

**DARTMOUTH CITY COUNCIL
AGENDA**

**TUES., DEC. 6 /94
7:30 PM
COUNCIL CHAMBER**

PROCLAMATION - VIOLENCE AGAINST WOMEN

INVOCATION

1. **APPROVE THE MINUTES FROM THE MEETINGS:** November 8, 15, 22, & 29, 1994.
2. **BUSINESS ARISING FROM THE MINUTES**
3. **DELEGATIONS & HEARINGS OF PROTEST**
4. **ORIGINAL COMMUNICATION**
5. **PRESENTATION**
6. **PETITION**
7. **REPORTS**
 - 7.1 **CHIEF ADMINISTRATIVE OFFICER**
 - 7.1.1 1995/96 Budget Preparation Plan
 - 7.1.2 Deferral of Development Services Comprehensive Audit
 - 7.2 **AD HOC COMMITTEE ON RETAIL VIDEO OUTLETS**
 - 7.2.1 Report from committee (to be circulated)
 - 7.3 **COMMON COMMITTEE**
 - 7.3.1 Annual Report 1993/94

8. **MOTIONS**

8.1 **ALD. LEVANDIER**

WHEREAS Dartmouth Cove residents have been victims of raw sewage outflow in Dartmouth Cove for several decades;

AND WHEREAS the harbour clean-up does not appear to be close to construction;

THEREFORE BE IT RESOLVED that this significant project be placed in the capital budget; and further, that we explore the possibility of funds coming from harbour clean-up money.

9. **NOTICES OF MOTION**

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

DARTMOUTH CITY COUNCIL
DECEMBER 6, 1994.

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

MEMBERS PRESENT: MAYOR MCCLUSKEY
ALDERMEN SARTO, SMELTZER
MACFARLANE, PYE
DEXTER, LEVANDIER
WITHERS, SCHOFIELD
CUNNINGHAM, HAWLEY
WALTON, HETHERINGTON

MEMBERS ABSENT: ALD. GREENOUGH
WOODS (OUT OF TOWN)

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

INVOCATION

Mayor McCluskey opened the meeting with the
Invocation.

PROCLAMATION - VIOLENCE AGAINST WOMEN

PROCLAMATION

A Proclamation was read by Mayor McCluskey,
proclaiming December 6th, 1994 as a day of
reflection on male violence against women, and
a day of renewal regarding this community's
commitment to the funding of agencies working
to create a safe environment for all women and
children. She said this date is particularly
appropriate since it is the anniversary date of
the Montreal massacre.

At the request of the Mayor, Council agreed to
add three in camera items to the agenda: a
legal matter, a personnel matter, and a land
matter.

1.0

APPROVAL OF MINUTES

MOTION: To approve the minutes of the
Nov. 8, 15, 22, and 29/94
meetings.

Moved: Ald. Hetherington
Second: Ald. Pye

Ald. Smeltzer requested that two amendments be made to the November 29th minutes:

- 1) on page 5, that the reference to a meeting with local MLA's be separated from the paragraph dealing with terms of reference for a consultant, and
- 2) on page 6, that the words 'one of' be inserted just before the words '. . . the municipality's most important resource' (reference Dartmouth staff).

With these two amendments, the vote was taken on the motion to approve the minutes.

In Favour: All
Against: None
Motion Carried

- 2.0 BUSINESS ARISING FROM THE MINUTES
- 3.0 DELEGATIONS & HEARINGS OF PROTEST
- 4.0 ORIGINAL COMMUNICATION

The Mayor read to Council, a letter received by her from the Hawthorn Home & School Assn., stating their concerns about the adult crosswalk guard program, and reiterating their position on the maintaining of the program as it existed before seventeen crossing guards were cut from it. The Association has requested that their letter be read into the record as a reminder of their continuing support for the complete crosswalk program.

- 5.0 PRESENTATION
- 6.0 PETITION

PETITION - CHESTNUT LANE/MACRAE AVE.

Ald. MacFarlane presented a petition on behalf of residents living on Chestnut Lane and MacRae Ave., asking that measures be taken to relieve the problems with heavy traffic on their streets, especially at the evening rush hour. Ald. MacFarlane and Cunningham have discussed this traffic situation with Mr. Fougere and Mr. Purdy, and they have agreed to look at possible

alternatives for resolving the problems. Ald. MacFarlane asked for a report back to Council as soon as possible in January, and to have the petition copied and circulated. Ald. Hetherington requested a copy, and suggested the elimination of the flashing light at Manor Park, to be replaced with arrows.

PETITION - DARTMOUTH COVE AREA

Ald. Dexter presented a petition on behalf of residents living in the Dartmouth Cove area, who are seeking to have something done about the sewer outfall discharge into the Cove, affecting the quality of their environment and their living conditions. This subject was dealt with later under item 8.0, Motions.

7.0 REPORTS

7.1 CHIEF ADMINISTRATIVE OFFICER

7.1.1 1995/96 BUDGET PREPARATION PLAN

1995/96 BUDGET
PREPARATION
PLAN

Mr. Corrigan presented his report on the 1995/96 budget preparation plan, the key points of which are outlined in Appendix A, circulated with his written report of Dec. 2/94. Members of senior staff were present for this item.

MOTION: To approve the plans outlined in Appendix A, as recommended by Mr. Corrigan.

Moved: Ald. Hetherington
Second: Ald. Cunningham

Ald. Pye had concerns about any change in the former ward allocation process for capital projects, and the recommendation that budget rankings not be constricted in this way. He felt that Council should be careful about making such a change, considering past experience.

