

Dartmouth, N. S.

March 7/85.

Regularly called meeting of City Council
held this date at 7:30 p.m.

Present - Mayor Brownlow

Ald. Romkey	Greenough
DeMont	Stubbs
Crawford	Levandier
Beeler	Peters
Bregante	Hetherington
City Solicitor, M. Moreash	
City Administrator, C. A. Moir	
City Clerk-Treasurer, B. Smith.	

HOLLETT CASE

A report from Mayor Brownlow has been circulated, on the subject of the Hollett case, and on motion of Ald. Crawford and Hetherington, Council agreed to add the report as the first item to be dealt with on the agenda.

The Mayor commented on statements that have been made by the Attorney-General for the Province, indicating a willingness to have the Province become involved in the Hollett case and to pay compensation. He has therefore recommended in his report to Council that we ask the Provincial Government to refer this matter to the Criminal Injuries Compensation Board, to determine the amount of compensation which would be appropriate in this case. It was pointed out that the legislation applicable to this Board cannot be retro-actively applied to the Hollett case, but it is felt that the competence and expertise of such a body would be a positive approach to take in trying to determine a fair compensation settlement. Ald. Peters had reservations about referring the matter to any board or commission, where there could be further delay in resolution of the compensation question. The Mayor said it is intended that the urgency of the situation will be communicated on Council's behalf if the Attorney-General is approached as recommended.

Ald. Hetherington and Stubbs proceeded to move the adoption of the recommendation contained in Mayor Brownlow's report of March 7/85.

Ald. Crawford and Stubbs spoke in support of the motion, but Ald. Levandier was concerned that this action on the part of Council will have the effect of relieving Royal Insurance from their responsibility on the City's behalf. The Mayor advised members of Council that they should be cautious in any statements made about the insurance aspects of the case, since it is still before the courts. He commented on the position that has been taken by Royal Insurance, in view of the fact that the jurisdiction over police officers does not rest with the municipality concerned, but with the Attorney-General of the Province. Based on this fact, it has been the position of Royal Insurance that the City is not responsible for the police officers involved in this particular case, and therefore, as our insurers, the company is not liable under the circumstances.

Ald. Levandier asked why the City had assumed responsibility for the court costs for the two police officers in the case. It was explained by the Mayor that this was a contractual obligation that was negotiated in the past with the union local and the City therefore had no choice in the matter; otherwise, we would have been in violation of the contract agreement. The Mayor went on to comment on the opportunity that is presented, through the offer of the Attorney-General, to take a positive step toward settlement in what has been a long-standing issue that Council would like to have seen resolved long ago.

Ald. Hetherington was in favour of the motion and Ald. Greenough also agreed that the expertise of the Compensation Board can be very helpful in determining just what compensation should be paid. When the vote was taken on the motion, it carried unanimously.

MOTION: Moved by Ald. Hetherington & Stubbs that Council adopt Mayor Brownlow's recommendation of referral to the Criminal Injuries Compensation Board, to determine appropriate compensation in the Hollett case.

Ald. Crawford and Stubbs spoke in support of the motion, but Ald. Levandier was concerned that this action on the part of Council will have the effect of relieving Royal Insurance from their responsibility on the City's behalf. The Mayor advised members of Council that they should be cautious in any statements made about the insurance aspects of the case, since it is still before the courts. He commented on the position that has been taken by Royal Insurance, in view of the fact that the jurisdiction over police officers does not rest with the municipality concerned, but with the Attorney-General of the Province. Based on this fact, it has been the position of Royal Insurance that the City is not responsible for the police officers involved in this particular case, and therefore, as our insurers, the company is not liable under the circumstances.

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Ald. Hetherington was in favour of the motion and Ald. Greenough also agreed that the expertise of the Compensation Board can be very helpful in determining just what compensation should be paid. When the vote was taken on the motion, it carried unanimously.

MOTION: Moved by Ald. Hetherington & Stubbs that Council adopt Mayor Brownlow's recommendation of referral to the Criminal Injuries Compensation Board, to determine appropriate compensation in the Hollett case.

A second motion was then introduced by Ald. Crawford to the effect that the City of Dartmouth pay a sum of money in the amount of \$35,000., as an interim payment, said payment to be part of the final determination of the Criminal Injuries Compensation Board. This payment to be made on the undertaking of Mrs. Lucille Hollett discontinuing action against the City of Dartmouth. The motion was seconded by Ald. Stubbs and debated.

Ald. Beeler and Greenough were concerned that if the motion presented were to be adopted, it would result in the withdrawal of Royal Insurance from this case. They considered the motion to be premature at this time and possibly to jeopardize the position of the City with respect to our insurance company and their involvement. The Mayor pointed out to Council that in dealing with this matter in an open forum, as has been done now at this meeting of Council, the decisions of Council are not without prejudice and that protection is no longer afforded. He said he did not know what the insurance company will do from this point, in light of any decisions Council may take.

Ald. Hetherington was not opposed to the motion, but felt there should be a stipulation attached that half of any amount advanced by the City would be placed in a trust fund for the education of the Hollett children. He moved this in amendment to the motion, and the amendment was seconded by Ald. Stubbs. Ald. Peters said he would have to be opposed to the amendment, because of the complexities involved in establishing a trust fund. He preferred to see the interim payment to Mrs. Hollett made outright if it is accepted.

Ald. Greenough felt that by approving an interim payment on the part of the City, it could be construed as an admission of liability; he was therefore unwilling to support the motion or the amendment. When the vote was taken on the amendment, it was defeated.

The main motion carried with Ald. Bregante, DeMont, Greenough and Beeler voting against.

(Ald. Levandier left the meeting at the conclusion of this item.)

MOTION: Moved by Ald. Crawford and Stubbs that the City of Dartmouth pay a sum of money in the amount of \$35,000., as an interim payment, said payment to be part of the final determination of the Criminal Injuries Compensation Board. This payment to be made on the undertaking of Mrs. Lucille Hollett discontinuing action against the City of Dartmouth.

MINUTES

On motion of Ald. Hetherington and Bregante, Council approved the minutes of meetings held on Jan. 29th, Feb. 5, 11, 12, 19 and 20. Ald. Crawford said the minutes of Feb. 19 (pages 7, 8 & 9) should have made reference to a letter received from Mr. Blair Mitchell, Solicitor for the Commons Committee, with reference to the subject of the Tourist Bureau contract. This point was noted for correction of the Feb. 19th minutes.

