE

On motion of Ald. Hetherington and Woods, Council confirmed the reappointment of the Water Utility Committee, as presently constituted:

Appointed: Mayor McCluskey  
Ald. Hetherington  
Pye  
Greenough  
Sarto  
Rodgers

Waterfront Development Task Force CommitteeW.D. TASK FORCE  
COMMITTEE

Council appointed Ald. May and MacFarlane to the Waterfront Development Task Force Committee, in addition to Mayor McCluskey, and on motion of Ald. Sarto and Greenough, confirmed the following other appointments:

Harvey Doane  
Allen MacDonald  
Gretchen Pohlkamp  
Beatrice McGregor  
Darrell Dexter  
Larry Corrigan  
Tom Rath  
Valerie Spencer

Upon completion of the Board and Committee appointments, Ald. May requested an analysis of the appointments, based on visible minorities and women appointed.

Shubenacadie Canal Commission

Ald. Hawley informed Council of his resignation from the Shubenacadie Canal Commission, and asked that a representative from Council be appointed to replace him. Ald. Rodgers volunteered to be Council's representative, and was duly appointed

on motion of Ald. Thompson and Greenough.

The Mayor advised that a Council representative is also required to serve on the VON Board, but there were no volunteers for this appointment.

### 3.0 NOTICES OF MOTION

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

#### Ald. May

- 1) BE IT RESOLVED that Dartmouth City Council review the Vincent pay scale, to ensure its relevance to the present economy.
- 2) WHEREAS the City of Dartmouth has a Memorandum of Understanding, whereby the City reaffirms its policy of no discrimination on certain grounds;  
AND WHEREAS the policy does not prohibit discrimination on the grounds of sexual orientation;  
BE IT RESOLVED that the Human Rights Advisory Committee review the "Statement of Policy", and report to Council as to the desirability of amending the Memorandum and the "Statement of Policy".
- 3) WHEREAS Grace White of CanJam Trading Ltd. of Dartmouth, was recently honored by the University of Toronto's Faculty of Management Awards for Women Entrepreneurs, in the category of International Competitiveness;  
BE IT RESOLVED that the City of Dartmouth formally acknowledge this honour;  
AND BE IT FURTHER RESOLVED that the City of Dartmouth confirm its commitment to full opportunity for women entrepreneurs to City purchases of goods and services.

### 4.0 REPORTS

#### 4.1 CHIEF ADMINISTRATIVE OFFICER

##### 4.1.1 CONTRACT 93-31, PRINCE ALBERT RD: CURLEY DR. TO EAST END

AWARD TENDER:  
CONTRACT 93-31

Report from Mr. Corrigan (R. Fougere, G.M. Boyd) on tenders received for Contract 93-31 (Prince Albert Rd.), recommending acceptance of the low bid, from Standard Paving Maritime Ltd., in the amount of \$33,812.00.  
Completion date: May 31/94.



MOTION: To award the tender for Contract 93-31 (Prince Albert Rd.) to the lowest bidder, Standard Paving Maritime Ltd., with a bid price of \$33,812.00, as recommended.

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

4.1.2 INTEREST CHARGED ON OVERDUE TAXES - RES. 93-36

INTEREST:  
RES. 93-36

Report from Mr. Corrigan (B. Smith) on the interest rate for past due tax accounts, recommending that it be set as prime + 5% annually, and that Resolution 93-36 be adopted in this connection.

MOTION: To approve the adoption of Resolution 93-36, as recommended, setting the interest rate for past due tax accounts at prime + 5%.

Moved: Ald. Hetherington  
Second: Ald. May  
In Favour: All members except  
Against: Ald. MacDonald, Thompson, Levandier  
Motion Carried

Meeting adjourned at 10:30 p.m.

*V. Carmichael*  
V. Carmichael  
Asst. City Clerk.

ITEMS:

- 1.0 Appointment of Deputy Mayor, page 1.
  - 2.0 Appointment of Boards & Commissions, page 2 to 13 incl.
    - Dartmouth Youth Committee, page 3.
    - Human Rights Committee, page 4.
    - Arbitration Committee, page 5.
    - Board of Health, page 5.
    - Police Commission, page 6.
    - Common Committee, page 7.
    - Court House Commission, page 7.
    - Downtown B.I.D.C., page 7.
    - Finance & Program Review, page 7.
    - Fire Star Committee, page 7 & 8.
    - Grants Committee, page 9.
    - Port Commission, page 9.
    - Healthy Dartmouth Committee, page 9.
    - Hospital Commission, page 9.
    - Industrial Commission, page 9.
    - Investment Committee, page 10.
    - Lakes Advisory Board, page 10.
    - M.A.P.C., page 10
    - Metropolitan Authority, page 10
    - Natal Day Committee, page 10.
    - Pension Committee, page 11.
    - P.T.A.C., page 11.
    - Recreation Advisory Board, page 11.
    - Regional Library Board, page 11.
    - Sportsplex Commission, page 12.
    - Water Utility Committee, page 12.
    - W.D. Task Force Committee, pg. 13.
  - 3.0 Notices of Motion, page 13.
  - 4.0 Reports, page 13.
  - 4.1 Chief Administrative Officer, page 13.
  - 4.1.1 Contract 93-31, Prince Albert Rd., page 13.
  - 4.1.2 Interest charged on overdue taxes, Res. 93-36, pg. 14.
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Lib. Ref. Dept.