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

Mr. Corrigan sought direction from Council on the Ward 5 allocation for the Pinecrest/Highfield Park plan, for which an additional

\$500,000. has been included in recent years, taking into consideration the Community Centre approved under the Infrastructure Program, and the fact that only \$1,000,000. has been provided by the Federal and Provincial governments, for a project estimated to cost \$2,000,000.

Ald. Pye proposed a total allocation of \$1,000,000. for the Community Centre project, over and above the \$300,000. the City will already be contributing as its municipal share, under the Infrastructure Program, thereby providing the full \$2,000,000. required for the Centre, as per the original estimate.

MOTION: That a capital budget allocation, in the total amount of \$1,000,000., be included in the capital budget, for the north-end Community Centre project, for a total of \$1,300,000., including the Infrastructure contribution by the City.

Moved: Ald. Pye
Second: Ald. Dexter

Ald. Hawley felt that Council did not have enough information on the consequences of such a decision being made, out of context with the complete capital budget. Ald. Hetherington also shared this same opinion.

MOTION: To defer this item to the capital budget, for consideration with the other budget items.

Moved: Ald. Hetherington
Second: Ald. Hawley.

Ald. Pye said there is some urgency in making a decision on the funding availability for the Community Centre, with consultants now working on the project. Ms. Spencer spoke to Council briefly on the project, advising that the people working on the design of the building could look at a broader set of possibilities, if the funds available were increased over the present one-million-dollar limit.

Ald. Hawley pointed out that Council has only given approval in principle for the Pinecrest/Highfield plan allocations, and therefore, there is no firm on-going commitment to them. Also, the matter of operating costs has to be considered by the City, over and above the initial capital cost of any new building. Ald. Hetherington stated his concurrence with these points, and several other members spoke in favour of deferral.

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

MEETING:
LOCAL MLA'S

As requested by Council, the Mayor has asked local MLA's for a meeting, and both the Hon. Jim Smith and Hon. S. Jolly are willing to meet with Council on January 10/95. The Premier is unable to advise as yet.

TRAFFIC CONCERNS:
NANTUCKET & SCHOOL
STREET

Further to the petition presented by Ald. Levandier, and concerns raised by him about the change in traffic patterns at Nantucket and School Street, Mr. Fougere is preparing a report for Council, which he hopes to have ready for next week's meeting. Ald. Levandier said he would appreciate a letter to Mr. Hall, giving him this information.

Council agreed to deal next with item 8.1, Ald. Levandier's motion pertaining to the Dartmouth Cove sewer outfall, and the petition tabled earlier in the meeting. A group of area residents were present in the Chamber for this item.

8.0 MOTIONS

8.1 ALD, LEVANDIER

MOTION: WHEREAS Dartmouth Cove residents have been victims of raw sewage outflow in Dartmouth Cove for several decades;

AND WHEREAS the harbour clean-up does not appear to be close to construction;

THEREFORE BE IT RESOLVED that this significant project be placed in the capital budget, and further, that we explore the possibility of funds coming from harbour clean-up money.

Moved: Ald. Levandier
Second: Ald. Dexter

In presenting his motion, Ald. Levandier supported the position of the residents who live in the vicinity of Dartmouth Cove, in their request for a reduction in or treatment of the effluent flowing into the cove from the outfall located there. He said the residents have put up with a totally unacceptable situation for years, and there does not appear to be any relief in sight, now that the harbour clean-up project has come to a halt. He said that even the people living in Sackville have not had to put up with the landfill problems as long as the Cove residents have been subjected to the effects of raw sewage from over half of Dartmouth, flowing into the harbour at this location. He asked for the promise of a solution, and consideration of possible use of pollution control funds for this purpose.

Ald. Dexter proposed an amendment to go with the motion.

AMENDMENT: THEREFORE BE IT RESOLVED that the City of Dartmouth place in the capital budget, the consolidation of the five existing sewage outfalls in the Dartmouth Cove, and extend the single outfall pipe beyond the mouth of the Dartmouth Cove, to a point where the harbour reaches a depth of at least 12 metres;

AND FURTHER, that the City make immediate application to have the costs of this project, in furtherance of the clean-up of Dartmouth Cove, and as a first step for the Halifax Harbour clean-up, funded from the pollution control account.

Moved: Ald. Dexter
Second: Ald. Levandier

Ald. Dexter circulated photographs of the Cove area, to show members of Council the extent of the problems that residents have faced over the years, creating noxious fumes that prevent them from enjoying outdoor living, and generally, an unhealthy environment in their entire neighbourhood. He noted that sewage from 68% of the Dartmouth population enters the harbour at the Dartmouth Cove outfall, where the water depth, at the entrance to the Cove, is 2.5 metres, when it should be 12 metres, for purposes of discharging effluent.

He advised that a group of residents have met with the Premier, and he has indicated that the Province would not stand in the way of using funds from the pollution control account for a Cove improvement project.

Ald. Dexter said the proposal outlined by him, for consolidating the five outfalls, and extension of the single outfall pipe, could ultimately be tied in with the harbour clean-up project itself, if and when it proceeds. Therefore, funds taken from the pollution control account would not be wasted on an isolated project.

Ald. Hetherington said he would have reservations about using the pollution control funds without first having information about the cost of project that is proposed, and the scope of it. Asked about the magnitude of the changes required to improve conditions, Mr. Fougere said that consultants would be required before any indication of cost involved could be determined. It would be a project likely to cost millions of dollars.