PROPOSED
TRANSFER STATION

Council considered a report from Mr. Moir on the subject of a proposal from the Metropolitan Authority for development of the Dartmouth transfer station, as per the letter from the Executive Director, dated Feb. 14/85. The terms outlined have been reviewed by City staff, and the plan submitted by the Authority has been studied. It has subsequently been recommended that Council offer the following alternative to Item 2 in the terms proposed to the City:

The City of Dartmouth to design and construct a suitably aligned access road connecting the proposed western boundary of the transfer station, to a signalized intersection at Windmill Road:

30% of \$246,000.	\$73,800.
Additions & revisions to traffic signals	7,000.
Construction of ramps at intersections	<u>19,200.</u>
Total:	\$ 100,000.

Further, that the only commitment the City make to fencing the site, would be its western boundary. The question of snow clearing and street sweeping services, is also addressed in Mr. Moir's report, and he suggests that even if the City agrees to provide

these services, they should be paid for and the cost shared with other municipalities benefitting from the service.

Mr. Moir presented the plan for the transfer station, and after it was seen by Council and explained to the members, Mr. Moir's report and recommendations were adopted, on motion of Ald. Greenough and Hetherington.

MOTION: Moved by Ald. Greenough & Hetherington that Mr. Moir's report and recommendations on the subject of the proposed Dartmouth transfer station, be adopted, as outlined on page 4 of these minutes.

ENERGY
CONSERVATION:
CITY BUILDINGS

A submission has been received from Canertech Conservation (Nova Scotia) Inc., offering the company's services to do an energy audit on a number of City-owned buildings, which could lead to the implementation of energy conservation and recouperation measures at these buildings.

Mr. Moir has recommended that Council authorize the entering into of a contract with Canertech, for the implementation of its recommendations. Mr. Garvey Samson was present to represent the company, and he explained the financial arrangements, as set out in his submission to the City. Ald. Romkey spoke in favour of entering into the program with Canertech, having already participated in the energy-conservation study undertaken by the School Board.

Council adopted Mr. Moir's recommendation to enter into a contract with Canertech, on motion of Ald. Romkey and Hetherington.

MOTION: Moved by Ald. Romkey & Hetherington that Council adopt Mr. Moir's recommendation on entering into a contract with Canertech, as outlined above.

MOIR FAMILY
REUNION

A letter was before Council from Mr. Moir on behalf of the Moir Family Reunion, being planned for the period August 3rd to 6th of this year. Permission is being requested to rent one of the Dartmouth ferries for a two-hour cruise on Sat., August 3rd, at a cost of \$500. Also, that permission be given to hold registration for the reunion on the Second floor plaza

of the Dartmouth Ferry Terminal building.

Ald. Beeler declared a conflict of interest, being a member of the Moir family, and withdrew from her place on Council for this item.

The request submitted by Mr. Moir was approved by Council, on motion of Ald. Crawford and Romkey.

MOTION: Moved by Ald. Crawford and Romkey that the request made by Mr. Moir on behalf of the Moir Family Reunion, as detailed on page 5 of these minutes, be approved by Council.

1984 AUDITED
FINANCIAL STATEMENTS

Members of Council have received copies of the 1984 Audited Financial Statements, which were tabled at this time for consideration at a future meeting. A motion to this effect, moved by Ald. Bregante and Stubbs, was adopted.

MOTION: Moved by Ald. Bregante and Stubbs that the 1984 Audited Financial Statements be tabled at this time, to be considered at a future meeting of Council.

DATE OF
ADVANCE POLL

Council has been requested by Mr. Smith to approve the holding of the advance poll for the municipal election on Tues., October 15/85. The advance poll will be held this year at the Dartmouth Sportsplex.

Council approved the date proposed for the advance poll, on motion of Ald. Bregante and Romkey.

MOTION: Moved by Ald. Bregante and Romkey that Council approve the holding of the advance poll for the municipal election, on Tues., October 15/85, as proposed by Mr. Smith.

POLLING
DIVISIONS

In a second report to Council, Mr. Smith has advised that the same polling districts in effect during the last municipal election, will be used for the 1985 municipal election. Council concurred with these polling divisions, as per Mr. Smith's report of March 5/85, on motion of Ald. Greenough and Bregante.

MOTION: Moved by Ald. Greenough and Bregante that Council concur with the use of the same polling districts that were in effect during the last municipal election (ie. for use in the 1985 election).

VIDEO OUTLET:
25 CRYSTAL DRIVE.

An application has been received for license to operate a video retail outlet at 25 Crystal Drive. It was moved by Ald. Crawford and Beeler that Council indicate no objection to this application.

Ald. Romkey was concerned that there does not appear to be any control over the number of video outlets that can operate in a given area. The Solicitor pointed out that these applications come under the jurisdiction of the Theatres & Amusements Act, and the matter of their control is not something that Council can regulate. He said it would be possible for Council to express a concern and suggest some control over the number of outlets, however, if members of Council feel that such a restriction is required.

The vote was taken on the motion on the floor and it carried. Ald. Romkey then proceeded to move, seconded by Ald. Stubbs, that the concern of Council be communicated to the Amusements Regulation Division, about the number of video outlets being established and the need for control over the number of outlets permitted in any given area. The motion carried.

Ald. Hetherington noted that he has already made a motion on the need for control over the content of videos and the need to have them classified. He asked for a follow-up on his motion, to make sure that a letter went to the Minister of Consumer Affairs, as requested.

MOTIONS: Moved by Ald. Crawford and Beeler that Council indicate no objection to a video retail application for 25 Crystal Drive.

Moved by Ald. Romkey and Stubbs that the concern of Council be communicated to the Amusements Regulation Division, about the number of video outlets being established and the need for control over the number of outlets permitted in any given area.

VIDEO OUTLET:
460 WINDMILL RD.

On motion of Ald. Crawford and Greenough, Council indicated no objection to an application for license to operate a video retail outlet at 460 Windmill Road (Dartmouth Rental Centre).

MOTION: Moved by Ald. Crawford and Greenough that Council indicate no objection to a video retail application for 460 Windmill Road.

SPECIAL CONSTABLES:
RESOLUTION 85-11

On motion of Ald. Hetherington and Bregante, Council approved Resolution 85-11, appointing Harold

Tibbets and Blaine Izzard as Special Constables (para. 2 of the resolution to be deleted). The appointment is for a 12-month period for the duties noted.