**DARTMOUTH CITY COUNCIL  
AGENDA**

**TUES., NOVEMBER 23, 1993  
8:00 PM  
COUNCIL CHAMBER**

**PROCLAMATION - WHITE RIBBON WEEK, NOV. 27 - DEC. 3/93  
- PURPLE RIBBON CAMPAIGN, DEC. 6/93**

1. Appointment to Police Commission

2. **PRESENTATIONS**

- i) Operations Review (Presentation and Discussion)
  - Purchasing and Stores
  - Social Services

3. **REPORTS**

3.1 **CHIEF ADMINISTRATIVE OFFICER**

- 3.1.1 Smoke-free Environment on the Dartmouth Ferry
- 3.1.2 Strategic Planning
- 3.1.3 Transfers to Agencies
- 3.1.4 Crosswalk Guards

3.2 **INVESTMENT COMMITTEE**

- 3.2.1 Interim Report 1993/94 - 2nd Quarter -  
July 1 to September 30

4. **CONCERNS OF COUNCIL MEMBERS OR QUESTIONS**

LOCATION: CITY COUNCIL CHAMBERS  
TIME: 8:00 P.M.

MEMBERS PRESENT: MAYOR MCCLUSKEY  
ALDERMEN SARTO, THOMPSON  
CUNNINGHAM, PYE, WOODS  
MACFARLANE, LEVANDIER  
MAY, RODGERS, MACDONALD  
HAWLEY, GREENOUGH  
WALTON, HETHERINGTON

CHIEF ADMINISTRATIVE OFFICER: L. CORRIGAN  
CITY SOLICITOR: S. HOOD  
ASST. CITY CLERK: V. CARMICHAEL  
DEPARTMENT HEADS & ASSISTANTS

PROCLAMATION: WHITE RIBBON WEEK, NOV. 27 - DEC. 3/93  
PURPLE RIBBON CAMPAIGN, DEC. 1993

Mayor McCluskey read two proclamations, for (1) White Ribbon Week, from November 27th to Dec. 3rd, 1993; and (2) the Purple Ribbon Campaign, during which Dec. 6/93 is proclaimed as a day of reflection on male violence against women, in the City of Dartmouth.

#### 1.0 APPOINTMENT TO POLICE COMMISSION

The Mayor commended the understanding and compassion reflected in Mr. Charles Dolan's resignation from the Police Commission, to make way for the appointment of a visible minority representative to serve in his place. Ald. Rodgers then rose to place in nomination, the name of Beverley Johnson, seconded by Ald. Walton. Also placed in nomination, by Ald. Pye and Thompson, was the name of Charlotte Hazle; a vote by secret ballot followed, after which Ms. Hazle was declared to be duly appointed to the Police Commission, to fill the vacancy created by Mr. Dolan's resignation.

Ald. May stated objection to what he called 'unfair' press reporting of him, in connection with the Police Commission composition and appointments. He said he would be releasing certain documents that would show a lack of action in dealing with recommendations of the Marshall Commission, and that he had opposed the amendment to the Police Commission By-law as a result of knowing people on both sides of issues and therefore not choosing sides.

#### 2.0 PRESENTATIONS

i) OPERATIONS REVIEW (PRESENTATION & DISCUSSION)

##### PURCHASING AND STORES

Making the operations review presentation for Purchasing & Stores, was Harry George, department head. He described the department as one dedicated to saving the City money,

and went on to explain how this is accomplished, through the objectives and responsibilities of the department. He noted that other City departments have relied more and more on Purchasing to help them stretch budget dollars to the limit, during these years of financial restraint and cut-back. To do this, it has been necessary to take advantage of computer programs, working in conjunction with the Information Service Division of the City. Some of the modifications and new systems resulting, were outlined to Council.

Ald. Hetherington had several questions about inventory control and about stockpiling by departments. Mr. George said that the only stockpiling still taking place is by the School Board, near the end of the fiscal year, involving supply items that would be used on a regular basis. Ald. Sarto noted that this is done in preparation for the September opening of school, so that supplies are available for the fall term. Ald. Rodgers asked Mr. George to provide some indication of this spending surge, during the past three years (ie. when it has occurred and figures).

Mr. George concluded with an overview of the budget forecast for Purchasing & Stores for 1994/95. He was thanked by the Mayor for his presentation.

#### SOCIAL SERVICES

Mr. Paul Greene made the Social Services presentation; other senior members of staff from his department were also present in the gallery. He read the mission statement for the department, and indicated the division of his department into the three categories of general assistance, community care, and support services.

In the area of general assistance, he advised that the department has about 100 less cases than one year ago, and said he would state guardedly that the figures for general assistance may have peaked. Also, it appears that home care costs may be levelling off at this point. Council was advised that the general assistance and community care account for approx. 85% of the expenditures of the department.