Mr. Corrigan advised that authorization would first have to be given to go ahead with a proposal call for consultants, and terms of reference would have to be prepared in this connection. He was asked about the status of the harbour clean-up, at this point, and was not able to give a positive picture of the project; basically, there is nothing happening with the clean-up at present.

There was considerable sympathy among members of Council for the residents affected by this sewer outfall problem, for which there might have been some hope of resolution if the harbour clean-up project had gone ahead as planned. Members were willing to try and respond to their concerns, provided they are able to receive information on the magnitude of the project required, and whether it could be tied in with clean-up plans for the rest of the harbour. It was pointed out by Mr. Corrigan that if we undertook the Dartmouth Cove project alone, the City would have to bear 100% of the cost, as compared with 8.6%, under the total harbour clean-up scenario, with cost-sharing from other government levels.

Ald. Dexter referred to the 1987 Inlet Water Quality Study, and other reports and material already available, to draw on for information.

MOTION: To refer the matter to staff for the drafting of terms of reference for a proposal call for consultants.

Moved: Ald. Cunningham
Second: Ald. Hetherington

Ald. Dexter did not support referral, but most other members speaking on the motion to refer, felt it is the only way to begin in any meaningful way, considering the implications of the City taking on such a major project. Ald. Levandier said he was pleased to see Council take some positive step on this long-standing environmental problem, and that the residents will hold Council to their word. Ald. MacFarlane felt that residents can be assured of the priority this item has with Council.

Mr. Corrigan said it should be possible to come back with terms of reference for Council to consider, by next week's meeting; then, they would not be delayed over the Christmas break.

In Favor: All members except
Against: Ald. Pye & Dexter
Motion Carried

7.3 COMMON COMMITTEE

7.3.1 ANNUAL REPORT 1993/94

ANNUAL REPORT:
COMMON COMMITTEE

The annual report of the Common Committee, for the year 1993/94, was presented to Council by Elizabeth Macdonald, Vice-Chair of the Committee. She used a series of slides to show Council the various projects that have been completed, to enhance the Common; these include:

completion of the Boland Road corner park
a new look-off, from Synott's Hill
beautification of the Geary St. lands
restoration of the Summer House (gazebo)
enhancement of the main entrance
rebuilding of stone walls
restoration of cemetery headstones.

She noted that the above work has been carried out, even with budget reductions (55% in 1993/94), and while acknowledging that some budget cuts could be expected, the constraints on grass, shrub and tree maintenance, has had an adverse impact on the condition of the common 'assets', as illustrated by a slide showing long, uncut grass and neglected park areas. Ald. Withers said he had concerns also about the lack of maintenance in the Dartmouth Scenic Gardens, and felt that funds should be found somehow, to improve this situation next spring and summer.

Ms. Macdonald commended the work that has been undertaken by volunteers in the Common projects, and the Mayor thanked both Ms. Macdonald and other Common Committee members for all their efforts on the City's behalf.

Ald. Pye said the implications of budget cuts in grass-cutting and park maintenance are reflected in the conditions shown to Council in the slides, and members should re-think these priorities at budget time.

MOTION: To adopt the annual report of the Common Committee for 1993/94, as presented.

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

7.1.2 DEFERRAL OF DEVELOPMENT SERVICES COMPREHENSIVE
AUDIT

DEFERRAL:
COMP.AUDIT

Mr. Corrigan has reported to Council on the proposed deferral of the Development Services Comprehensive Audit, planned for this year. In view of the prospect of metro amalgamation and the likelihood of changes in departmental structures, it is being recommended that the appointment of a comprehensive auditor be deferred until after the report from the consultant being engaged to analyze municipal amalgamation. There are two other associated recommendations, along with this one, in Mr. Corrigan's report to Council, dated Dec. 1/94.

Ald. Sarto and Walton first moved the adoption of the report and recommendations, but Council preferred to deal with each recommendation separately and acted accordingly.

Ald. MacFarlane did not have any problems with the first two recommendations, but wanted to see the audit proceed this year, as planned, without waiting for the outcome of the amalgamation report. He proposed that Council go forward with the audit, in the context of amalgamation, and review the terms of reference for it in that light.

Members agreed to have separate motions presented for each of the three recommendations.

MOTION: To approve recommendation #1: complete the preliminary evaluation of the audit proposals, and short-list the candidates.

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

MOTION: To approve recommendation #2: appoint members to the final evaluation committee (Mayor and three members of Council).

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

Ald. Hetherington asked how the audit could be deferred when it was directed by Council through a motion. Mr. Corrigan explained why he felt it would be advisable to wait until after the amalgamation report has been completed, and there were several members who felt this would be the best course to follow. Ald. Hawley said he could not see any sense in proceeding with an audit for a department that will likely be substantially changed or not in existence in its present form at all, if the departments of all the municipalities are amalgamated.

Ald. Hetherington suggested having the evaluation committee, approved in recommendation #2, make a report to Council on the question of proceeding with the appointment of a comprehensive auditor, or deferring it, as per recommendation #3. Several members favoured this approach as a compromise.

MOTION: To refer recommendation #3 to the evaluation committee, for report back to Council on whether to proceed with the appointment, or defer it, as recommended.

Moved: Ald. MacFarlane
Second: Ald. Hetherington
In Favour: All members except
Against: Ald. Pye

Motion Carried

(Ald. Hawley abstained from voting on motions associated with this item)

Appointed to the Evaluation Committee, on motion of Ald. Hetherington and Walton, were:
Ald. Smeltzer
MacFarlane
Levandier

The Mayor is also a member of the Committee.