MOTION: Moved by Ald. Hetherington & Bregante that Council approve Resolution 85-11, appointing Special Constables, as noted above.

WATER METER
SCHEDULE
REVISIONS:
RESOLUTION 85-07

On motion of Ald. Greenough and Bregante, Council approved Resolution 85-07, which proposes an amendment to Schedule "B" of the order of the Public Utilities Board, 1977, in order to enable the Utility to render an estimated bill once per year to domestic water users. Mr. Smith advised that the saving to the City, by making this revision, amounts to \$100,000.

MOTION: Moved by Ald. Greenough and Bregante that Council approve Resolution 85-07, for the purpose outlined in the above paragraph.

PENSION BY-LAW
AMENDMENTS:
BY-LAW C-541

Proposed By-law C-541 was before Council for consideration, being a by-law which incorporates a number of amendments to the City Pension Plan and consolidates the present Pension By-law. The by-law being proposed for these purposes was accompanied by a report from the City Solicitor, together with a copy of the Actuarial Valuation to Dec. 31/83, as carried out by the Wyatt Company for the City.

It was moved by Ald. Hetherington and Crawford and carried that leave be given to introduce the said By-law C-541 and that it now be read a first time.

It was moved by Ald. Hetherington and Bregante and carried that By-law C-541 be read a second time.

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

It was moved by Ald. Greenough and Hetherington and carried that By-law C-541 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.

MOTIONS: Three readings given to By-law C-541: amendments to and consolidation of the Pension By-law.

HERITAGE ADVISORY
COMMITTEE BY-LAW:
BY-LAW C-545

Proposed By-law C-545 was before Council, being a by-law that makes an amendment to and consolidates the Heritage Advisory Committee By-law. The amendment provides for two additional citizens-at-large to be appointed to the Committee for a total of 14 members.

The City Solicitor has recommended the approval of By-law C-545. The amendment to the Heritage Advisory Committee composition was requested at the Council meeting of Jan. 29/85.

It was moved by Ald. Stubbs and Crawford and carried that leave be given to introduce said By-law C-545 and that it now be read a first time.

It was moved by Ald. Greenough and Stubbs and carried that By-law C-545 be read a second time.

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

It was moved by Ald. Hetherington and Bregante and carried that By-law C-545 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.

MOTIONS: Three readings given to By-law C-545: amendment to and consolidation of the Heritage Advisory Committee By-law.

Council was asked to set March 19th as the date for public hearing with respect to the conveyance of Crichton Ave. lands, expropriated by Resolution 85-08. The date of March 5th previously set for public hearing does not given sufficient time for the hearing to be advertised for two consecutive weeks prior, as required.

Council set March 19th for the public hearing, as requested, on motion of Ald. Greenough and Bregante.

MOTION: Moved by Ald. Greenough and Bregante that Council set March 19th as the date for public hearing with respect to the conveyance of Crichton Ave. lands, expropriated by Resolution 85-08.

RRAP REPORT

On motion of Ald. Crawford and Greenough, Council received and filed an information report from Mr. Bayer on the RRAP program, as of the end of 1984.

CRICHTON AVE.
EXPROPRIATIONS

MOTION: Moved by Ald. Crawford & Greenough that Council receive and file, a report submitted by Mr. Bayer on the RRAP program, as of the end of 1984.

TAKEOVER OF
SUNSET DRIVE:
RESOLUTION 85-10

On motion of Ald. Stubbs and Crawford, Council approved Resolution 85-10, which will permit the takeover by the City of the street known as Sunset Drive, one of the streets listed in Category 1 of the policy report adopted previously with respect to the takeover of private streets within the City.

MOTION: Moved by Ald. Stubbs and Crawford that Council approve Resolution 85-10, which permits the takeover by the City of the private street known as Sunset Drive.

AWARD TENDER:
CLEARING & GRUBBING
BURNSIDE BUSINESS
PARK

The City Engineer has submitted a report on tenders received for the clearing and grubbing contract for the Burnside Business Park, on the east side of Burnside Drive. Mr. Fougere has concurred with the CBCL recommendation on the acceptance of the low bid, submitted by Casavechia Contracting Ltd., in the amount of \$149,250.; completion time, two months.

Council approved the awarding of this tender, on motion of Ald. Bregante and Crawford.

MOTION: Moved by Ald. Bregante and Crawford that Council approve the awarding of the tender for the clearing & grubbing contract (Burnside Business Park), to the low bidder, Casavechia Contracting Ltd., in the amount of \$149,250.

PROPOSED LIBRARY
FUNDING FORMULA

As requested by Council, the Regional Library Board has prepared additional information, with accompanying recommendations, on the matter of the proposed library funding formula, as it has been outlined and explained to Council at a previous meeting.

Ald. Beeler and Romkey moved the adoption of the recommendations contained in the report.

The Chief Librarian and the Chairman of the Board, Mrs. C. Gallant, were present to respond to questions from Council about the financial impact of the formula on the Dartmouth library service. The general response of Council to the proposed formula was one of concern that our library service will be

adversely affected in years to come, while our level of provincial funding remains frozen until such time as other regional libraries have caught up to the Dartmouth level. Members agreed with the statement made by Ald. Beeler to the effect that the Dartmouth system should not be expected to suffer or deteriorate in any way, in order to accomplish an improved level of service in other systems throughout the province, as desirable as this aim may be.

Because of the strong feeling that Council had about a possible adverse impact on our own library service, and due to the apparent shift in funding commitments onto the municipality over a period of years, the main motion was amended to include not only the adoption of the Board's recommendations, but the following wording:

Council wishes to communicate to the Funding Formula Review Committee that their recommendation for change in the funding formula for libraries, is not acceptable to the City of Dartmouth, because it shifts the financial burden from the Province to the municipal units; therefore, Council endorses the recommendations of the Dartmouth Regional Library Board, as contained in their report to Council.

An amendment to this effect was adopted, as moved by Ald. Greenough and Stubbs. The amended motion carried.

MOTION: Moved by Ald. Beeler and Romkey that the recommendations of the Regional Library Board be adopted, with respect to the proposed funding formula for libraries.

AMENDMENT: Not only to adopt the recommendations, but with the proviso added in an amendment introduced by Ald. Greenough and Stubbs, the text of which is noted above.

MOTION:
ALD. LEVANDIER

Ald. Romkey presented the following motion, for which notice has been duly given by Ald. Levandier.