Ald. Hetherington asked about the operation of group homes and responsibility of municipalities in this connection. Mr. Greene agreed that there is a financial impact on municipalities, and said he will be meeting with the Deputy Minister on Dec. 8th to discuss this matter. Ald. Hetherington later asked that information be provided for Council on the group homes operated privately for profit, and on the non-profit homes, with a comparison of these two different operations.

Besides the caseload statistics, Mr. Greene provided

information on the budget forecast for his department, expecting to be about \$200,000. to \$300,000. (net) over budget for the year. The CAP loss for this year will be around two million dollars. Referring to the figures shown for activity ranking, and the short number of listings for discretionary funds, Mr. Greene pointed out that there is little room to manoeuvre in trying to make budget cuts, where his department is concerned.

The remainder of his presentation consisted of the main issues facing his department, such as the Provincial takeover of home care, Provincial downloading of family benefits, changes to CAP and the U.I. Program, and three others. Ald. May had questions about the food and rent scales, suggesting that these need to be reviewed on an annual basis and not at budget time. Mr. Greene later advised that provision will be included in his budget for an increase in food and rent scales, last increased in January of 1991. He responded to other questions from members about the Dartmouth scales, in comparison with those of other municipalities.

Other questions and points of discussion, following the conclusion of Mr. Greene's presentation, were:

- 1) The recovery of Federal funds the Province now receives, that should rightfully come to the municipality for wards, an item previously debated by Council. Mr. Greene noted that in spite of our appeal, there is no legal obligation on the part of the Province to give us these funds.
- 2) The recovery of money owed to Dartmouth by other municipalities, now close to one million dollars cumulatively.. Ald. Hetherington asked what is being done to pursue this further; Ms. Hood said that possible options are being evaluated.
- 3) The possibility of having able-bodied unemployed clients, carry out community services. Mr. Greene explained some of the restrictions imposed under the Canada Assistance Plan, pointing out that the services would have to be undertaken voluntarily. Ald. MacFarlane felt it would be worth pursuing.

Ald. Rodgers asked about possible make-work programs for people in this same category, enabling them to accumulate U.I. benefits and thereby minimizing costs to the City. Mr. Greene provided information on some such initiatives now being tried, but again brought to the attention of Council that clients cannot be coerced to take jobs. Ald. Rodgers wanted to at least have any possibilities looked into further, for a report to Council.

- 4) An improved perception of general assistance by the public, and the fact that not all Social Services funds are directed toward these costs. Mr. Greene agreed that better public education is required in this area, and that the hiring of a PR/media person, jointly by the municipal departments, would be helpful in dispelling some of the erroneous information about general assistance and the recipients of it.
- 5) Staff morale and caseloads, also the future of our own staff, with the Provincial takeover that is now beginning. Mr. Greene said there is no guarantee that all of our staff will be hired in the takeover.

There were concerns indicated by Council about Provincial down-loading in several areas, and the adverse effects on our own programs and the funding of them. Several members of Council commended Mr. Greene and his staff for the professional and satisfactory way in which social services are being administered in Dartmouth. The Mayor thanked him for his presentation and for running a good department.

### 3.0 REPORTS

#### 3.1 CHIEF ADMINISTRATIVE OFFICER

##### 3.1.1 SMOKE-FREE ENVIRONMENT ON DARTMOUTH FERRY

SMOKE-FREE:  
DART. FERRY

At the request of the Mayor, an item under the heading of 'Smoke-Free Environment on the Dartmouth Ferry' has been included in the agenda, with a covering report from Mr. Corrigan, and with copies of correspondence with Marjorie Nielsen of 605-30 Brookdale Crescent, on the subject of her objection to smoking being permitted on the top deck of the ferries. Smoking is already prohibited on the lower deck of the ferries.

The Public Transportation Advisory Committee has dealt with this complaint, and has recommended that Capt. Keddy be asked to enforce the non-smoking regulations on the lower deck, retaining the upper deck still as a designated smoking area. Ald. Sarto stated objections to the letter of response from Ms. Nielsen, after being informed of the Committee's recommendation; he felt that some of the wording used was inappropriate to the issue.

Ald. MacDonald requested: (a) that smoking be prohibited at all Board and Committee meetings, including those held outside City Hall; and (b) that the present situation, where passengers are jumping the green light, to exit the ferries, be brought to the attention of the Ferry Supt.

MOTION: That smoking on the ferry be terminated effective immediately.

Moved: Ald. May

Second: Ald. Hawley

Ald. Pye said the Metro Authority should be making any decision on the non-smoking issue for the ferries, and Ald. Greenough agreed that it would be in order to leave the decision to them. He was in favour of supporting the P.T.A.C. recommendation. The vote was taken on the motion, which was opposed by Ald. Hetherington.

In Favour: Eight members

Against: Six members

Motion Carried

NOTICE OF  
RECONSIDERATION

Notice of reconsideration was then given by Ald. Hetherington, seconded by Ald. Pye.

3.1.2 STRATEGIC PLANNING

STRATEGIC  
PLANNING

Report from Mr. Corrigan on the status of the strategic planning process, recommending that the full planning process be deferred and that shorter-term strategy continue to be developed by staff for the consideration of Council. Involved is a \$40,000. reduction in spending from the advisory services account, in the amount of \$40,000., for this fiscal period.

