

Lib. Ref. Dept.

**DARTMOUTH CITY COUNCIL
AGENDA**

**TUES., JULY 5/94
7:30 PM
COUNCIL CHAMBER**

INVOCATION

1. **APPROVE THE MINUTES FROM THE MEETINGS:** June 7, & 21, 28, 1994.
2. **BUSINESS ARISING FROM THE MINUTES**
3. **DELEGATIONS & HEARINGS OF PROTEST**
4. **CONCERNS OF COUNCIL MEMBERS OR QUESTIONS**
5. **ORIGINAL COMMUNICATION**
6. **PRESENTATIONS**
7. **PETITIONS**
8. **REPORTS**

8.1 **CHIEF ADMINISTRATIVE OFFICER**

- 8.1.1 Set Dates for Public Information Sessions and Hearings -
242/244 Waverley Road (C-1 and R-1 to C-2) and
Amendments to C (Conservation) Zone
- 8.1.2 Cost Sharing Avenue du Portage
- 8.1.3 Port Wallace Area Sewer Capacity (to be circulated
on Monday)
- 8.1.4 Application to Amend Municipal Planning Strategy
Development Boundary (to be circulated on Monday)
- 8.1.5 City Investment Policy

9. **MOTION**

DEPUTY MAYOR PYE

WHEREAS fifty years ago thousands of Canadians, which includes many Nova Scotians, were making the ultimate sacrifice in Italy and France, to defeat the anti-democratic forces of Nazism;

AND WHEREAS these men and women joined with other Allied Forces to preserve the democratic institutions and rights of all people;

AND WHEREAS the right to free collective bargaining is one of the rights our men and women fought for;

BE IT RESOLVED that our City Council urge the government of Nova Scotia to restore free collective bargaining as soon as possible.

10. **NOTICES OF MOTION**

LOCATION: CITY COUNCIL CHAMBERS

TIME: 7:30 P.M.

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

MEMBER ABSENT: ALD. CUNNINGHAM (VACATION)

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

INVOCATION

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

1.0 APPROVAL OF MINUTES

MOTION: To approve the minutes of meetings held on June 7, 21 & 28/94, as circulated.

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

2.0 BUSINESS ARISING FROM THE MINUTES

Items of business arising from the minutes approved, were:

- 1) Ald. MacDonald, June 28th minutes, page 2: further to approval in principle given by Council to the Dartmouth Youth Committee report, it was proposed by Ald. MacDonald that nothing be done until after the terms of reference have come back to Council. Members of Council agreed.
- 2) Ald. MacDonald, June 7th minutes, page 10/11: asked about the status of a report from the Police Commission (on the committee proposed), and Mr. Corrigan said that working papers are being put together for a report to Council.
Ald. MacDonald also inquired about a report he requested back in November/December, on the diversity of staff. Mr. Corrigan noted that the Human Rights Advisory Committee is seeking a report as well; it is being prepared, but not ready yet.

- 3) Ald. May, June 21st minutes, page 7: asked what is being done about grass-cutting, and readjusted priorities, if necessary, to have this work proceed. Mr. Corrigan explained that he had withheld permission for the hiring of students, until after it was determined that further budget cuts would not be required. During that time, there was a delay in the start of grass-cutting and it got behind as a result. Ald. Hetherington felt these problems could have been overcome from the beginning, if grass-cutting had been contracted out this year.

3.0 DELEGATIONS & HEARINGS OF PROTEST

4.0 CONCERNS OF COUNCIL MEMBERS OR QUESTIONS

- ALD. WALTON Ald. Walton asked if there is anything yet on the 911 emergency number for Dartmouth; the Mayor said she has nothing to report.
- ALD. HETHERINGTON Ald. Hetherington requested a street sign for Hastings Drive/Prince Arthur Ave. (south side) where adequate identification is lacking.
- He passed to the Asst. City Clerk, an anonymous letter, to be forwarded to Paul Greene, the Police Chief and the Mayor.
- ALD. GREENOUGH Ald. Greenough said he has received a complaint about the operation of water ski-doo's on Lake MicMac, causing noise and disturbance; the vehicles are also dangerous to swimmers and other people making recreational use of the lake. He asked to have the Lake Safety Committee reactivated to look at this problem, and suggest some resolution of it. Council agreed to permit a motion to this effect.

MOTION: To have the Lake Safety Committee reactivated, for the purpose of dealing with the problem raised by Ald. Greenough.

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

Ald. Hawley later informed Council that he has even had calls from the Montebello area, complaining about the noise disturbance from Lake MicMac.

ALD. PYE

Concerns of Ald. Pye:

- 1) concerned that the Police Dept. is unable to deal with the on-going prostitution problem in the north end. He said citizens there are upset enough to begin taking matters into their own hands; he wanted the Police Dept. to get the message and start doing something.
- 2) asked about the relocation of Thompson's Transfer from their Wyse Road location. The Mayor was not sure if there have been any recent discussions with them, but said she could ask Mr. Rath about the status.
- 3) concerned about the elimination of bus passes and the detrimental effects on people without money for transportation. He asked that the Mayor speak to Community Services about this matter and the hardships being caused.

ALD. MACFARLANE

Ald. MacFarlane asked about any restriction on raising chickens on a property located in the City, in his area in particular, where this is being done. Mr. Moreash advised that chickens would be included in the Land Use By-law provision which prohibits domestic animals of any kind. He suggested that Ald. MacFarlane make the address known to him or to Development Services.

ALD. SARTO

Ald. Sarto provided information on traffic and speeding problems that have arisen in the Oakwood and Bowser Ave. area, resulting from traffic generated by the Oakwood Court/Juniper Terrace development. He requested permission to make a motion, for a three-way Stop, to deal with speeding and associated safety hazards. Council agreed.