Ald. Romkey presented the motion in the absence of Ald. Levandier. The motion was seconded by Ald. Crawford.

That Council be asked to instruct the Engineering staff to submit a three-year comprehensive sidewalk renewal and new construction plan, with equal consideration being given to each ward. And further, that our financial staff recommend how this program can be incorporated in the capital budget, beginning in 1986.

Ald. Beeler said she could support the motion if the word 'equal' were to be deleted, since it is likely that more sidewalk work will be required in some wards than in others. She moved in amendment, seconded by Ald. Greenough, that the word 'equal' be deleted from the motion. The amendment carried.

The vote was taken on the amended motion and it also carried.

MOTION: Moved by Ald. Romkey (for Ald. Levandier) and seconded by Ald. Crawford: text on page 11 of these minutes. (Sidewalk program

AMENDMENT: Moved in amendment by Ald. Beeler and Greenough that the word 'equal' be deleted from the motion.

Motions that were to have been presented by Ald. Hawley and Ald. Sarto, were deferred in their absence.

NOTICE OF MOTION:
ALD. HETHERINGTON

The following notice of motion was given by Ald. Hetherington for the next regular Council meeting:

BE IT RESOLVED that the Engineering Dept. put a small section of curb, to control the car movement at the intersection of Irving and Pleasant Street, as recommended by the Police Dept.

INQUIRIES:
ALD. CRAWFORD

Ald. Crawford commended Mayor Brownlow, Mr. Moir and the City Solicitor for the effort they have put into some resolution of the Hollett issue while this matter has been requiring attention over a long period of time.

ALD. PETERS

Ald. Peters asked to have the T.M.G. look at a request from residents of Celtic Drive, to have this street closed to the use of heavy trucks.

ALD. BREGANTE

Ald. Bregante asked about the status of the report requested by Ald. Hetherington with regard to lands in the Belmont/Carleton Street area. Mr. Moir said he is planning to have a report on this item on the next agenda.

Ald. Bregante asked to have the Police Dept. monitor traffic on Rodney Road at the hours of 4:00 to 6:00 p.m.; the problem is with short-cutting traffic travelling at excessive speeds.

ALD. HETHERINGTON

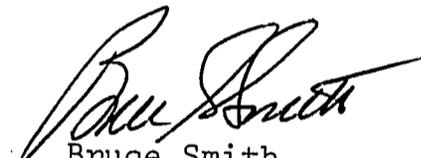
Ald. Hetherington discussed with Mr. Fougere, recent problems with the communications system in the Works Dept.

Council agreed to hold the next meeting on March 19th, rather than meeting again on March 12th, which is during the March break.

On motion of Ald. Crawford and Bregante, Council agreed to meet in camera to deal with one additional item of business, deferred from an earlier point in the meeting. This item pertained to a report from the City Solicitor on the subject of legal problems associated with lands on which the Tourist Bureau is located.

Council later reconvened in open meeting and ratified the action taken in camera, on motion of Ald. Greenough and Romkey.

Meeting adjourned.


Bruce Smith,
City Clerk-Treasurer.

City Council, March 7/85

ITEMS:

- 1) Hollett case, page 1 to 4 incl.
- 2) Proposed Transfer Station, page 4.
- 3) Energy Conservation: City buildings, page 5.
- 4) Moir Family reunion, page 5.
- 5) 1984 Audited Financial Statements, page 6.
- 6) Date of Advance Poll, page 6.
- 7) Polling Divisions, page 6.
- 8) Video outlet: 25 Crystal Dr., page 6.
- 9) " " : 460 Windmill Rd., page 7.
- 10) Special Constables: Res. 85-11, page 7.
- 11) Water Meter Schedule Revisions: Res. 85-07, page 8.
- 12) Pension By-law amendments: By-law C-541.
- 13) Heritage Advisory Committee By-law: By-law C-545, pg. 9.
- 14) Crichton Ave. expropriations, page 9.
- 15) RRAP report, page 9.
- 16) Takeover of Sunset Dr.: Res. 85-10, page 10.
- 17) Award tender: clearing & grubbing, Burnside Business Park, page 10.
- 18) Proposed Library Funding Formula, page 10 & 11.
- 19) Motion: Ald. Levandier, page 11.
- 20) Notice of motion: Ald. Hetherington, page 12.
- 21) Inquiries, page 12 & 13.

Dartmouth, N. S.

March 19/85.

Regularly called meeting of City Council
held this date at 7:30 p.m.

Present - Mayor Brownlow

Ald. Sarto	Romkey
Crawford	Levandier
DeMont	Withers
Stubbs	Greenwood
Hawley	Greenough
Bregante	Hetherington
Beeler	
City Solicitor, S. Hood	
Acting City Administrator, B. Smith.	

The Mayor acknowledged the attendance of the First Woodside Girl Guide troop and welcomed them to the meeting.

**PUBLIC HEARING:
CLOSURE OF CALEDONIA
ROAD EXTENSION**

This date was set by Council for public hearing of the proposed closure of Caledonia Road Extension, to permit a realignment of this street, involving a land exchange between the City and the developer known as Blue Chip Developments Ltd. This developer and the Montebello interests would participate in the construction of Caledonia Road, with its new alignment, as detailed in the Engineering Dept. report of Feb. 4/85, previously circulated and before Council on Feb. 19th when this date was set for the public hearing.

Mr. Bayer made the presentation to Council, using a plan of the area to show the section of what was known as the Old Cobequid Road, to be closed, and the new alignment being proposed over lands belonging to Blue Chip Developments Ltd. This road closure would release lands for development by Blue Chip, and in return, they will give the City an eighty-foot right-of-way to accommodate the Caledonia Road realignment.

Ald. Hawley made several inquiries about the responsibility of both the Blue Chip and Montebello companies for costs associated with the construction of Caledonia Road. Mr. Purdy reviewed these as they have been outlined in the staff report, noting that the section of street from Waverley Road up to the Blue Chip development would be the responsibility of

the City. Ald. Hawley made particular inquiry about the upgrading of Breeze Drive with curb and gutter and sidewalk installation. Mr. Purdy said this upgrading would probably take two or three years to complete, and it would be the recommendation of the Engineering Dept. that work on the street begin next year. Ald. Greenough was also concerned about the same point, recognizing that the street will have to bear additional traffic as a result of the through connection that will be established via Caledonia Road, through to Waverley Road.