MOTION: That the recommendation be adopted:

That the full planning process be deferred and that shorter-term strategy continue to be developed by staff for the consideration of Council, involving a \$40,000. reduction in spending for advisory services.

Moved: Ald. Thompson

Second: Ald. Walton

In Favour: All

Against: None

Motion Carried

3.1.3 TRANSFERS TO AGENCIES

TRANSFERS TO  
AGENCIES

Report from Mr. Corrigan on transfers to outside agencies, associated with budget adjustments required, recommending that letters be written to all outside agencies, with a request for such agencies to reduce total expenditures by 2%, by March 31, 1994. It is being further recommended that a letter be written to the School Board (forecasting a deficit), indicating that the City will not fund any financial deficit of the Board.



MOTION: To adopt the recommendations:

- (1) That letters be written to all outside agencies, with a request for such agencies to reduce total expenditures by 2%, by March 31, 1994.
- (2) Further, that a letter be written to the School Board (forecasting a deficit), indicating that the City will not fund any Financial deficit of the Board.

Moved: Ald. Greenough

Second: Ald. Sarto

Ald. MacFarlane proposed an amendment to recommendation #2, that would make it applicable to all Boards and Commissions, and not just the School Board. Referred to in Mr. Corrigan's report are the Library, the Museum, and the Sportsplex.

AMENDMENT: To apply recommendation #2 to all Boards and Commissions, additionally to the School Board.

Moved: Ald. MacFarlane

Second: Ald. Greenough

Ald. MacDonald asked about the Sportsplex deficit projected for this fiscal year; Mr. Corrigan said that a deficit is not expected. Ald. May said he was uncertain on this point, but that he would clarify it with Mr. Bagnell, as chair of the Sportsplex Finance Committee. Ald. Cunningham had some concerns about the School Board deficit, and the implications of not funding it. Their projected deficit, at this point, is \$400,000.

The vote was taken on recommendation #1

In Favour: All

Against: None

Motion Carried

The vote followed on the amendment to recommendation #2.

In Favour: All members except

Against: Ald. Cunningham

Amendment Carried

Recommendation #2, as amended:

In Favour: All members except

Against: Ald. Cunningham

Motion Carried, as amended

3.2 INVESTMENT COMMITTEE3.2.1 INTERIM REPORT 1993/94 - SECOND QUARTER

INTERIM REPORT: The interim report for second quarter, 1993/94  
INVESTMENT (July 1 to Sept. 30/93), from the Investment Committee,  
COMMITTEE has been circulated, and was accepted by Council for  
information, on motion of Ald. Hetherington and May.

MOTION: To accept the Interim Report, second  
quarter, 1993/94, from the Investment  
Committee, as circulated with the agenda.

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

3.1.4 CROSSWALK GUARDSCROSSWALK  
GUARDS

Mr. Corrigan has submitted a report, together with accompanying material prepared by the Chief of Police, which proposes the elimination of school crossing guards at a number of locations, in keeping with budget reduction items that have been discussed. The budget reduction resulting would be in the amount of \$40,000. Police Chief MacRae was present for this item, to provide information and respond to questions from Council.

Ald. Levandier moved adoption of the recommended listing for crosswalk guard elimination, just before Ald. MacDonald rose to ask questions of Chief MacRae about the process followed in arriving at the recommendation before Council. A motion was also made by Ald. Hetherington and Greenough, to receive and file the report. The Solicitor was consulted and a ruling made by the Mayor that Ald. Levandier's motion would have to take precedence, having been introduced first.

MOTION: To adopt the recommendation:

That crosswalk guard positions recommended for elimination, be approved by Council.

Moved: Ald. Levandier  
Second: Ald. Cunningham

Ald. MacDonald felt that a decision on this item should be made by the Police Commission and not Council. Other members of Council wanted the opportunity to be part of the decision-making, and generally, were not willing to give up any crosswalk guard locations in their own wards. They were therefore opposed to the motion.

At 11:00 p.m., Ald. Thompson and Pye moved to continue the meeting and the vote carried by an 8 to 6 majority. It was determined by the Solicitor, however, that a two-thirds majority vote is required to continue meeting after 11:00 p.m., so the motion was declared to be defeated, having not received the necessary two-thirds majority.

Council adjourned at 11:00 p.m.

*V. Carmichael*

V. Carmichael,  
Asst. City Clerk.

ITEMS:

- Proclamation: White Ribbon Week & Purple Ribbon Campaign, pg. 1
- 1.0 Appointment to Police Commission, page 1.
  - 2.0 Presentations, page 2.
    - i) Operations Review, page 1.
    - Purchasing & Stores, page 1.
    - Social Services, page 2 to 4.
  - 3.0 Reports, page 4.
  - 3.1 Chief Administrative Officer, page 4.
  - 3.1.1 Smoke-Free environment on Dartmouth ferry, page 4.
    - Notice of Reconsideration, page 5.
  - 3.1.2 Strategic Planning, page 5.
  - 3.1.3 Transfers to Agencies, page 5 & 6.
  - 3.2.1 Interim report, Investment Committee, page 7.
  - 3.1.4 Crosswalk guards, page 7.
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Lib. Ref. Dept.