MOTION: That a three-way Stop sign be approved for Oakwood Ave. and Bowser Ave., to deal with speeding and traffic problems at this location.

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

ALD. WOODS

Ald. Woods asked to have attention given to a safety problem at 56 Lahey Road (Victoria Road Ext., west side), where the sidewalk comes within four or five feet of the apartment buildings.

With the concurrence of Council, Ald. Woods was permitted to request a by-law amendment, to have an extension of residential parking on Courtney Road, extended from civic no. 18 to 36.

- ALD. LEVANDIER Ald. Levandier asked that tenders be called for site improvements to the park on Fairbanks Street at Hare Lane, and that \$15,000. be reallocated in capital funds from the \$200,000. amount for downtown improvement, for this purpose. He said information has been passed to Parks & Rec. Dept. already on this project, and requested that the necessary report be placed on the Council agenda of July 12th, for approval.
- ALD. HAWLEY Ald. Hawley noted that \$80,000. was spent on Waverley Road, to improve the visibility for motorists at Lethbridge Ave. The view is still being blocked, however, by a cabin cruiser that sits on City property next to the third house in on Lethbridge. He asked that action be taken to have this obstruction to the view, moved from the present location.
- ALD. THOMPSON Ald. Thompson proposed that the City ask for a 3% cut in the Courthouse Commission budget, and with the permission of Council, he presented a motion to refer the suggestion to staff to consider the implications.

MOTION: To refer to staff a suggested request for a 3% cut in the Courthouse Commission budget, to consider the implications of this suggestion.

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

ALD. MACDONALD Concerns of Ald. MacDonald:

- 1) that traffic associated with the development of Albro Lake lands is not being restricted to Lancaster Blvd., as required when conditions for this project were established. Although he has been unable to find this restriction recorded in minutes of Council/neighborhood meetings. the Mayor, Ald. Pye and Rodgers all confirmed that it was clearly understood and should be in force.
- 2) asked that the matter of student rates for transit use be referred to the Public Transportation Advisory Committee for their consideration. Council agreed to the request for referral.

- 3) asked if the crosswalk guards item will be discussed before the Council break. Mr. Corrigan said he hopes to have the item ready soon, but could not guarantee it will be prior to the summer break.
- 4) requested a report from the Healthy Dartmouth Committee before too long.

ALD. MAY

Concerns of Ald. May:

- 1) asked for a report in writing, on all that has transpired with H.H.C.I. during the past 12-month period.
- 2) asked about terms of reference for a marshalling yards study. Mr. Corrigan said some preliminary work has already been started on this item.
- 3) requested a report from T.M.G. on the cost and feasibility of a left-hand turn arrow at Victoria Road & Thistle Street, approaching from the north.
- 4) asked to have a three-way Stop approved for Park Ave. and Wentworth Street. Ald. May said he would present the motion for this request at the July 12th Council meeting.

ALD. RODGERS

Ald. Rodgers referred to the eight meetings held prior to the development of the Albro Lake lands, and to his understanding that Lancaster Blvd. was to be used for trucks and other development traffic ; he asked that this understanding be adhered to now that development is underway.

Ald. Rodgers said it is his understanding that the owners of 162 Victoria Road intend to expand their property to accommodate a day care operation. He asked that Planning Dept. be aware of any such request that comes in to the City.

ALD. HAWLEY

Ald. Hawley asked that the Dartmouth flag be included with the others at the bridge..

Ald. MacDonald referred to a letter received by all members of Council, in connection with the Mountain Ash Court case; he asked to have this item discussed further in camera. Ald. MacFarlane agreed with the request. It was noted by the Mayor that an in camera meeting is not planned for this agenda, but Ald. MacDonald made the request that Council go in camera anyway, for this purpose. At the end of the meeting, Council adjourned without going in camera.

- 5.0 ORIGINAL COMMUNICATION
- 6.0 PRESENTATIONS
- 7.0 PETITIONS
- 8.0 REPORTS
- 8.1 CHIEF ADMINISTRATIVE OFFICER
- 8.1.1 SET DATES FOR PUBLIC INFORMATION SESSIONS & HEARINGS
242/244 WAVERLEY RD. (C-1 & R-1 to C-2)
AMENDMENTS TO C(CONSERVATION) ZONE

SET DATES FOR
HEARINGS.

Reports have been circulated on an application to rezone at 242/244 Waverley Road, and on a requested amendment to the Land Use By-law, C (Conservation) Zone, with the recommendation from Mr. Corrigan that both public hearings be dealt with at a Council meeting on August 9/94, and that staff be instructed to arrange the neighbourhood information meetings in the interim.

MOTION: That August 9/94 be set by Council for public hearing of the applications for 242/244 Waverley Road, and amendments to C (Conservation) Zone, adding water distribution facilities, communication facilities and outdoor recreation uses as permitted uses in this zone.

Moved: Ald. Pye
Second: Ald. May

Ald. Hawley and Greenough indicated the concerns of Montebello area residents, that meetings and hearings would be held during summer months; they requested that all such dates be delayed until September at least. Ald. Greenough asked if there would be any problem with a delay. Since this information was unknown, a motion to defer for one week was presented and adopted.

MOTION: To defer this item for one week, to determine if there is any problem in a delay until September.

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

Ald. May requested an explanation from Planning staff as to why this application has been delayed so long, in the first instance.