Ald. Hawley's other question pertained to recommendations of the Lakes Advisory Board in connection with environmental protection during the construction of Caledonia Road. Mr. Bayer noted that all such recommendations will be incorporated into construction requirements once they are able to proceed; nothing can be done, however, until the street closure has been effected and this step is now in progress.

The Mayor called three times for representation either for or against the street closure, and there being no speakers or written submissions to be received, he declared the public hearing to be over.

RESOLUTION 85-22

Resolution 85-22 has been prepared to accomplish the closure of Caledonia Road Extension, and Council proceeded to approve the resolution, on motion of Ald. Crawford and Romkey. Ald. Greenough said he would support the resolution on the clear understanding that Breeze Drive is to be widened and upgraded with curb, gutter and sidewalks, as Mr. Purdy has explained during the presentation. The Mayor said it would not be possible to make this a condition for the closure, but it is proposed that the street would be upgraded as outlined.

The motion to approve Resolution 85-22 carried.

MOTION: Moved by Ald. Crawford and Romkey that Council approve Resolution 85-22, closing the portion of Caledonia Road Ext. described in Schedule "A" of the resolution.

PUBLIC HEARING:
CRICHTON AVE. LANDS

This meeting of Council constituted the public hearing for the conveyance of lands located in the Crichton Ave. area, which have been expropriated by the City in order to clear titles and clarify boundaries that have been in question for many years. The parcels of land, as described in Schedule "A" of Resolution 85-18, are to be conveyed to those persons listed in the resolution, for the sum of \$1.00. The Solicitor explained the procedures that have taken place in order to be able to convey the lands back to the owners with clear title, and her explanation coincided with the understanding expressed by Mr. Wayne Kelsey, Solicitor appearing on behalf of several of the land owners whose names appear on the list.

Mr. Kelsey spoke during the public hearing, after Mayor Brownlow had called for representation from anyone wishing to be heard, either for or against the land conveyances. Mr. Kelsey indicated to Council that his clients are in agreement with the procedures that have been followed by the City, and have signed the agreements that were required in order to first proceed with land expropriation and then have their properties conveyed back to them for the sum of \$1.00 each. He urged Council to proceed with completion of this transaction and the reconveyance of the land holdings in due course.

The Mayor called for any further representations from the public and hearing none, declared the public hearing to be over.

RESOLUTION 85-18

Resolution 85-18 was presented to accomplish the land conveyances and two corrections were made: the name of John Henry Tynes was added for Parcel GG-7 and the third last name listed, was changed to read 'David Gregory Allen, for Parcel A3-R'. The Solicitor noted that this resolution is not effective until ten days following the date of this public hearing.

Ald. Crawford and Withers moved the adoption of Resolution 85-18. Ald. Withers said he was pleased to

see the finalization of these land conveyances, since it will mean that the City can now proceed with the installation of services in that area, having established a street reserve and property lines.

The motion to adopt Resolution 85-18 carried.

MOTION: Moved by Ald. Crawford and Withers that Council adopt Resolution 85-18, authorizing the conveyance of land to those owners listed in the resolution, these land holdings being described in Schedule "A" of the resolution.

PUBLIC HEARING:
CLOSURE OF HARE ST.

Council set this date for public hearing of the closure of Hare Street, a street reserve owned by the City with frontage on Windmill Road. At the time of setting this date for public hearing, Council adopted a report from Mr. Moir, recommending that the back portion of this street reserve be sold to S. Jachimowicz Ltd., as requested by them, in order to be able to straighten the boundary line of their property, which abuts the street reserve.

Mr. Bayer made the presentation to Council on behalf of the Planning Dept., explaining why the owners of the abutting Holiday Inn property wish to acquire a portion of the street reserve for consolidation of their land holding and to square off the back part of their site. The Planning Dept. is not opposed to this request, and it was noted that the street reserve in question was never used as a City street.

The Mayor called for representation from anyone wishing to be heard on the proposed street closure. Mr. Mark Cardiff, a resident of Windmill Road, was opposed to the sale of any portion of this City-owned land, suggesting that it should be maintained for R-2 development purposes, and asking that Council hold a decision in abeyance for thirty days to give the developer time to meet with representatives of the Harbourview Community Assn., to discuss plans he has for development of the property. He said the resident would like to see this section of the land retained as a small park for the use of the community.

Council also heard Margie Clarke of Fairbanks Street; she requested that the land be zoned for park purposes.

Mr. Jan Jachimowicz, representing the developer, explained why his company is seeking to acquire the land from the City, in order to straighten the boundary line to their total land holding. He said the company has no plans for the land at the present time, but this straightening out of the boundary line will allow for any future development proposals the company may want to consider. He noted that any proposals made by the company in the future would have to come to Council for approval, and said he would not do anything that would not take the social conscience of the community into consideration.

Ald. Hawley said he could not understand the intent of purchasing the property, and was concerned that the developer has not disclosed for the information of Council, any plans he has for this back section of his property. Mr. Jachimowicz maintained that the wish of the company is to straighten their boundary line, and stated that they are not even at the stage of contemplating what would be done with the land, since the main focus of their attention at present is the enlarging and upgrading of the Holiday Inn.

Mr. Bayer was asked to comment and said his department is not aware of any details the developer has in the way of plans for this land. He outlined the land uses that can be permitted with the present zoning on the land, and pointed out that the element of control for the City rests with the lower portion of the street reserve, which is to be retained by the City. He showed on a plan of the area why his department recommended the portion of street reserve for sale rather than straightening the property line with any portion of the Park School land holding.

Mr. Mark Cardiff addressed Council again, indicating

his concerns about what he called the potential for serious misuse of this property for multiple-unit development. He said this is too valuable a piece of land to be taken lightly.

There being no further speakers, the Mayor declared the public hearing to be over.

RESOLUTION 85-21

Resolution 85-21 was presented, to accomplish the closure of Hare Street. Ald. Crawford and Greenough moved the adoption of the resolution and debate proceeded.

Ald. Stubbs said the land in question belongs to the citizens of Dartmouth and should not be sold. She wanted to see Council rescind the decision previously taken on Feb. 19th to sell the portion of Hare Street to the developer, and did not see why it is required by the developer to square off his adjacent property. She was also concerned that there is no proposal before Council at this time for development of the land involved.