DARTMOUTH CITY COUNCIL  
AGENDA

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TUES., NOV 30/93  
7:30 PM  
COUNCIL CHAMBER

Recognition - Perry Bennett

1. **PUBLIC HEARING**

- i) Application to Amend Development Agreement -  
Horizon Estates II

2. **NOTICE OF RECONSIDERATION**

Smoke-free Environment on the Dartmouth Ferry

**CONTINUATION OF COUNCIL AGENDA OF NOVEMBER 23, 1993  
(REPORTS PREVIOUSLY CIRCULATED)**

3. **REPORTS**

3.1 **CHIEF ADMINISTRATIVE OFFICER**

- 3.1.1 Crosswalk Guards

**COUNCIL AGENDA OF NOVEMBER 30, 1993**

4. **PRESENTATIONS**

- i) Operations Review (Presentation and Discussion)
  - Museum
  - City Clerk-Treasurer
- ii) Burnside Watch, Cst. Dan MacInnes

6. **REPORTS**

6.1 **CITY ADMINISTRATIVE OFFICER**

- 6.1.1 Organizational Restructuring
  - a) Overview (Presentation)
  - b) Corporate Services Department
  - c) Development Services Department
- 6.1.2 Residency Status - Board/Committee Applicants
- 6.1.3 Waste to Energy Committee
  - a) Terms of Reference
  - b) Appointments
- 6.1.4 Appointment of Dartmouth City Solicitor

7. **CONCERNS OF COUNCIL MEMBERS OR QUESTIONS**

LOCATION: CITY COUNCIL CHAMBERS

TIME: 7:30 P.M.

MEMBERS PRESENT: MAYOR MCCLUSKEY  
ALDERMEN SARTO, THOMPSON  
MACFARLANE, MACDONALD  
LEVANDIER, MAY, WOODS  
PYE, HAWLEY, GREENOUGH  
WALTON, HETHERINGTON

MEMBERS ABSENT:  
ALD. RODGERS  
CUNNINGHAM (VACATION)

CHIEF ADMINISTRATIVE OFFICER: L. CORRIGAN  
CITY SOLICITOR: S. HOOD  
ASST. CITY CLERK: V. CARMICHAEL  
DEPARTMENT HEADS & ASSISTANTS

RECOGNITION - PERRY BENNETT

Fire Chief Greene proceeded with a commendation for Mr. Perry Bennett, who, on November 13/93, led a mother and her child from a fire in their apartment at 384½ Portland Street, and by his action, prevented the loss of their lives which otherwise could have occurred; this was done at considerable risk to his own safety. His action on that occasion was commended by the Fire Service, and he received from Mayor McCluskey, a plaque from the Fire Service and a book from the City. She said in her presentation, that the City is extremely proud of him.

1.0 PUBLIC HEARINGi) APPLICATION TO AMEND DEVELOPMENT AGREEMENT - HORIZON ESTATES II

PUBLIC HEARING: This date was set by Council for public hearing of an  
HORIZON ESTATES II amendment to the development agreement for Parcel P-1  
Horizon Court, to permit the construction of a number of  
parking garages on the site, plus additional landscaping.

Reports in connection with this application have been previously circulated, and in the covering report to Council from Mr. Corrigan (V. Spencer, R. Wells), approval has been recommended for accompanying Resolution 93-41, to accomplish the amendment.

Members of Council recorded as being absent, for purposes of the public hearing, were: Ald. Thompson, Cunningham and Rodgers.

The Planning Dept. presentation was made by Roger Wells. He provided details of the requested amendment to the Horizon Estates II development agreement, approved in July of last year. The amendment provides for eight parking garages on site, to accommodate 57 vehicles, as shown in the drawings presented, plus additional landscaping, in the form of site treatment features on the eastern corner of the site, to include fencing. The amendment will further allow the developer to construct a crusher-dust walkway

temporarily, until such time as a concrete sidewalk is installed in conjunction with future development.

Mr. Wells advised that Planning staff support the requested changes and recommend in favour of Resolution 93-41, which will allow them to proceed.

The Mayor then called three times for any speakers in favour of the amendment, and when there were none, called three times for any speakers opposed. There were no speakers opposed either, and the public hearing was therefore closed, on motion of Ald. Pye and Sarto.

RESOLUTION 93-41

MOTION: To approve Resolution 93-41,  
as recommended.

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

2.0

NOTICE OF RECONSIDERATION

SMOKE-FREE ENVIRONMENT ON THE DARTMOUTH FERRY

RECONSIDERATION

At the November 23rd meeting of Council, notice of reconsideration was given by Ald. Hetherington, in connection with Council's action in terminating smoking on the ferries, both upper and lower decks.

In presenting his reasons for reconsideration, Ald. Hetherington referred to the general public response in opposition to the smoking ban, indicated during the past week since Council approved the regulation. He said the City does not even have the staff to enforce such a ban, and pointed out that ferry users already have the option of a smoke-free area on the lower deck of the ferries; also, that this was not a recommendation of the Public Transportation Advisory Committee, but a response to one letter of complaint only.

The vote was taken on reconsideration and it carried by a six to five majority (Ald. Thompson had not arrived for the meeting at this time). The original motion was therefore again before Council:

That smoking on the ferries  
be terminated immediately.