8.1.2 COST SHARING, AVE. DU PORTAGECOST-SHARING:
AVE. DU PORTAGE

A report from Mr. Corrigan (R. Fougere, E. Purdy) was next on the agenda, being a proposal for developing Ave. du Portage, in the Montebello West Subdivision, precipitated by a request from the Armoyan Group Ltd., for subdivision approval for lands east of Caledonia Road, where they wish to develop 84 single-family lots. Street construction is required to accommodate this subdivision, and two options have been presented in the report to Council, taking into account that the street in question represents the route ultimately planned to connect with the 107 Highway, providing future access to large blocks of undeveloped land still remaining in the area. Involved, the question of a 15.6 metre pavement for an arterial street, vs. an 11.0 metre street, that would have to be widened in the future when the connection is made through to Highway 107. The advantages and disadvantages of the two options have been outlined for Council, and financial considerations have been explained. The recommendation to Council is in favour of Option 2, the 11.0 metre street.

MOTION: To adopt the recommendation:

That Ave. du Portage be constructed by the developer as a minor collector, with a pavement width of 11.0 metres, with lot and driveway grading controlled, so as to permit future widening without undue hardship on the individual lot owners.

Moved: Ald. Hawley

Second: Ald. Greenough

Mr. Armoyan was permitted to address Council, and indicated concerns that the draft report originally prepared by Mr. Purdy, dated May 1/94, has now been altered, and a revised report, quite different from the first, is now before Council. His preference is for Option #1, and while he is in agreement with the repayment by the City to him, over a five-year period, he maintains that the City should assume responsibility for the interest, instead of expecting him to pick up this cost. He said he should not be expected to subsidize the City financially on this project, and that he is not looking for anything more than the Craighburn Drive residents got from the City last week.

CONFLICT OF
INTEREST

Ald. Woods declared a conflict of interest, due to the involvement of CBCL with the Armoyan Group, and withdrew from his place on Council, to sit in the gallery.

Mr. Corrigan said to Council that the important thing

is the principle itself, and the ranking that has to be put in perspective with all the other capital projects that Council has to look at for this and upcoming years, including Infrastructure projects not even approved for funding yet. He questioned whether or not we should be prepared to spend a quarter-million dollars on a street that may end up going nowhere, or, may not be extended for years to come. He said the City does not have limitless sources of funding available; if we had, there would be no problem with option 1 and its funding requirements.

Ald. Sarto and Hawley did not favour the provision for a 15.6 metre street width. Ald. Hawley did not want to see traffic encouraged to travel through to Highway 107 via Montebello Drive, and favoured a series of cul-de-sacs to discourage this kind of traffic pattern. Ald. Sarto referred to the widening of Woodlawn Road, and said it has been nothing but a problem for residents living there. Ald. Greenough noted that it will be a major problem trying to widen Ave. du Portage in future, once the residents are living there - in fact, it will be impossible. He felt that in some ways, a through arterial to Highway 107 may provide some relief for Montebello residents, and improve traffic pattern movements in the area. Ald. Thompson supported going to the full width from the beginning, to avoid certain problems in the future. Ald. May also preferred option 1, noting that the City will receive taxes from 84 new homes and Deed Transfer Tax from those same new dwellings.

Ald. Rodgers had a number of questions about the likelihood of an eventual arterial connection with Highway 107, and what planning prospects there are, both for the highway alignment and infrastructure that would facilitate development. Mr. Fougere advised that the north Dartmouth trunk sewer would be required before the lands in question could be developed, and no roadway alignment has been decided upon at this point. The north Dartmouth Planning Study will be addressing some of these questions.

Mr. Armoyan remained available to answer questions and provide information during debate on the motion. He informed Council that his company has major land holdings outside the present development boundary, and that he would be willing to contribute toward the trunk sewer installation, as well as the arterial street connection with Highway 107. Asked about a time-frame, he said he would like to 'see something happening over the next five years'.

Ald. Walton opposed the motion, using Portland Estates development as an example of a wide arterial street to open the development in the beginning, with successful results and opening up of a major undeveloped section of the City.

Ald. Greenough noted that there is a meeting with Montebello residents on July 6th, when traffic problems will be discussed. He proposed a one-week deferral for staff to reassess this project again, and confirm to Council that this is the best way to go with it. Also, that Planning staff be asked to be present for the item when it is dealt with again.

MOTION: That the item be deferred for one week, for staff to reassess this project again, and confirm to Council that this is the best way to go with it. Planning staff to be present for the discussion.

Moved: Ald. Greenough
Second: Ald. May

AMENDMENT: That staff revisit the plan and design for the 11.0 metre street width, and also controlling the amount of traffic that will be using Ave. du Portage.

Moved: Ald. Hawley
Second: Ald. Greenough

Ald. Rodgers requested that additionally, staff indicate what the cost would be if the City were to finance this project through the Municipal Finance Corp. He was also interested in having a written indication from Mr. Armoyan, as to his intentions for lands outside the development boundary, and the time-frame he would see for development if it were able to proceed. Also, taking into account the north Dartmouth trunk sewer consideration and the highway arterial connection as another consideration. Mr. Armoyan indicated that he would be willing to put information in writing for Ald. Rodgers and the other members of Council. He said he would be willing to sit down and negotiate.

Ald. Hetherington asked to have the capital ward allotment question addressed in connection with this project; is it a City project or a ward project?

The vote was taken on the amendment.

In Favour: Majority of Council
Against: Minority of Council
Amendment Carried

Vote on the amended motion:

In Favour: Majority of Council
Against: Minority of Council
Motion Carried, as amended

Ald. Hetherington asked that in future, if any member of the public is going to address Council, members be informed of it in advance, through the agenda, and that where possible, written submissions be provided by the presenter. Ald. May said this is an item for discussion at a concept meeting.

8.1.3 PORT WALLACE AREA SEWER CAPACITY

PORT WALLACE
SEWER CAPACITY

A supplementary report has been made to Council by Mr. Corrigan, subsequent to meetings between CBCL and City engineering staff, to address questions raised about the Port Wallace area sewer capacity, relating to an application to amend the M.P.S., by extending the Development Boundary .