Ald. Levandier and Crawford were not opposed to the street closure, since the local residents contacted by them have not objected to it. They were concerned, however, about drainage problems that affect residents on Windmill Road, whose properties are downhill from the Holiday Inn lands, and who are experiencing some flooding from the parking lot. Mr. Jachimowicz was asked to give an indication of his intent where these problems are concerned, and gave his assurance that he will address the drainage problems and their elimination as requested by the Aldermen for the area.

Ald. Greenough felt that the best protection that can be given to prevent any future access onto Windmill Road via the street reserve, is to approve the street closure, after which the City can move to protect the lower section of the street reserve with R-2 or some other zoning, thereby eliminating any possibility of street access from the Holiday Inn property to Windmill Road. He said that on this basis, he was quite prepared to support the resolution. Ald. Levandier spoke about

the importance of retaining an access driveway to the small parking lot that area residents are allowed to use, in order to get their cars off the street when this is required. He wanted to see the parking lot retained as well. Ald. Crawford was also in favour of having the lower part of the street reserve zoned for R-2 purposes and used as a building lot.

When the vote was taken on the motion, it carried.

MOTION: Moved by Ald. Crawford & Greenough that Council adopt Resolution 85-21, closing Hare Street, as described in Schedule "A", attached to the resolution.

MUSEUM SOCIETY
CALENDARS

At this point in the meeting, Ald. Stubbs read a letter from the Dartmouth Museum Society, seeking the support of Council in their fund-raising project which involves the sale of historic Dartmouth calendars. A calendar has been provided for each of the Aldermen and these were given out; members were asked to make payment for the calendars to Mr. Smith.

STATUS OF
HOLLETT CASE

The Mayor gave an update on the discussions that have taken place with the Attorney-General, in the form of a preliminary meeting with him, about the Hollett case. Mr. Church, the Solicitor for Mrs. Hollett, was also present for these discussions, along with the City Solicitor. The Mayor said it was a positive preliminary meeting that was held, and said he would continue to keep Council informed as further meetings proceed.

COMMITTEE: N.S.
HOSPITAL SECURITY

The Mayor advised that Ald. Hetherington has discussed with him, the possibility of a small committee being formed to meet with the Attorney-General and the Minister of Health, to discuss security arrangements at the Nova Scotia Hospital. Ald. Hetherington proceeded to move that such a committee be formed, to consist of three Aldermen, the Mayor, and the Chief of Police. The motion was seconded by Ald. Bregante and it carried. The members of Council named to serve on the committee, were Ald. Bregante, Hetherington, and Crawford.

MOTION: Moved by Ald. Hetherington & Bregante that a small committee be formed, as noted on page 7 of these minutes, to meet with the Attorney-General and the Minister of Health, to discuss security arrangements at the Nova Scotia Hospital.

Council agreed to add an item to the agenda, dealing with union contract negotiations, and to go in camera at the end of the meeting for this item.

Referring to the briefing session planned for Council on March 25th, Ald. Stubbs requested that Mr. Hayward be invited to attend to discuss the letter received from him on the impact of Provincial education cost-sharing on municipalities. It was later decided to meet at 5:00 p.m. for 5:30 and to hear from Mr. Hayward at that time, prior to the EMO briefing.

Ald. Stubbs also requested a report from Mr. Smith on the implications for the City of capital and operating reductions made by the Province, amounting to \$941,129. in the case of the capital budget, and \$550,000. in operating grants. The Mayor noted that it will be necessary for Council to review the capital budget again, in the light of the reduced Provincial allocation. Ald. Stubbs said this is an important subject that must be addressed by Council, taking into account the impact of Provincial cut-backs on our budget and a major request for funding that is likely to be coming to Council, over and above this consideration. The Mayor noted that the Executive of the Union of Nova Scotia Municipalities will be meeting on April 12th for discussion as well.

Ald. Stubbs requested that the report from Mr. Smith be added to the list of items for the March 25th briefing session.

MONTHLY REPORTS

The regular monthly reports were before Council at this meeting and were approved as follows:

- 1) Social Services (Feb.): approved on motion of Ald. Sarto and Romkey.
- 2) Development Officer (Feb.): approved on motion of Ald. Hawley and Greenwood.

- 3) Building Inspection (Feb.): approved on motion of Ald. Bregante and Stubbs.
- 4) Minimum Standards (Feb.): approved on motion of Ald. Withers and Bregante.
- 5) Building Inspection (annual report, 1984): approved on motion of Ald. Stubbs & Greenough.
- 6) Fire Chief (Feb.): approved on motion of Ald. Bregante and Greenwood.
- 7) Ferry Supt. (Jan.): approved on motion of Ald. Sarto and Bregante.
- 8) Dog Control (Feb.): approved on motion of Ald. Greenough and Stubbs.

Ald. Hetherington brought to the attention of Council, a serious problem in the south Woodside area, where two dangerous German shepherd dogs have already maimed and killed other animals and frightened people living in the area. He was concerned that these dogs continue to be allowed to run at large and that we cannot take action to have them impounded. The Solicitor explained that the pound operator cannot cease these animals without a warrant, as per the requirement introduced in our by-law when it went to the Municipal Affairs Dept. If the operator had such a warrant, he could pick the dogs up as Ald. Hetherington is requesting.

It will be necessary to amend the Dog By-law in order to spell out procedures for securing a warrant in such cases, the provision that is now lacking in the by-law. Otherwise, it is necessary to deal with the owner of the dogs through the normal legal process, which takes time. Ald. Hetherington and Bregante were concerned that someone will be injured by the dogs before something is done about them. Ald. Bregante said that if an amendment to our Dog By-law is required, it should be done as soon as possible to deal with problem animals.

Ald. Greenwood referred to a similar problem he is having in Ward 5, where a dog dangerous to the public is also being allowed to run at large in the Springhill Road area. He wanted to have something done that will make it possible for such animals to be impounded, and suggested the the dog catcher stay in a given area all day if necessary in order to catch a dog that is considered to be dangerous.

Ald. Crawford suggested that consideration be given to dealing with this problem under the Criminal Code, as a stronger measure, if it is applicable.

- 9) Summary of Revenue & Expenditures (March 2/85): received and filed for information, on motion of Ald. Sarto and Hetherington.

Ald. Hawley asked why there are no revenue figures shown for marina fees, and Mr. Smith explained the difficulty in collecting fees from the owners of boats when the City does not in fact, have the authority to control or regulate boats tied up to the dock in front of City Hall.