Ald. Greenough proposed referral back to the Public Transportation Advisory Committee to consider possible alternatives, such as a restriction on half the upper deck only, instead of a total restriction.

MOTION: To refer the matter back to the Public Transportation Advisory Committee, to look at other possible alternatives.

Moved: Ald. Greenough  
Second: Ald. May

Ald. May moved in amendment that referral to the Committee be for the purpose of holding a public meeting, but the amendment did not receive a seconder. Members of Council generally preferred to decide the issue at this meeting, rather than having it referred, since the recommendation of the Committee has already been received.

In Favour: Minority of Council  
Against: Majority of Council  
Motion Defeated

The vote was then taken on the original motion under reconsideration.

In Favour: Five members  
Against: Six members  
Motion Defeated

MOTION: That the existing smoking regulation for the ferries remain in place.

Moved: Ald. Hetherington  
Second: Ald. Pye  
In Favour: Majority of Council  
Against: Minority of Council  
Motion Carried

Ald. Pye requested the addition of a resolution he has proposed, with respect to policy for appointments to Boards and Committees, for referral to the Human Rights Advisory Committee, but Council did not agree to add the item to the agenda.

3.0 REPORTS

3.1 CHIEF ADMINISTRATIVE OFFICER

3.1.1 CROSSWALK GUARDS

CROSSWALK GUARDS

A motion on the proposed elimination of crosswalk guards, for a saving in this year's budget of \$40,000., was still outstanding from the November 23rd Council meeting. Since Council previously made a decision on this item in August of this year, it was necessary to have consent from a majority of Council, to deal with the item again at this time. A vote was taken and a majority was not received to proceed with it.

4.0 PRESENTATIONSi) OPERATIONS REVIEWMUSEUM

The operations review for the Dartmouth Heritage Museum was given by Dr. Field, the Director. He divided his presentation into three aspects of the museum, which he considered to be the basics of the operation: the collection, the visitor, and the budget. With a series of tables, he described the museum's extensive collection, and provided visitor attendance figures and comparisons through the years 1973 to 1993. He explained the budgetary changes that have been taking place, from 1988 onward, as he has shifted the emphasis away from the City grant allocation to sources such as Nova Scotia Museum grants, corporate and individual donations, to the point where the City's allocation for the 1993/94 budget year, stands at 69.3%.

He informed Council of future planning for the museum, which includes the development of an extension/out-reach program for all school grades, as well as other groups in the City. A five-year plan document, just being completed, will be coming to Council sometime in January of the new year.

Ald. MacDonald gave a brief report on the recent meeting of citizens interested in the museum, from which he said, positive direction was given. Ald. May said his only concern about the museum operation was the restricted hours of being open. Dr. Field noted the reduction in part-time staff available, and the fact that he was not able to get any staff through the PEP program. He said he is working to try and overcome the problem of open hours, a problem now common to galleries and museums everywhere.

CITY CLERK-TREASURER

The presentation for the City Clerk-Treasurer's Department was made by Mr. Bruce Smith. He outlined the mandate of the department, in its three divisions: Financial, City Clerk/Administration & General Administration., explaining the functions and responsibilities of each. Details were also provided on the Information Services operation and on specialty systems that have been developed uniquely in local government.



Considerable attention was given by Mr. Smith to the section of his presentation, 'Issues and Challenges', where he dealt with such influencing factors as the local economy, with all of its financial implications, areas where revenue loss is being experienced, with those financial implications, and capital financing considerations that will further impact on the City's financial problems.

He listed for Council, procedures being reviewed as a means of assisting himself and his staff in efficiency, so that their time is freed up to go back to planning and managing, rather than spending so much of their time on day-to-day processes, such as the collection of taxes, etc. The procedures referred to by him were:

- Tax billing practices (more frequent)
- Application of electronic payment systems.
- Packaged investment programs
- Increased information technology.

It was noted that while this department is still carrying out the same amount of work as ten years ago (and in some areas, more), the staff complement has gone from 56.5 to the present level of 39.5. This kind of staff reduction has placed considerable increased pressure on the employees who are left in the department. Ald. Hetherington asked about stress management assistance for employees who may require it. Mr. Smith said that anyone requesting this assistance would receive it.

Questions and items for discussion, during and after Mr. Smith's presentation, were as follows:

- 1) Problems relating to the issue raised under Mr. Smith's heading of 'Volatile Assessment Base'. The Mayor said these difficulties, created for municipalities, have been taken up with the other local Mayors, and a meeting has been requested with the Minister to discuss them further.

Specifically, with respect to Business Occupancy and the reporting of business openings and closings, the Mayor said she has suggested that the City offer to pay overtime to Assessment Dept. staff, to have this information collected by them. Mr. Corrigan said the suggestion is being considered and he will report back to Council on it.

(Under the Assessment Act, City staff are not able to enter properties and collect such information for our own purposes.)

- 2) Ald. MacDonald had several questions about the keeping of records and space that could possibly be used to better advantage, thereby making it possible to give up some of the space currently being rented by the City in Alderney Gate. Mr. Smith explained that the storage area, in the vault, could not be utilized for any office purpose other than the storage of records (ie. people could not work out of there).