Ald. May took the position that the report received by Council did not give the time required for members to read and digest it, prior to this Council meeting; he quoted section 26, sub-section 1. of the Procedural By-law as the basis for his position.

MOTION: To defer the item for one week.

Moved: Ald. May
Second: Ald. Sarto

Asked for a legal opinion, Mr. Moreash felt that while this is not a mandatory provision (2 day requirement), it would be up to Council to decide and Council could deviate if members wished to do so. If Ald. May insists upon adherence to the requirement, it would be preferable to have a unanimous consent vote by Council, in order to proceed with the item.

CONFLICT OF
INTEREST

Before reaching this point, Ald. Woods had declared a conflict of interest (CBCL involvement with the Armoyan Group), and withdrew from his place on Council.

The Mayor proceeded with a vote, as suggested by the Solicitor, but unanimous consent was not received from Council. Council therefore proceeded to the next item on the agenda, and Ald. Woods returned to his place on Council.

8.1.4 APPLICATION TO AMEND MUNICIPAL PLANNING STRATEGY

This item was included with the previous one, in being rejected, since a separate supplementary report for it was circulated at the same time, on July 4th.

8.1.5' CITY INVESTMENT POLICY

INVESTMENT POLICY Council has received a report from Mr. Corrigan (B. Smith) on a proposed new short term investment procedure that permits the active management of the City's daily cash balances, as explained and outlined in an accompanying report Mr. Smith prepared for the Investment Committee. The Committee, Mr. Smith, and Mr. Corrigan, all recommend implementation of the new program, for an evaluation period of one year, with quarterly review and report to the Investment Committee. This review will result in a further recommendation to Council during the evaluation period.

Accordingly, it is being recommended that Council suspend "The Investment Process" of the Municipal Investment Policy for a period of one year.

MOTION: To adopt the recommendations:

- 1) implementation of a proposed new short term investment procedure (RT Capital Management/Royal Bank of Canada proposal), as outlined in the report to Council
- 2) an evaluation period of one year.
- 3) that Council suspend "The Investment Process" of the Municipal Investment Policy for a corresponding period of one year.

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

Mr. Smith was present for this item, to answer any questions from members of Council.

9.0 MOTIONDEPUTY MAYOR PYE

MOTION: WHEREAS fifty years ago, thousands of Canadians, which includes many Nova Scotians, were making the ultimate sacrifice in Italy and France, to defeat the anti-democratic forces of Nazism;
 AND WHEREAS these men and women joined with other Allied Forces to preserve the democratic institutions and rights of all people;

AND WHEREAS the right to free collective bargaining is one of the rights our men and women fought for;

BE IT RESOLVED that our City Council urge the government of Nova Scotia to restore free collective bargaining as soon as possible.

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

10.0 NOTICE OF MOTION

A notice of motion was given by Ald. Levandier for the next regular Council meeting, as follows:

Ald. Levandier

WHEREAS the City recently established in-house legal services;

AND WHEREAS additional legal services continue to be provided by the same firm that has provided this service for at least twenty years;

AND WHEREAS it is important to scrutinize all services where public funds are spent;

AND WHEREAS there are at least a dozen law firms in Dartmouth, that pay taxes;

THEREFORE BE IT RESOLVED that the City immediately call for professional submissions, to provide this additional legal service.

Meeting adjourned at 10:00 p.m. Ald. MacDonald objected to adjournment, without going in camera for the Mountain Ash Court item. The majority of Council voted for adjournment.

V. Carmichael

V. Carmichael,
Asst. City Clerk.

: ITEMS:

- Invocation, page 1.
 - 1.0 Approval of minutes, page 1.
 - 2.0 Business Arising from Minutes, page 1 & 2.
 - 3.0 Delegations & Hearings of Protest, page 2.
 - 4.0 Concerns of Council members or questions, page 2 to 5 incl.
 - 5.0 Original Communication, page 6.
 - 6.0 Presentations, page 6.
 - 8.0 Reports, page 6.
 - 8.1 Chief Administrative Officer, page 6.
 - 8.1.1 Set dates for information sessions & hearings, 242/244
Waverley Rd., amendments to C Zone, page 6.
 - 8.1.2 Cost sharing, Ave. du Portage, page 7 to 9.
 - 8.1.3 Port Wallace area sewer capacity, page 10.
 - 8.1.4 Application to amend M.P.S., page 10
 - 8.1.5 City Investment Policy, page 11.
 - 9.0 Motion, Deputy Mayor Pye, page 11.
 - 10.0 Notice of Motion, page 12.
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Lib. Ref. Dept.

**COMMITTEE-OF-THE-WHOLE
AGENDA**

THURS. JULY 7, 1994

7:00 PM

COUNCIL CHAMBER

1. Presentation: Consultant and Staff - North Dartmouth Planning Study
(Overview previously circulated)

Feb. Ry. Dept

**DARTMOUTH CITY COUNCIL
AGENDA**

**TUES., JULY 12, 1994
7:30 PM
COUNCIL CHAMBER
IN CAMERA SESSION
10:45 PM**

PROCLAMATION - CHILD ABUSE PREVENTION MONTH

1. REPORTS

1.1 CHIEF ADMINISTRATIVE OFFICER

- 1.1.1 Set Dates for Public Information Sessions and Hearings
- 242/244 Waverley Road (C-1 and R-1 to C-2) and
Amendments to C (Conservation)
Zone (deferred from July 5th meeting)
- 1.1.2 Cost Sharing Avenue du Portage (deferred from July 5th
meeting)
- 1.1.3 Port Wallace Area Sewer Capacity (deferred from July 5th
meeting)
- 1.1.4 Application to Amend Municipal Planning Strategy
Development Boundary (deferred from July 5th meeting)
- 1.1.5 North Woodside School Facility
- 1.1.6 Tender, Contract 94-13 - Various Streets
- Overlay Pavement
- 1.1.7 Award Tender - Consultants Study Ward 5 Community Centre
- Project Definition and Site Selection Study
- 1.1.8 Application, Retail Video Outlet, Glubes Sound Studio
- 1.1.9 Crosswalk Guards
- 1.1.10 1994/95 Capital Budget Amendments - Ward 3 Allocation
 - a) Furnace Park
 - b) CN Railyard Relocation Study
- 1.1.11 Infrastructure Program - Capital Budget