Ald. Levandier felt that consideration should be given to increasing the parking rates in the City parking plaza; he made particular reference to the \$4. rate paid by City employees. He asked for a report from Mr. Smith on the subject of these parking rates (both for City employees and other vehicles parked there) within two weeks time.

AWARD TENDERS:
SAND, GRAVEL & STONE

Tenders have been received for the supply of sand, gravel and stone for the year 1985, and recommendations have been made to Council by the Purchasing Agent and Mr. Moir for the awarding of these tenders.

It was moved by Ald. Crawford and Greenough that the tenders be awarded as recommended. Ald. Hawley introduced the following amendments:

- 1) Moved in amendment by Ald. Hawley, seconded by Ald. Greenough, that in item #7 (2" stone), both tenders be awarded to Conrad Bros. Ltd. (FOB), rather than accepting one of the bids from Municipal Contracting Ltd. The amendment carried.
- 2) Moved in amendment by Ald. Hawley, seconded by Ald. Stubbs, that in item #9 (6" stone), the Conrad Bros. bid, at \$3.75 (FOB) be accepted. The amendment carried.

A third amendment, proposed by Ald. Hawley for item #16, did not receive a seconder.

The amended motion carried.

MOTION: Moved by Ald. Crawford & Greenough that the tender recommendations for sand, gravel and stone, for the year 1985, be approved.

AMENDMENTS: To change the awarding of tenders in the case of items #7 and #9, as noted above, moved in both cases by Ald. Hawley and seconded by Ald. Greenough and Stubbs respectively.

LAND: 17 KUHN RD.

A report was before Council on negotiations that have been carried out for the acquisition by the City of the property at 17 Kuhn Road. The recommendation is that Council authorize the purchase of this property for the negotiated price of \$50,000.

Ald. Beeler declared a conflict of interest on this item, since the client involved is represented by the legal firm with which she is associated. She withdrew from her place on Council to sit in the gallery while the item was debated.

Ald. Greenwood and Withers moved that the

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Ald. Greenwood and Withers moved that the

property be acquired by the City, as recommended, for the purchase price negotiated.

Ald. Crawford had some questions about the reason why this property is being purchased and whether the price negotiated may not be excessive. Mr. Bayer reviewed the policy decision taken by Council some time ago to purchase lands in the Kuhn Road area as they become available for sale. The lower portion of these land holdings is being retained for storm drainage purposes, and once the other lands have all been assembled, they will be offered back to the private sector for residential development proposals.

Ald. Greenough considered the price negotiated to be more than acceptable from the point of view of the City, considering the large amount of land that goes with the house on this property. Ald. Hawley also spoke in support of the motion and the concept that Council approved originally for acquisition of the Kuhn Road lands, in view of the excessive costs the City would have faced in trying to service the area.

The vote was taken on the motion and it carried.

MOTION: Moved by Ald. Greenwood and Withers that Council approve the purchase of 17 Kuhn Road, at the negotiated price of \$50,000., as recommended.

LAND:
WADDELL AVE.

A report from Mr. Moir was considered on the outcome of negotiations with the President of Atlantic Venetian Blinds & Draperies Ltd., who wishes to purchase Lot X3, a property owned by the City on Waddell Ave., adjacent to the lands already owned by this company. The total purchase price negotiated for this unserviced site is \$10,469.60, and servicing costs chargeable to Lot X3 would be \$3,200., an additional cost that Mr. Smith has agreed to pay when services are installed. He would also share 50/50 in the \$1,600. cost involved to move the N. S. Power Corp. line over Lot X3.

Mr. Moir has recommended the sale of Lot X3 to Atlantic Venetian Blinds & Draperies, based on the above terms and conditions. Ald. Stubbs and Withers

moved the adoption of the recommendation.

Ald. Romkey questioned the price we are charging for this land, considering it to be inadequate, and felt the property should be offered for sale by public tender. Ald. Hawley and some of the other members also had reservations about the price negotiated, although it was pointed out by Mr. Rath that the price of land in this particular area has been determined to a large degree by the prices established for land in the Burnside Park. A similar site in the Park would sell for \$1.35 per sq. ft. (serviced), whereas the per sq. ft. price for Lot X3 is \$1.15 (unserviced).

Ald. Hawley and Crawford moved referral back to the City Administrator, to negotiate further for a better price. Ald. Stubbs also wanted to see an overall plan that would show all of the City land holdings in this area, with this particular piece of land in relation to the other properties. The motion to refer was revised to include this request for a plan also.

Ald. Greenough was opposed to referral, on the basis that the sale of Lot X3 to the interested company will make it possible for them to expand their business, and in the end, the City will receive the benefits of this through increased taxation. He considered this situation to be comparable to the marketing of our industrial land, and felt it should be treated as such.

When the vote was taken on the motion to refer, it carried with Ald. Greenough, Beeler, and Levandier voting against.

MOTION: Moved by Ald. Hawley and Crawford that the sale of Lot X3, Waddell Ave., be referred back to the City Administrator, to negotiate further for a better purchase price; also, to have a plan prepared, showing all of the City's land holdings in this area and the relation of Lot X3 to the other properties we own there.

A request has been received to have the development agreement removed from the property at 5 Bruce Street, which would permit a return to the original R-1 zoning under the Land Use By-law. The development agreement

DEVELOPMENT
AGREEMENT:
5 BRUCE ST.

approved some time ago, provided for the applicant to convert the dwelling to professional offices for lawyers and accountants. Section 69 (3) of the Planning Act allows Council to discharge an agreement by resolution, and the Development Officer, in his report to Council, has recommended the adoption of Resolution 85-13, to accomplish the discharge of the agreement, thereby resulting in a return to the R-1 designation which was originally on 5 Bruce Street.

Ald. Beeler declared a conflict of interest on this item, since her law firm represents the client involved, and withdrew from her place on Council until the item was completed.

RESOLUTION 85-13

On motion of Ald. Crawford and Withers, Council gave approval to Resolution 85-13, discharging the development agreement applicable to 5 Bruce Street.

MOTION: Moved by Ald. Crawford and Withers that Council approve Resolution 85-13, discharging the development agreement applicable to the property 5 Bruce St.

OVER-EXPENDITURE:
ROUTE 62

The Transit Advisory Board has considered a request for a continuation of the trial service on transit route 62 (Wildwood/Forest Hills), for an additional six-month period, at a subsidy of \$64,400. for the balance of 1985. The Board recommends approval of the six-month extension in service, and approval of the over-expenditure involved, in the amount of \$64,400.