Ald. Hetherington asked that between now and next summer, the feasibility of putting records and other material in storage, on microfiche, be looked into. Mr. Corrigan noted that new techniques, such as document imaging, may prove to be a more satisfactory way to go in the future.

- 3) Ald. MacFarlane said the Issues & Challenges Mr. Smith has brought to Council's attention, should be kept in mind when Council is dealing with the budget.
- 4) Ald. Sarto asked about the recommendations from the '20% or . . .' report, suggesting that it should be brought back to Council for review. Mr. Smith said that all of the feasible recommendations have been acted upon, and Mr. Corrigan was in agreement with a re-introduction of the report itself, but in conjunction with other new ideas, in addition to the ones the report recommended.
- 5) Ald. Hetherington had a question about water hook-ups and accumulated billings that residents receive and are pressed by the City for payment, after an overly-long period of time. He felt these situations should not be occurring.

Before leaving this item, Mr. Smith invited any members of Council wanting to have a tour of his department and meet his staff, to do so.

(Ald. Hetherington left the meeting during a brief recess taken by Council at this point.)

- 6.0 REPORTS
- 6.1 CHIEF ADMINISTRATIVE OFFICER
- 6.1.1 ORGANIZATIONAL RESTRUCTURING
  - a) OVERVIEW (PRESENTATION)

A final presentation given to Council, by Mr. Corrigan, was an overview of organizational restructuring being proposed, to create the new departments of Corporate Services (to include Purchasing & Stores), and Development Services (to include Economic Development Services). These consolidated departments are two of the six the City will have, the other four being:

Community Services  
Physical Services  
Fire Service  
Police Service

The changes outlined and explained by Mr. Corrigan are in keeping with decisions taken to flatten the organizational structure, and meet objectives such as the reduction of overall expenditures; to move management closer to service work; and to improve internal communications. It was noted that financial pressures are driving the need for downsizing and change, and it is not possible to make any meaningful reductions without the restructuring process that is being put in place.

From this presentation, Council went on to item b), the report on the Corporate Services Department.

#### b) CORPORATE SERVICES DEPARTMENT

Before Council, was a report from Mr. Corrigan (Bruce Smith, Harry George) on the proposed organizational restructuring which will create the Corporate Services Dept., recommending that Council create this department by amalgamating and restructuring the existing Purchasing & Stores Department, and the City Clerk-Treasurer's Dept.

MOTION: To adopt the recommendation:

That City Council create a Corporate Services Department by amalgamating and restructuring the existing Purchasing & Stores Dept., and the City Clerk-Treasurer's Department.

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

Questions from Ald. May concerned the preparation of necessary legal documents (these will be prepared), and changes in job descriptions, involving salary considerations and savings. Mr. Corrigan said that a re-drafting of job descriptions would have to come first, but in this fiscal year, there will be a \$20,000. saving.

The same motion just adopted also covered Council's approval for the organizational restructuring, in order to create the Development Services Dept.; this change will be achieved by amalgamating the existing departments of Economic Development and Planning and Development.

c) DEVELOPMENT SERVICES DEPARTMENT

The second report from Mr. Corrigan (V. Spencer, Tom Rath), with recommendation and included for approval, as per the motion on page 7 of these minutes, sets out the service areas encompassed within the new department, these being: Development Control Services; Economic Development Services; Planning & Research Services. The recommendation adopted was that Council create the Development Services Department, by amalgamating and restructuring the existing departments of Economic Development and Planning & Development. The saving here, in this fiscal year, will be \$30,000.

6.1.2 RESIDENCY STATUS - BOARD/COMMITTEE APPLICANTS

RESIDENCY STATUS

Report from Mr. Corrigan on the question of residency status as a requirement for applicants wishing to serve on City Boards and Committees. Minutes of the relevant section of minutes from the Nov. 12/91 Council meeting, when this item was previously debated, have been provided, as requested by Council at the Nov. 16/93 meeting.

Mr. Corrigan has recommended that Council make a decision as to residency requirements of applicants for membership on Council's Boards and Committees.

A motion of deferral, to consider this item in conjunction with Ald. Pye's resolution, was withdrawn, after which Ald. Hawley and MacFarlane moved to have the report received and filed. Ald. Greenough was in favour of a residency requirement, along with some other members, but it was still agreed that some exceptions would have to be made, especially in those cases where appointments come directly from groups and organizations with membership on specific Boards and Committees.

MOTION: To refer the item to the Solicitor for re-drafting, in such a way that exceptions can be provided for in situations where required; otherwise, residency requirements would be in effect.

Moved: Ald. Greenough  
Second: Ald. Walton  
In Favour: All members except  
Against: Ald. Hawley  
Motion Carried

Ald. Levandier suggested that provisions of the Municipal Elections Act be followed, while at the same time, providing for the exceptions referred to in debate.

6.1.3 WASTE TO ENERGY COMMITTEE

a) TERMS OF REFERENCE

Terms of reference for the Waste to Energy Monitoring Committee have been prepared and recommended by the City Solicitor; the terms, as proposed, were before Council with her report of Nov. 24/93.

MOTION: To approve the Terms of Reference for the Waste to Energy Monitoring Committee, as prepared and recommended by the City Solicitor.