The Mayor acknowledged Mr. Leo Poirier, present in the Council Chamber, and read to Council, a letter from the Dept. of Community Services, advising that Mr. Poirier has been chosen to receive a Nova Scotia Community Services award, for his service to the community. This award will be presented to him on Dec. 12/94.

The Mayor commended Mr. Poirier's work for Dartmouth, and he said he would be pleased to receive the award as a Dartmouth resident.

7.2 AD HOC COMMITTEE ON RETAIL VIDEO OUTLETS

7.2.1 REPORT FROM COMMITTEE

REPORT:AD HOC
COMMITTEE

Members of Council have received copies of a report from the Ad Hoc Committee on Retail Video Outlets, formed partly in response to a request from the Minister of Housing & Consumer Affairs, for views from the municipality on the application and licensing process for video retail outlets.

Ald. Hawley, Chair of the Committee, made a presentation to Council, based on the report circulated, explaining in detail the areas of concern studied, and recommendations that have come out of that process.

Particular attention was given to the XXX - Explicit Material classification, and restrictions that should be considered and put into effect where videos with this classification are concerned.

Recommendations to Council, from the report, have been made in the following areas:

- 1) Allow for municipal administration.
- 2) Improve the classification system.
- 3) Resist Federal classification.
- 4) Simplify the display restrictions for XXX materials.
- 5) Limit the number and locations of adult video outlets.
- 6) Impose stiff penalties for violators.
- 7) Raise revenues for improved enforcement.

Ald. Hawley asked that the recommendations from the Committee be accepted, and that a meeting with the Minister be requested to discuss further with him, the points the Committee has addressed through their report.

MOTION: That the recommendations be accepted, and that a meeting be requested with the Minister, in the letter of response to him.

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

Ald. Hawley expressed his thanks to Ms. Spencer and Ms. Hood for their assistance to the Committee and in preparing the report for Council.

9.0 NOTICES OF MOTION

The following notice of motion was given for the next regular Council meeting:

Ald. MacFarlane

WHEREAS City Council has been advised through petition of residents and the Aldermen for the area, that Chestnut Lane is a neighbourhood street, supporting heavy volumes of commuter traffic;

BE IT RESOLVED that staff with responsibility for traffic management, take action immediately, to resolve this problem, with due consideration to observations and ideas submitted by residents and elected representatives for the area.

Council went in camera at 10:40 p.m., on motion of Ald. MacFarlane and Sarto (Ald. Walton and Dexter voting against).

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

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

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

Meeting adjourned at 11:05 p.m.

V. Carmichael
V. Carmichael
Asst. City Clerk.

DARTMOUTH CITY COUNCIL
DECEMBER 6, 1994.

ITEMS:

- Invocation, page 1.
 - 1.0 Proclamation, Violence Against Women, pg. 1
 - 2.0 Approval of minutes, page 1.
 - 2.0 Business arising from minutes, page 2.
 - 3.0 Delegations & Hearings of Protest, pg.2.
 - 4.0 Original Communication, page 2.
 - 5.0 Presentation, page 2.
 - 6.0 Petition, page 2.
 - Petition: Chestnut Lane, page 2.
 - Dartmouth Cove area, page 3.
 - 7.0 Reports, page 3.
 - 7.1 Chief Administrative Officer, page 3.
 - 7.1.1 1995/96 Budget Preparation Plan, pg. 3 to 5.
 - Meeting, local MLS's, page 5.
 - Traffic concerns, School St., pg. 5.
 - 8.0 Motions, page 5.
 - 8.1 Ald. Levandier, page 5 to 9.
 - 7.3 Common Committee, page 9.
 - 7.3.1 Annual Report, 1993/94, page 9.
 - 7.1.2 Deferral, Dev. Services Audit, pg. 10 & 11.
 - 7.2 Ad Hoc Committee, Video Outlets, pg.12.
 - 7.2.1 Report from Committee, page 12 & 13.
 - 9.0 Notices of Motion, page 13.
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See Ref Dept

**DARTMOUTH CITY COUNCIL
AGENDA**

**TUES., DEC. 13, 1994
7:30 P.M.
COUNCIL CHAMBER
IN CAMERA SESSION
10:00 P.M.**

1. REPORTS

1.1 CHIEF ADMINISTRATIVE OFFICER

- 1.1.1 Call for Proposal - Dartmouth Cove Clean-up
(to be circulated)
- 1.1.2 Improvements to Chlorination System
Lake Lamont Pumphouse
- 1.1.3 Pension Fund Custodial Services and
Performance Measurement
- 1.1.4 Staff Parking
- 1.1.5 Amendment to Land Use By-law - 41 Wentworth Street
(set date for public information meeting)
- 1.1.6 G7 Budget
- 1.1.7 City Bicycle Path and Canoe Course Improvements
- 1.1.8 Purchase of Equipment for City Council
- 1.1.9 Infrastructure Program - Breeze Drive/Caledonia
Road Extension
- 1.1.10 Police Headquarters - Air Quality Update (oral)
- 1.1.11 Staff Analysis of Downtown Business Improvement
Committee Proposal
- 1.1.12 Collection and Disposal of Solid Waste
- 1.1.13 By-law I-211, Price Additions to Lot EE-14A and EE-15A1,
Thorne Avenue, Burnside City of Lakes Business Park

1.2 CITY SOLICITOR

- 1.2.1 Pension Committee By-law Amendments
- 1.2.2 Dartmouth Board of Police Commissioners - By-law P-903

1.3 INVESTMENT COMMITTEE

- 1.3.1 Enhanced Short Term Investment Program

2. CONCERNS OF COUNCIL MEMBERS OR QUESTIONS

IN CAMERA SESSION 10:00 P.M.