1.2 GRANTS COMMITTEE

- 1.2.1 1994/95 Grant Committee Recommendations

1.3 BOARD OF POLICE COMMISSIONERS

- 1.3.1 Report on Prostitution

2. CONCERNS OF COUNCIL MEMBERS OR QUESTIONS

IN CAMERA SESSION - 10:45 P.M.

1. Legal Matter (oral)
2. Land Matters

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

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

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

The Mayor opened the meeting and welcomed the Hon. Jim Smith, Minister of Community Services, who was present in the gallery. She then advised that items 1.1.3 (Port Wallace area sewer capacity) and 1.1.4 (Application to amend M.P.S. Development Boundary) have been withdrawn from the agenda.

Members received copies of a communication from Connor Architects & Planners, in connection with the M.P.S. application withdrawal (item 1.1.4).

PROCLAMATION

A Proclamation was read by Mayor McCluskey, proclaiming August, 1994, as Child Abuse Prevention Month, with associated activities.

1.0 REPORTS

1.1 CHIEF ADMINISTRATIVE OFFICER

1.1.1 SET DATES FOR PUBLIC INFORMATION SESSIONS & HEARINGS:
242/244 WAVERLEY ROAD & AMENDMENT TO C ZONE

SET DATES FOR
HEARINGS

Council has been asked to instruct staff to proceed with information meetings and to set a public hearing date for two applications: (1) to rezone 242/244 Waverley Road, from R-1 Zone & C-1 Zone to C-2 Zone; and (2) to amend the Land Use By-law by adding water distribution facilities, communication facilities, and outdoor recreation uses as permitted uses in the C (Conservation) Zone. This item was deferred from the July 5th meeting, for determination of the effects of delaying the applications until September.

Ald. Sarto asked about the urgency, and Ms. Spencer said the urgency is on the part of the proponents, especially once they reach the waiting point for applications to be heard, the case with both of these requests.

Ald. Greenough felt that since the Waverley Road application actually represents an upgrading of existing conditions on the property, it would be in order to proceed, without waiting for September. No opposition was expressed to proceeding, and August 16th was therefore agreed to by Council for both public hearings. Dates for the information meetings will be determined and arranged by staff.

MOTION: To set August 16th as the date for public hearing of applications for 242/244 Waverley Road, and for an amendment to the Land Use By-law, C (Conservation) Zone.

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

1.1.2 COST SHARING, AVE. DU PORTAGE

COST SHARING:
AVE DU PORTAGE

The proposal for cost-sharing in the construction of Ave du Portage was again before Council, having been deferred from the July 5th meeting. Mr. Corrigan made a presentation to Council of the responses to Council questions, raised in debate at the previous meeting.

CONFLICT OF
INTEREST

Ald. Woods declared a conflict of interest on this item, being employed with CBCL, and withdrew from his place on Council to sit in the gallery.

In his presentation to Council, Mr. Corrigan advised that the Armoyan Group has subsequently indicated that the company will provide five-year working capital to the City, with the first two years at 0%, and the following 3 years at M.F.C. rate. This funding plan would enable the City to budget five installments of approx. \$50,000. per year, rather than \$250,000. in year one. This proposal has made the cost-sharing arrangements much more feasible, and for this and the other stated reasons outlined to Council by Mr. Corrigan (and also circulated in written form, dated July 12/94), Option #1 now becomes the preferred recommendation, being the construction of a full 15.6 metre pavement for Ave. du Portage.

MOTION: To approve Option #1, construction of a full 15.6 metre pavement for Ave. du Portage, under the cost-sharing arrangements between the City and the Armoyan Group, as outlined in Mr. Corrigan's July 12/94 submission to Council.

Moved: Ald. Rodgers
Second: Ald. Walton

Ald. Hawley informed Council of a letter he has received from the Hon. Jim Smith, MLA for Dartmouth East, stating that the Provincial Transportation Dept. has no plans at this time for accessing the 107 By-pass through the Montebello area. Ald. Hawley said this information negates the need to provide a 15 metre roadway, when a main connector is not planned for the future via this route. He maintained that the existing traffic problems will only be compounded if a wide arterial street is provided, with connection to Montebello area.

Several other members had the opposite opinion; they felt that traffic congestion and disruption could ultimately be relieved with an arterial at this location, eventually moving traffic away from the area by an alternate route.

Ms. Spencer presented a map to show Council and citizens in the gallery, the exact location of the connector highway that has been shown as providing linkage through to undeveloped lands in this part of the City, in previous plans, both regional and local. She said this is the logical and likely place for such a highway connection, and it is probably inevitable that at some point in time, Council will have to look at spending money on a connector. Once trunk sewer services have been provided, the undeveloped lands are certain to come under development pressures.

Ald. Rodgers had questions about the payments to be made by the Armoyan Group and the installment intervals; Mr. Corrigan responded with answers. He said whatever the regular schedule is, will be followed for the Armoyan Group, with M.F.C.