Moved: Ald. Levandier  
Second: Ald. MacFarlane

Ald. Woods reviewed for Council, the Committee discussions leading up to this point, where Terms of Reference are able to be finalized, noting that the Committee has had to meet often and act quickly in order to be ready for the Environmental Control hearing for the WTE plant. Other members tended to agree that it is important to have the Committee functioning at this point in time, but Ald. Pye spoke against any initiatives leading to the formation of the Committee, representing his general opposition to the WTE plant and its location in Burnside. He questioned whether the Healthy Dartmouth Environment Committee has participated in the Monitoring Committee discussions. Ald. Walton commented on the involvement of the Healthy Dartmouth Committee, but was uncertain about the Environment Committee itself.

Ald. May felt that section 8.2 should be changed to read 'may', instead of 'shall', but no amendment to this effect was presented.

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

b) APPOINTMENTS

The proposed list of appointments to the Waste to Energy Monitoring Committee (10 members) was presented for the consideration of Council.

MOTION: To approve the appointment of members to serve on the Waste to Energy Monitoring Committee, as follows:

Ald. MacDonald	Mr. J. Randles
Woods	J. Dexter
Hawley	Ms. B. MacGregor
Dr. B. Hargrave	Mr. M. Bernard
J. O'Connor	S. Doyle
Ms. D. Williams	S. Westhaver
	Ms. L. Griffiths

(One remaining appointment to be made.)

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

Ald. Pye's reasons for voting against were as previously stated - his opposition to the WTE facility and its location in Burnside.

#### 6.1.4 APPOINTMENT OF DARTMOUTH CITY SOLICITOR

##### APPOINTMENT: CITY SOLICITOR

Mr. Corrigan has reported to Council on the appointment of Ms. Suzanne Hood as City Solicitor, effective as of Dec. 1/93, in accordance with Council's earlier authorization for the hiring of an in-house Solicitor and the offering of this position to Ms. Hood. Terms of employment have now been agreed to, and it has been recommended to Council that they appoint Suzanne Hood Q.C. to the position of Dartmouth City Solicitor, and revoke the previous appointment of Huestis-Holm as City Solicitor.

Mr. Corrigan, in presenting his report to Council, informed members that Mr. Moreash will continue as a parter with Huestis-Holm, and that negotiations with the firm for services, are scheduled for Dec. 3rd. Once negotiations have been concluded, a report will come to Council.

MOTION: To approve the appointment of Suzanne Hood Q.C. to the position of Dartmouth City Solicitor, effective as of Dec. 1/93, and to revoke the previous appointment of Huestis-Holm as City Solicitor, as recommended.

Moved: Ald. Sarto  
Second: Ald. MacFarlane

Members opposed to the motion, Ald. Levandier and Thompson, were not opposed to Ms. Hood, but to the decision to have an in-house Solicitor. Otherwise, members of Council supported the appointment and

considered the appointment of an in-house Solicitor and Ms. Hood in particular, to be a satisfactory arrangement for the City. Ald. Greenough noted the economy of \$50,000. that has been projected by Mr. Corrigan in his original report to Council on this item.

Ald. May questioned Mr. Corrigan's authority to make this appointment, but this point was clarified by a reading of the motion formerly adopted by Council in this connection. Ald. May said he would like to know what the relationship is going to be between the City Solicitor and Council, and who the client is to be. He said the independence of the Solicitor, to give advice, is imperative.

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

Ald. Thompson requested information on the legal costs for the Portland Street representation for the City.

With a two-thirds majority vote of Council, Ald. Walton was permitted to introduce a motion before adjournment.

MOTION: That Council give a vote of confidence in the Dartmouth Police Service.

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

At 10:45 p.m., the meeting adjourned, on motion of Ald. Sarto and Levandier.

*V. Carmichael*  
V. Carmichael  
Asst. City Clerk.

ITEMS:

- Recognition, Perry Bennett, page 1.
  - 1.0 Public Hearing, page 1.
  - i) Application to amend Development Agreement, Horizon Estates II,  
Resolution 93-41, page 2, Page 1
  - 2.0 Notice of Reconsideration, page 2.  
Smoke-Free environment on the Dartmouth Ferry, page 2 & 3.
  - 3.0 Reports, page 3.
  - 3.1 Chief Administrative Officer, page 3.
  - 3.1.1 Crosswalk Guards, page 3.
  - 4.0 Presentations, page 4.
  - i) Operations Review, page 4.  
Museum, page 4.  
City Clerk-Treasurer, page 4 to 6.
  - 6.0 Reports, page 6.
  - 6.1 Chief Administrative Officer, page 6.
  - 6.1.1 Organizational restructuring, page 6.
    - a) Overview (Presentation), page 6.
    - b) Corporate Services Dept., page 7.
    - c) Development Services Dept., page 8.
  - 6.1.2 Residency status, Board/Committee applicants, page 8.
  - 6.1.3 Waste to Energy Committee, page 9.
    - a) Terms of Reference, page 9.
    - b) Appointments, page 9 & 10
  - 6.1.4 Appointment of Dartmouth City Solicitor, pg. 10 & 11.
-