- 1. Land Matter
- 2. Land Matter
- 3. Legal Matter
- 4. Legal Matter

DARTMOUTH CITY COUNCIL
DECEMBER 13, 1994.

Y. B. P. L. P. T.

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

MEMBERS PRESENT: MAYOR MCCLUSKEY
ALDERMEN SARTO, SMELTZER
CUNNINGHAM, PYE
MACFARLANE, WOODS
LEVANDIER, SCHOFIELD
DEXTER, WITHERS
HAWLEY, GREENOUGH
WALTON, HETHERINGTON

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

At the request of the Mayor, Council agreed to add one item, 1.1.14, Capital Budget (oral report) to the agenda.

LIQUOR LICENSE HEARING - RALPH'S TAVERN

Ald. Sarto requested permission to present a motion in connection with the Jan. 12th hearing of the application from Ralph's Tavern, before the Liquor License Board.

MOTION: That representation be made by the City at the Liquor License Board hearing for Ralph's Tavern.

Moved: Ald. Sarto
Second: Ald. Greenough

Ald. Sarto said this is expected to be a two-hour hearing, not requiring the calling of witnesses and not a full-scale hearing, as in the case of the Sternwheeler/Portland Landing intervention by the City. The Solicitor sought clarification as to what is being requested in the way of City representation, and comparing the difference between a straight presentation by her to the Board and the intervention process that was involved in the previous case.

In consideration of the cost difference between the two, direction was given for her to make a presentation, without calling witnesses, stressing the points that have been brought out about the intrusion of this establishment in the local community, where there are churches, schools, and family services, and its total

incompatibility with a family-oriented community. Ald. Dexter said the paramount consideration is the best interest of the community, and from that point, Council representation is important; he referred to the significance of Council's opposition in the Sternwheeler/Portland Landing decision. Ald. Hawley said that without representation from the City, it may look as if we are giving up on the issue altogether.

In Favour: All
Against: None
Motion Carried

1.0 REPORTS

1.1. CHIEF ADMINISTRATIVE OFFICER

1.1.1 CALL FOR PROPOSAL - DARTMOUTH COVE CLEAN-UP

PROPOSAL CALL:
DARTMOUTH COVE
CLEAN-UP

As discussed at the Council meeting of Dec. 6th, terms of reference have been prepared for the call for proposals for the Dartmouth Cove clean-up (provision of Engineering Services for Design & Construction of Combined Sewer Outfall Extension). These were circulated, with accompanying report from Mr. Corrigan (R. Fougere), with the recommendation that Council approve the terms of reference, for immediate issuance of the proposal call.

MOTION: To adopt the recommendation:
That Council approve the terms of reference, for immediate issuance of the proposal call.

Moved: Ald. Withers
Second: Ald. Hetherington

Members of Council who spoke on the motion were pleased to see the proposal call going forward so quickly, especially Ald. Dexter and Levandier, who brought this item to Council.

Ald. Pye asked about in-filling at Dartmouth Cove, requesting copies of any relevant information, such as environmental approvals, etc. Mr. Fougere agreed to check on any information available.

In Favour: All
Against: None
Motion Carried

1.1.2 IMPROVEMENTS TO CHLORINATION SYSTEM - LAKE
LAMONT PUMPHOUSE

IMPROVEMENTS:
LAKE LAMONT
PUMPHOUSE

Report from Mr. Corrigan (R. Fougere, C. Sarty) on bids received from three companies, to carry out improvements to the chlorination system at the Lake Lamont Pumphouse. It is recommended that Steen Contracting Ltd. be awarded the tender to carry out the improvements, the tendered amount of \$28,462., to be funded from the activity, Power & Pumping, in the operating budget.

MOTION: To approve the awarding of of the tender, to carry out improvements to the chlorination system (Lake Lamont Pumphouse) to Steen Contracting Ltd., in the tendered amount of \$28,462., to be funded from the budget item, Power & Pumping.

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

1.1.3 PENSION FUND CUSTODIAL SERVICES & PERFORMANCE
MEASUREMENT

PENSION FUND
SERVICES &
PERFORMANCE
MEASUREMENT

Report from Mr. Corrigan (Bruce Smith) on the present contract with Montreal Trust for Pension Fund Custodial Services & Performance Measurement, which expires on Dec. 31/94, recommending that Council approve an extension of the agreement with Montreal Trust to March 31, 1996, in view of the expected municipal amalgamation, by April 1, 1996.

MOTION: To adopt the recommendation: That Council approve the extension of the agreement with Montreal Trust, for Pension Fund Custodial Services & Performance Measurement, to March 31, 1996, as recommended

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

1.1.4

STAFF PARKING

STAFF PARKING

Report from Mr. Corrigan (Bruce Smith) on staff parking, and the Alderney Parking lot, plus the Park Ave. lot, recommending that Council authorize the closure of the Park Ave. parking lot, and establish an Alderney lot staff rate of \$10, for the months of January, February, and March. This would allow for a reduction in maintenance and snow removal costs for the Park Ave. lot, for the period January 1st through March 31, 1995.

MOTION: To adopt the recommendation:
That Council authorize the closure of the Park Ave. parking lot, and establish an Alderney lot staff rate of \$10, for the months of January, February, and March.