Except for Ald. Hawley, all other members of Council speaking on the motion, were in favour of it, especially with the financial arrangement now negotiated.

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

Ald. Thompson and Greenough felt that sidewalk discussions should have been included, considering that this will be a main traffic thoroughfare, where children will be walking to and from school.

MOTION: That the potential for installing sidewalk during the street construction, be explored, considering the need for the safety of children walking to and from school.

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

Mr. Corrigan gave assurance to Council that he will come back with a report on the sidewalk discussions.

1.1.5 NORTH WOODSIDE SCHOOL FACILITY

NORTH WOODSIDE
SCHOOL FACILITY

A report from Mr. Corrigan (G. Kaiser) was before Council, on the subject of a proposed North Woodside School facility, for multi-purpose uses, including recreational, educational, social and child care opportunities. with recommendation for approval in principle of the proposal that has been put together.

MOTION: To adopt the recommendation:

That the North Woodside Community Association's proposal, to assume operational responsibilities for the facility on an annual lease of \$1. per year, be approved in principle. Further, that the Association be asked to work toward a deadline of Sept. 1/94 to complete the business plan.

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

Ald. Hetherington provided information on the formation of the Association, in answer to questions from Ald. Rodgers. Ald. Rodgers asked that when all the proper documentation has been completed, it be forwarded to Mr. Corrigan for his review.

1.1.6 TENDER, CONTRACT 94-13 - VARIOUS STREETS - OVERLAY PAVEMENT

AWARD TENDER:
CONTRACT 94-13

Report from Mr. Corrigan (R. Fougere, G.M. Boyd) on tenders received for Contract 94-13 (Various streets, overlay pavement), recommending that the tender be awarded

to the lowest bidder, Ocean Contractors Ltd., with a bid price of \$255,976.10; completion time: 25 workdays.

MOTION: To award the tender for Contract 94-13 to the lowest bidder, Ocean Contractors Ltd., with a bid price of \$255,976.10, as recommended.

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

1.1.7 AWARD TENDER - CONSULTANTS STUDY, WARD 5 COMMUNITY CENTRE

AWARD CONTRACT:
WARD 5
COMMUNITY CENTRE

Report from Mr. Corrigan (V. Spencer) on proposals received for the Project Definition & Site Selection Study, Ward 5 Community Centre, recommending that Council award the contract to Burke/Oliver Consultants Ltd., in association with Sperry & Partners Ltd. and EDM (Environmental Design and Management Ltd.) for the quoted upset price of \$29,650.00.

MOTION: To award the contract for the Project Definition & Site Selection Study, Ward 5 Community Centre, to Burke/Oliver Consultants Ltd., in association with Sperry & Partners Ltd. and EDM, for the quoted upset price of \$29,650., as recommended.

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

Ald. Woods requested a copy of the winning proposal. Mr. Corrigan said he would send copies to both Ward 5 Aldermen.

1.1.8 APPLICATION, RETAIL VIDEO OUTLET, GLUBES SOUND STUDIO

VIDEO OUTLET
APPLICATION

Council has been asked to indicate any objection to an application for a retail video outlet at 100 Main Street (Glube's Sound Studio). This location is in a C-3 Zone.

MOTION: To indicate no objection to the application for a retail video outlet at 100 Main Street, Glubes Sound Studio.

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

1.1.9 CROSSWALK GUARDS

CROSSWALK GUARDS Council has received a report from Mr. Corrigan (A/Deputy Chief Tipert) on proposed adjustments to the crossing guard program, in order to be able to achieve the budget objective set for this item. Considerable work has gone into the preparation of background information, on the part of Ald. Sarto and Mr. Wm. McPhee, both of whom served on the committee set up to make recommendations for reducing the cost of the program.

A/Deputy Chief Tipert presented the report to Council, dealing in particular with the various ideas that have been discussed for alternative approaches to the program, such as self-administration by the crossing guards themselves, student guards, Home & School and corporate involvement, etc. Also, on the proposed reduction in crossing guards to 33 for 1994/95 school year, and the proposed replacement of paid guards with student crosswalk guards at three locations.

Ald. MacDonald moved that the report be received and filed, but the motion was not seconded.

Council agreed to hear from Wm. McPhee and from Diane Robertson, both members of the committee working on this item. Copies of information compiled by Mr. McPhee, in his extensive study of crossing guard services, were circulated to members of Council. He proceeded to review this information, gathered from 63 of 100 municipalities across Canada to which letters were sent. He said that based on the information received, he would recommend a volunteer school patrol program, and basically, he felt the issues involved have to be resolved and a long-term solution addressed. Otherwise, the indecision continues to leave the crosswalk guards in limbo, wondering all summer what the final decision will be.

Ms. Robertson said her concerns are for the children, who need the protection the crossing guards provide. She did not agree with the recommended fifteen-guard reduction, but admitted that something has to be done by way of resolving the issue and deciding it once and for all. Everyone is tired of talking about it, she said. Getting rid of Eagle Security would be one good idea; she went on to comment on the other possible alternatives that have been suggested, such as student guards, education of drivers, etc.

Ald. Sarto went through the survey results he has compiled, offering explanations for each of the crosswalk locations recommended for elimination and/or student guard replacements. His other comments pertained to the alternatives the committee has looked at - in particular, the idea of a self-administered program the crossing guards would take on themselves.

MOTION: That the recommendations from the report to Council, be rejected:

- 1) that the number of crosswalk guards for the 1994/95 school year be reduced by 15, leaving 33 paid crossing guards.
- 2) further, that the School Board organize Home & School Associations, or similar organizations, to assume the responsibility of providing crosswalk guards, where those organizations deem such services are warranted, from whatever sources suit their particular needs.
- 3) that crosswalk guards be eliminated from the 12 locations recommended and listed on page 2 and 3 of the report.
- 4) further, that crosswalk guards be replaced at three locations (as listed) by student crosswalk guards.