Moved: Ald. Sarto
Second: Ald. Hetherington

Ald. Dexter asked about possible use of the Fire Dept. parking lot, also referred to in the report, for use in conjunction with the Senior Citizen Service Centre, which is in need of a parking arrangement. Mr. Corrigan said that staff could look at the ramifications of this use, and Ald. Dexter was in favour of having a staff report on the potential for use of the unallocated spaces at this location. Other members of Council concurred with the request for a staff report. Ald. Cunningham also asked for some background information on parking obligations (contract requirements), also discussed during the debate.

Ald. Pye preferred to have the recommendation to Council clarified, with insertion of the words 'each of', before the words '. . . the months of January, February, and March'. He presented an amendment to this effect.

AMENDMENT: That the words 'each of' be inserted in the recommendation, before the words '. . . the months of January, February, and March'.

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

The vote was taken on the amended motion.

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

1.1.5 AMENDMENT TO LAND USE BY-LAW - 41 WENTWORTH ST

AMENDMENT:
LAND USE BY-LAW
41 WENTWORTH ST.

Report from Mr. Corrigan (V. Spencer, S. Smith) on an application by Harbour Cleaners (1988) Ltd., to change the zoning on 41 Wentworth Street, from S Zone (Institutional) to C-2 (General Business Zone), recommending that Council direct staff to proceed with a neighbourhood information meeting.

MOTION: To adopt the recommendation:
That Council direct staff to proceed with a neighbourhood information meeting, in connection with the rezoning application from Harbour Cleaners Ltd. for 41 Wentworth Street.

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

1.1.6 G7 SUMMIT - OPERATING & CAPITAL BUDGET

G7 SUMMIT:
BUDGET

Further to the planning for the G7 Summit, in June of 1995, and Dartmouth's participation in that planning process, a budget presentation was made to Council by the Dartmouth G7 Committee members involved, in this case, comprised of City department heads who have been working on the budget requirements. Mr. Corrigan's report to Council, of Dec. 8/94, recommends that Dartmouth seek 15% of the total G7 funding available, amounting to approximately \$2,700,000.

CONFLICT OF
INTEREST

Ald. Hetherington declared a conflict of interest on this item, being employed with the Federal department responsible for the G7 budget. He withdrew from his place on Council until after the item was completed.

Dr. Field, Chair of the G7 Committee, began the presentation to Council, noting the two most significant considerations the City has had to focus on in preparing the operating and capital

budgets, namely, security and the successful presentation of Dartmouth in what will be a very high profile event. Toward these ends, there has been provision made for the necessary protection and security aspects, along with infrastructure and enhancement projects, to improve the appearance of the City and facilitate waterfront events and other attractions planned to coincide with the conference dates. These include an International Festival, the Multi-Cultural Festival, and some form of opening for the Peace Monument Pavilion.

Mr. Corrigan felt that it is important to get the City's budget requirements submitted now, in order to try and be ready for the June deadline, and he considered the \$2,700,000. budget projection to be a reasonable expectation, representing as it does, only 15% of the total G7 funding available.

The department heads, with budget figures included for their purposes, then made individual presentations: Mr. Fougere for Engineering and Public Works (\$370,000.); Mr. Stevens for Parks & Recreation (\$781,000.); Police Chief MacRae, Police Service (\$254,000.) Fire Chief Greene, Fire Service (\$40,000.)

Information was also given to Council on the Peace Monument Pavilion and the Events Plaza, both waterfront items, with a total budget projection of one million dollars. Both items will tie in well with the world-wide thrust of the G7 conference, and the expected focus of world attention on the metro area. The Peace Pavilion has been in planning stages for some time, and artifacts have already been collected for display, by the original organizers. Also, both structures are part of the HarbourEdge proposal, which Council has already endorsed.

Ald. Withers suggested that the owners of properties that back onto Woodland Ave. (Kingston Cres. properties), should be asked to make improvements to the fences along this route, if these lands are no longer the responsibility of the City. Ald. Woods asked if any provision has been made to upgrade the bridgehead of the Angus L. Bridge. Mr. Stevens said that visual improvements in this area have been earmarked as a key component for the Parks

& Rec. budget. Ald. Woods indicated an interest in serving on the G7 Committee, and Council concurred with his appointment.

A motion was then presented for approval of the recommended budget request.

MOTION: That Dartmouth seek 15% of the total G7 funding available (approx. \$2,700,000.), and that the Dartmouth G7 Committee be directed to pursue the funding request through the Federal Government.

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

1.1.7 CITY BICYCLE PATH & CANOE COURSE IMPROVEMENTS

BICYCLE PATH
& CANOE COURSE
IMPROVEMENTS

Report from Mr. Corrigan (B. Stevens/C. Macomber) on proposals received for design services for two City Infrastructure projects which will be designed together: (1) the Lake Banook canoe course improvements; and (2) the City bicycle Trail, from Graham's Grove to Shubie Campground, and Sullivan's Pond to the Waterfront.

The recommendation is that the design services be awarded to Gordon Ratcliffe Landscape Architects, for a total tendered price of \$133,129. (GST included). This was the lowest price of the short-listed firms submitting proposals, and was considered to offer the best overall package, in terms of expertise.

MOTION: To approve the recommendation:
That the design services be awarded to Gordon Ratcliffe Landscape Architects, for a total tendered price of \$133,129. (GST included).

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

Mr. Corrigan provided additional information on the selection and recommendation of the Ratcliffe proposal, in response to a number of questions from Ald. Pye. This information was provided prior to the vote being taken on the motion.

1.1.8

PURCHASE OF EQUIPMENT FOR CITY COUNCIL

PURCHASE:
EQUIPMENT
CITY COUNCIL

Report from Mr. Corrigan on the capital budget provision for equipment and training for City Council members, recommending that the contract to supply equipment to the Mayor and Aldermen be awarded to the low bidder, Bits & Bytes Computer Ltd., Queen Street, Dartmouth, in the amount of \$41,077.