Moved: Ald. May

Second: Ald. Pye

Ald. MacFarlane had a series of questions about the provisions of the present contract with Eagle Security, and whether the contract terms have been reviewed by staff, to determine whether or not there has been satisfactory compliance so far. A/Deputy Chief Tipert provided information on questions of supervision, replacement with substitute guards when regular guards are not available for work, the success or not of the 'buddy system'. In the end, Ald. MacFarlane said he was not convinced that the system (Eagle Security) has worked out as we hoped it would.

Ald. MacDonald said it is time to get priorities in order and protection for school students is one of the top ones. He asked about a letter from a Ward 4 resident, Mr. Delisle, and was advised by Mr. Corrigan that a response went to him. Ald. Rodgers also referred to this same letter, in his concerns about Glen Manor Drive, and to other communications he has received, one from the Crichtone Park Home & School, and a petition brought to Council, in the same connection, some time ago.

Ald. Rodgers tended to favour the idea of the crosswalk guards being the contractor for their own service, thereby allowing the cancellation of the Eagle Security contract before the deadline is up to do so, in September. He later proposed a motion along these lines.

While acknowledging that the committee has done a lot of work in preparing background material and their report for Council, most members were not willing to support the recommended cuts in crossing guard service, at least not to an extent that would come anywhere near the \$100,000. adjustment required for budget purposes. There was support for the idea suggested by Ald. Rodgers, provided a self-administered program could be shown to produce savings and could be put in place soon enough to permit the cancellation of the Eagle Security contract before this upcoming school term. Ald. May suggested that the St. Mary's U. Business Centre might be of help to the crossing guards, in forming their own business group.

Ald. Greenough said it is time to begin a dialogue with the School Board, to see if they will take over responsibility for the program. Mr. Corrigan said Supt. Harrison considered this to be a City issue, and coming under City jurisdiction. Members asked if the new Supt. may take a different point of view, and some felt it is worth pursuing with him.

Ald. Hetherington said it is up to individual members of Council to examine the list of crosswalks in their own wards, to determine any locations where service can be eliminated. In Ward 7, for example, the Johnstone Ave./Clyde Ave. location can do without crossing guard service, and Ald. Hetherington called on all members to submit their own list of locations, as a means of assisting with the budget adjustment that is required. Ald. Pye said it would be possible to eliminate the Brule Street location after that street closure.

The vote was taken on the motion on the floor.

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

It was at this point that Ald. Rodgers presented the motion referred to him earlier in debate.

MOTION: That staff be directed to meet with Mrs. Robertson and two or three other crossing guards, to explore opportunities to contract this service directly to the guards, and report to Council in written form, by the end of July (revised to read 'by August 10th').

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

Mr. Corrigan explained the difficulty in trying to meet a deadline for this item, when he will be going on vacation and other staff will not be available either. It was suggested that Ms. Hood, who will be A/CAO, could take over the discussions.

A second motion was also adopted, as follows:

MOTION: That in conjunction with the motion proposed by Ald. Rodgers (ie. not in place of), the CAO be instructed to open dialogue with the new Supt. of Schools, with a view to have the School Board take over crosswalk services.

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

Ald. Hawley said that in view of the time constraints associated with this item, it may be advisable to renew the present contract to the end of December, which gives some time to put other possible alternatives in place.

1.1.10 1994/95 CAPITAL BUDGET AMENDMENTS - WARD 3 ALLOCATION

a) FURNACE PARK

Report from Mr. Corrigan on a joint recommendation from the Ward 3 Aldermen, to amend the capital budget allocation for their ward, so that the project Furnace Park (\$16,000.) is included as a Land Development project in the downtown area. It has been determined in the staff evaluation that there would be no change to the approved net cost related to the ward, and it is therefore recommended that the Capital Budget be amended by Council, to give effect to this requested change.

MOTION: To adopt the recommendation:

That the Capital Budget be amended by Council, to give effect a requested change by Ward 3 Aldermen, to include the Furnace Park project, in the amount of \$16,000., priority #26.

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

b) CN RAILYARD RELOCATION STUDY

RELOCATION
STUDY

A second joint recommendation from Ward 3 Aldermen, to amend the capital budget allocation for their ward, was also considered. The request was to have a project, CN Railyard Relocation Study (\$60,000.) included as a Land Development project in the downtown area. CN will contribute professional expertise to the study. It has been recommended that the Capital Budget be amended by Council, to give effect to this requested change.

MOTION: To adopt the recommendation:

That the Capital Budget be amended by Council, to give effect to a requested change by Ward 3 Aldermen, to include a CN Railyard Relocation Study, in the amount of \$60,000.

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

Ald. Pye said it is not enough for CN just to provide professional expertise - they should be participating financially as well.

In connection with this item, the Mayor had circulated, copies of a letter she received, dated June 16/94, from the M.P. for Dartmouth, Ron MacDonald, containing information on his meeting with a CN representative, and steps required to explore the feasibility of relocating the marshalling yards.

1.1.11 INFRASTRUCTURE PROGRAM - CAPITAL BUDGETINFRASTRUCTURE
PROGRAM: CAPITAL
BUDGET

A report from Mr. Corrigan has been circulated with the agenda, on the Infrastructure Program and related implications for the City's capital budget. The report recommends that Council approve a Capital Budget and request Temporary Borrowing Resolutions for the Infrastructure Program, in the amount of \$3,583,333., as outlined in Schedule B, which accompanies the report.