MOTION: To award the contract for the supply of equipment to the Mayor and Aldermen to the low bidder, Bits & Bytes Computer Ltd., in the amount of \$41,077.

Moved: Ald. Hetherington
Second: Ald. Walton

Ald. Pye and Schofield were not in favour of allowing Council members the option of purchasing the equipment, but felt it should remain as public property and offered for sale, when it is declared to be surplus.

Other members of Council speaking on the motion, commended this move toward an improved means of communication with City Hall, and direct access to information when it is required.

In Favour: All
Against: None
Motion Carried

1.1.9

INFRASTRUCTURE PROGRAM - BREEZE DRIVE/CALEDONIA ROAD EXTENSION

BREEZE DRIVE/
CALEDONIA RD.
EXTENSION

A report was before Council from Mr. Corrigan (V. Spencer, T. Rath) on the Breeze Drive connector, a project under consideration for funding under the Infrastructure Program. Approval of the funding request was conditional on the financial participation of the two developers involved, the Armoyan Group, and

Eric Whebby Ltd., each of whom were asked to split the \$250,000 cost; this meant that each would contribute \$125,000 toward the project.

The Whebby company is not willing to cost-share unless a number of terms and conditions are satisfied, and these terms and conditions are unacceptable to the Armoyan Group. It is therefore being recommended that Council withdraw its application for funding from the Infrastructure Program, for construction of the Breeze Drive connector, unless the Whebby company and the Armoyan Group agree to cost share one-third of the cost, based on the agreement accompanying the report to Council.

Ald. Greenough was concerned that the City stands to lose a three-quarter-million-dollar project, due to the failure of one company to participate, even when the company stands to benefit by having lands opened up for development. He presented the following motion:

MOTION: That the City proceed with the project, and that the application for funding, under the Federal/Provincial Infrastructure Program, be made immediately;
And in addition, that we seek to recover the appropriate costs from the two major developers in this area, through the existing Trunk Sewer By-law legislation and/or amended or new legislation which will enable us to do so.

Moved: Ald. Greenough
Second: Ald. Hawley

CONFLICT OF
INTEREST

Ald. Hetherington declared a conflict of interest on this item, being employed with the Federal Department associated with the Infrastructure Program. He withdrew from his place on Council until the item was completed.

Ald. Greenough and Hawley stressed the importance of having this project proceed, so that some of the existing traffic problems in the Montebello area, can be relieved. Ald. Greenough said this is the best opportunity the City will have to see the connector go ahead.

Asked about a Charter provision that could be applied in this situation, Ms. Hood said there is a provision for area rates, and Ald. Greenough said he was convinced that the City would have authority to secure the necessary cost-sharing to make up the one-third requirement. Mr. Corrigan noted that the support of the Province is not guaranteed, at this point, over and above the lack of confirmation as to the commitment of the developers. Ald. Greenough did not want to make his motion conditional, however, and the vote was taken on it, as presented.

Members speaking on the motion, supported it, but concerns of Ald. Walton, about costs being passed on to the future property owners, were noted.

In Favour: All
Against: None
Motion Carried

1.1.10 POLICE HEADQUARTERS - AIR QUALITY UPDATE

AIR QUALITY
UPDATE

Police Chief MacRae gave a verbal report to Council on the CBCL recommendations for dealing with air quality problems in the Police Headquarters building. He said that some remedial action is already beginning to be taken. An overview will be provided for the Police Commission, at their meeting on Dec. 15th.

CONFLICT OF
INTEREST

At the start of Chief MacRae's report, Ald. Woods declared a conflict of interest, being associated in his work with CBCL, and withdrew from his place on Council, as required.

1.1.11 STAFF ANALYSIS OF DOWNTOWN BUSINESS IMPROVEMENT
COMMITTEE PROPOSAL

STAFF ANALYSIS:
COMMISSION
PROPOSAL

Council next dealt with a report from Mr. Corrigan (V. Spencer) on the proposal for establishing a Community Development Commission for Downtown Dartmouth. The recommendation is: that Council undertake the notification process of the City Charter with respect to establishing a community development commission, for Downtown Dartmouth, subject to a recommended stipulation.

Ald. Dexter encouraged Council to support the recommendation, which he described as the first step in a process that will present an option to the downtown community.

MOTION: To adopt the recommendation from Mr. Corrigan's report of Dec. 7/94:

That Council undertake the notification process of the City Charter, with respect to establishing a community development commission, for Downtown Dartmouth, subject to the following:

- (1) that a ceiling is placed on the amount of the area rate to be paid for any one property or occupancy, and that the notice clearly state that no commission will come into effect until the Charter is amended to place this ceiling.

Moved: Ald. Dexter
Second: Ald. Cunningham

Ald. Levandier also stated his support for this move forward in the process, noting the time constraints, with an amendment to the City Charter being required. Ald. Hetherington had questions about the procedures for receiving any objections from the business community, in particular, the aspect of confidentiality, once objections have been communicated. Mr. Smith provided information on the Wyse Road process, advising that confidentiality was maintained in that case. The Solicitor agreed that information can be kept confidential, but there would be no guarantee, if legal action were taken to secure information.

Most members who spoke on the motion were in favour of it. Ald. Pye said he would support the recommendation, but with caution and reservations.