A presentation was made to Council at this time by Mr. Corrigan, during which he reviewed all of the projects contained in Council's priority list - 15 projects in all, plus three subsequently added. He reviewed the status of all the projects to date, with accompanying figures to show Council the total project cost and City funding, in each instance.

Members had the opportunity to ask any questions they wanted to, during the presentation. In the concluding overheads presented, Mr. Corrigan explained to Council the total capital budget effects of the Infrastructure Program, as compared with recent and past years, when our normal budgets were (a) exceeded for special projects, and (b) reduced to lower debt costs. Members appeared to feel that the effects for this and upcoming years, are manageable.

To cover the authorization for adding the Breeze Drive/Caledonia Road connector, a motion was adopted.

MOTION: To approve the addition of the Breeze Drive/Caledonia Road connector to the priority list of Infrastructure projects.

Moved: Ald. MacDonald

Second: Ald. May

In Favour: All

Against: None

Motion Carried

Council also proceeded with approval of the Capital Budget and Temporary Borrowing request.

MOTION: To adopt the recommendation of the C/A Officer:

That Council approve a Capital Budget and request Temporary Borrowing Resolutions for the Infrastructure Program, in the amount of \$3,583,333., as outlined in Schedule B.

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

Council agreed to continue meeting after 11:00 p.m., on motion of Ald. Greenough and Cunningham.

1.2 GRANTS COMMITTEE

1.2.1 1994/95 GRANT COMMITTEE RECOMMENDATIONS

1994/95 GRANT
COMMITTEE
RECOMMENDATIONS

The Grants Committee has completed its review of all grant applications received by the City, for the fiscal year 1994/95, and has recommended that Council approve the grant allocations set out in Appendix "A", totalling \$621,300.00.

CONFLICT OF
INTEREST

Ald. Cunningham declared a conflict of interest, being employed with the Canadian Red Cross, one of the applicants for a grant from the City. He withdrew from his place on Council while this item was under consideration.

Ald. Hawley presented the report of the Committee and moved its approval.

MOTION: To approve the recommendation of the Committee:

That Council approve the grant allocations as set out in Appendix "A" (accompanying the report of the Committee), totalling \$621,300.00.

Moved: Ald. Hawley
Second: Ald. Hetherington
In Favour: All members except
Against: Ald. Levandier
Motion Carried

Ald. Hawley noted that next year, provision will have to be made to meet the Grace and I.W.K. Hospital commitments, which were deferred; the total required will be \$84,000.

1.3 BOARD OF POLICE COMMISSIONERS

1.3.1 REPORT ON PROSTITUTION

REPORT ON
PROSTITUTION

As the Secretary to the Dartmouth Board of Police Commissioners, Mr. Corrigan has reported to Council on the requested formation of a committee to deal with the City's prostitution problem, referred to the Police Commission by Council.

The Commission has adopted recommendations from the City Solicitor, basically agreeing to leave this operational matter with the Police Service, to deal with, and to defer a decision on the need for a committee while the effectiveness of the Police plan is monitored, and dialogue continues between the Police Service and the Residents Assn., on an informal basis.

MOTION: To receive and file the report from the Secretary of the Police Commission.

Moved: Ald. Levandier
Second: Ald. Hetherington

Ald. Pye and MacDonald stated their concerns about a lack of progress in resolving the prostitution problem. They both felt that not enough is being done, and Ald. MacDonald wanted to have a report from the Police Chief on what is actually being done by his department. The Mayor cautioned that the Police Service plan could be compromised if details are given in a public forum, and it was suggested by Ald. May that Ald. MacDonald meet with the Mayor and the Police Chief to receive this kind of information.

Ald. Rodgers requested of the Mayor, through the Police Commission, that the Police Service indicate what they hope to accomplish and within what time frame. The Mayor agreed to make such a request through the Commission.

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

APPOINTMENT - ACCESS-A-BUS ADVISORY COMMITTEE

Council was advised by the Mayor of a letter received from the Metropolitan Authority, regarding a Dartmouth appointment to the Access-A-Bus Advisory Committee. The appointment of Mr. Al Williams is proposed.

MOTION: To approve the appointment of Mr. Al Williams to serve on the Access-A-Bus Advisory Committee.

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

At 11:20 p.m., Council went in camera, on motion of Ald. Thompson and Hetherington. Council later reconvened in open meeting, to ratify the action taken while meeting in camera.

MOTION: To ratify the action taken while meeting in camera on this date.
(Legal matter, land matters)

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

Meeting adjourned at 12:20 a.m.



V. Carmichael,
Asst. City Clerk.

ITEMS:

- Proclamation, page 1.
 - 1.0 Reports, page 1.
 - 1.1 Chief Administrative Officer, page 1.
 - 1.1.1 Set dates for public information sessions & hearings:
242/244 Waverley Rd. & amendment to C Zone, pg.1.
 - 1.1.2 Cost sharing, Ave. du Portage, page 2 to 4.
 - 1.1.5 North Woodside School facility, page 4.
 - 1.1.6 Tender, Contract 94-13, Various streets, overlay, page 4
 - 1.1.7 Award tender, consultants study, Ward 5 Comm. Centre, page 5.
 - 1.1.8 Application, retail Video Outlet, Glubes Sound Studio, pg. 5.
 - 1.1.9 Crosswalk guards, page 6 to 9.
 - 1.1.10 1994/95 Capital Budget Amendments, Ward 3, Frnace Park, pg. 9.
b) CN Railyard Relocation Study, page 10.
 - 1.1.11 Infrastructure Program, Capital Budget, page 11.
 - 1.2 Grants Committee, page 12.
 - 1.2.1 1994/95 Grant Committee recommendations, page 12.
 - 1.3 Board of Police Commissioners, page 12.
 - 1.3.1 Report on prostitution, page 12 & 13.
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