In Favour: All
Against: None
Motion Carried

1.1.12 COLLECTION AND DISPOSAL OF SOLID WASTE

COLLECTION: Report from Mr. Corrigan (R. Fougere) on By-law S-1200,
SOLID WASTE Collection & Disposal of Solid Waste, with respect to Section 23, which sets out the requirements for the storage of trade waste. There have been major problems with this section and its enforcement, and the report recommends to

Council that Section 23 be reviewed and reworded by staff, in such a manner as to make it more easily enforceable. Further, that during the review, such matters as licensing of garbage container suppliers, permits for users, and a ticketing system, be considered for inclusion in the by-law.

MOTION: To adopt the recommendation:

That Section 23 of By-law S-1200 be reviewed and reworded by staff, in such a manner as to make it more easily enforceable. Further, that during the review, such matters as licensing of garbage container suppliers, permits for users, and a ticketing system, be considered for inclusion in the by-law.

Moved: Ald. Sarto

Second: Ald. Greenough

Ald. Hetherington commended the review. He said that a number of Burnside businesses have gone to a different type of container, with latches, and that small trucks are doing better collections. Ald. Hawley was concerned that not enough attention is being given to the promotion of recycling, as reflected to the 2.8% figures recently released for Dartmouth. He referred in particular to apartment buildings and businesses, where recycling is not being encouraged or practiced. Ald. Walton advised that Healthy Dartmouth has started on an apartment building pilot project, intended to address the concerns raised by Ald. Hawley; the project has started off well.

Ald. Withers referred to an existing violation of Section 23, at the corner of Albro Lake and Wyse Rod. He felt that in this and other instances, the by-law is not being enforced. Ald. Walton noted a similar problem at 25 Irving Street. Ald. Sarto asked that in the review, consideration also be given to private property containers, and a requirement that they be stored out of sight. Mr. Fougere and the Solicitor responded to questions from several members about enforcement procedures, and the difficulties that presently exist in attempting to proceed with enforcement and prosecution, given the staff time required and the lack of enforcement personnel.

In Favour: All

Against: None

Motion Carried

1.1.13 BY-LAW I-211, PRICE ADDITIONS, LOT EE-14A & EE-14A1

BY-LAW I-211

Report from Mr. Rath, accompanied by proposed By-law I-211, recommending that Council approve the by-law, which establishes a price of \$0.50 per sq. ft. for land abutting Lot EE-14A and Lot EE-15A1, on Thorne Ave. in the Burnside Park. The Industrial Commission has approved the sale of these lots to Fitz Realty, on an "as is" basis, subject to the terms and conditions contained in Mr. Rath's report, dated Dec. 6/94.

Council proceeded with three readings of the by-law.

MOTION: That leave be given to introduce the said By-law I-211, and that it now be read a first time.

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

MOTION: That By-law I-211 be read a second time.

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

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

MOTION: That By-law I-211 be read a third time and that the Mayor and the City Clerk be authorized to sign and seal the said by-law on behalf of the City.

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

Total purchase price of the lots is \$4,000.

1.1.14 CAPITAL BUDGET - ORAL REPORT

CAPITAL BUDGET Mr. Corrigan gave a brief verbal report to Council on the capital budget, advising that the plan is to have it completed, and approved by Council, by the end of January. He said requests for capital projects are being reviewed, and asked that if members of Council have projects in mind, they would please make staff aware of them.

1.2 CITY SOLICITOR

1.2.1 PENSION COMMITTEE BY-LAW AMENDMENTS

BY-LAW P-502 Proposed By-law P-502, to amend the City of Dartmouth Pension Committee By-law, P-500, has been prepared, with respect to representation changes, and its approval has been recommended to Council. Council proceeded with three readings.

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

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

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

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

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

MOTION: That By-law P-502 be read a third time and that the Mayor and the City Clerk be authorized to sign and seal the said by-law on behalf of the City.

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

1.2.2 DARTMOUTH BOARD OF POLICE COMMISSIONERS - BY-LAW P-903

BY-LAW P-903

Proposed By-law P-903, which provides for the Board of Police Commissioners to review and consider the annual budget and make recommendations to Council, was before Council for approval, and to receive three readings.

MOTION: That leave be given to introduce the said By-law P-903 and that it now be read a first time.

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

MOTION: That By-law P-903 be read a second time.

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

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

MOTION: That By-law P-903 be read a third time, and that the Mayor and the City Clerk be authorized to sign and seal the said by-law on behalf of the City.

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

1.3 INVESTMENT COMMITTEE1.3.1 ENHANCED SHORT TERM INVESTMENT PROGRAMENHANCED SHORT
TERM INVESTMENT
PROGRAM

Council considered a report from the Chairman of the Investment Committee, as prepared by Mr. Smith, explaining details of the "Cash-In-Action" program, an investment alternative offered by RT Capital Management, that meets City requirements and criteria, and is therefore being recommended for continuance, subject to quarterly review by the Investment Committee.

MOTION: To adopt the recommendation of the
Investment Committee:

That Council approve the continuance
of the "Cash-In-Action" Investment
Program, subject to quarterly review
by the Investment Committee.

Moved: Ald. Hetherington

Second: Ald. Sarto

In Favour: All

Against: None

Motion Carried

At 10:35 p.m., Council went in camera, on motion of
Ald. Hetherington and Greenough. After reconvening
in open meeting, the action taken in camera was ratified.

MOTION: To ratify the action taken while
meeting in camera on this date.
(Land matters and legal matters.)

Moved: Ald. Hetherington

Second: Ald. Greenough

In Favour: All

Against: None

Motion Carried

Meeting adjourned at 11:45 p.m.

V. Carmichael,
Asst. City Clerk.