FIRST APPROVAL

Ald. Sarto and Crawford moved that first approval be given for the over-expenditure. Ald. Stubbs was concerned about the increasing cost of transit services, and Ald. Beeler said she would like to have some additional facts and figures before authorizing an over-expenditure this early in the year.

Ald. Greenough suggested that any additional information that members of Council may need, could be provided between now and the second approval that has to be given by Council for this over-expenditure. Ald. Crawford also felt that first approval should be allowed to proceed now, so the service extension

will have been authorized in time for the May pick. He said there is already a good indication that ridership on this route is continuing to increase, judging from the 76% increase in fare box revenue for the second six-month trial period on the route. He described the route as having good potential and encouraged Council to permit another trial extension on it.

(On motion of Ald. Greenwood and Hawley, Council agreed to continue meeting beyond the hour of 11:00 p.m.)

After further debate, the vote was taken on the motion and it carried, with Ald. Stubbs and Levandier voting against.

MOTION: Moved by Ald. Sarto and Crawford that Council give first approval for an over-expenditure, in the amount of \$64,400., for a further six-month extension in the trial transit service on route 62 (Wildwood/Forest Hills).

On motion of Ald. Crawford and Greenwood, Council adjourned to meet in camera, for the purpose of dealing with one additional item involving contract negotiations.

After reconvening in open meeting, the action taken in camera was ratified, on motion of Ald. Greenough and Hetherington.

Meeting adjourned.


Bruce Smith,
City Clerk-Treasurer.

City Council, March 19/85

ITEMS:

- 1) Public hearing: Closure of Caledonia Rd. Ext., pg. & 2. Resolution 85-22, page 2.
- 2) Public hearing: Crichton Ave. lands, page 3. Resolution 85-18, page 3.
- 3) Public hearing: Closure of Hare St., page 4 to 7 incl. Resolution 85-21, page 6.
- 4) Museum Society calendars, page 7.
- 5) Status of Hollett case, page 7.
- 6) Committee: N. S. Hospital Security, page 7.
- 7) Monthly reports, page 8 & 9.
- 8) Award tenders: Sand, gravel & stone, page 10.
- 9) Land: 17 Kuhn Rd., page 10.
- 10) Land: Waddell Ave., page 11.
- 11) Development Agreement: 5 Bruce St., page 12. Resolution 85-13, page 13.
- 12) Over-expenditure: Route 62, page 13. First approval, page 13.

Dartmouth, N. S.

March 26/85.

Regularly called meeting of City Council
held this date at 7:30 p.m.

Present - Deputy Mayor Sarto

Ald. Beeler	Peters
Crawford	Levandier
Withers	DeMont
Stubbs	Greenwood
Hawley	Greenough
Bregante	Hetherington
Romkey	

City Solicitor, S. Hood
Acting City Administrator, B. Smith.

The Deputy Mayor welcomed to the meeting,
several members of the First Woodside Girl Guide
troop.

Ald. Withers rose to ask if another date
has been chosen for the EMO presentation that
was to have taken place on March 25th. Mr. Smith
advised that another date is to be arranged.

Council was asked to give second approval to
an over-expenditure in the amount of \$64,400. for
a further six-month extension of the trial run on
transit route 62 (Wildwood/Forest Hills). First
approval was given at the March 19th Council meeting.

Ald. Crawford and Romkey moved that second
approval be given for the over-expenditure. Ald.
Stubbs moved deferral of the item until Council has
an opportunity to review in detail the information
report provided by Mr. Smith on M.T.C. operating
deficit & cost recovery; the motion to defer was
seconded by Ald. Peters. Ald. Stubbs said it is time
that Council took a long look at transit routes that
are not profitable and costing the City money, an
opinion also shared by Ald. Peters. She felt the
City should not ^{be} supporting transit to the extent we
are, without some review of the routes that are not
increasing in ridership and will never begin to pay
for their operation.

Members of Council opposed to deferral, took
the position that transit is a service to citizens,

OVER-EXPENDITURE:
ROUTE 62
SECOND APPROVAL

and one that is necessary, even at an expense to the City. It was felt that some attempt must be made to serve as many citizens as possible equally, although this may result in some routes that show less cost recovery than others. Ald. Crawford explained the process that is followed in having new routes approved for implementation and/or extension, pointing out that such decisions are not made at the local Council level, but by M.T.C. and then by the Metropolitan Authority, upon request from the municipality and recommendation from the local Transit Advisory Board. He noted that if Council were to move to discontinue routes that do not pay for themselves, most routes in Dartmouth would be discontinued. The only route presently in this position is #11, which is the MacDonald Bridge route between Dartmouth and Halifax. He referred to the numerous routes in the City of Halifax, which also do not pay for themselves but like the routes in Dartmouth, are required to transport people to their jobs and for all the reasons that people need transit services. He spoke in favour of route 62, which he considered to have potential for increasing ridership figures, due to the continuing growth in the area and the demonstrated use that is being made of transit on this route.

Other members of Council also supported the further extension of service on route 62, suggesting that instead of a further extension, Council should really be looking at the implementation of full-time service to this area. Ald. Beeler said that while she is not against transit, she would like to have had a full discussion on the subject generally, without having to make a rush decision on route 62, in order to have it approved in time for the May pick. Ald. Crawford explained why this time constraint occurs, because of union requirements, so that drivers can be assigned to routes they are to drive.

Ald. Greenough said it is important to establish

an equitable level of transit service throughout the community, and it is not a fair assessment to be looking at routes individually. The level of service has to be evaluated overall, and from this point of view, the percentage of return in total for all Dartmouth routes is 66%; he considered this figure to be more relevant in these discussions than the percentages for individual routes, as reflected in Mr. Smith's report.

Ald. Levandier supported the motion to defer and was not in agreement with an over-expenditure so early in the budget year, with all the other decisions the City has to face with regard to funding cuts.

Ald. Stubbs maintained that Council should have more information about the routes in Dartmouth and the hours^{of} service being provided, the possibility of greater cost-sharing by the County, etc., before being expected to make a decision on route 62.

Ald. Greenwood was not willing to support deferral, since he felt that we still have a long way to go toward providing better service in Dartmouth for transit users. He referred to the cost recovery percentage for the Shannon Park route, noting that he would not want to see it discontinued on the basis that it is not self-supporting.

When the vote was taken on the motion to defer, it was defeated. The main motion carried with Ald. Stubbs, Peters and Levandier voting against.

MOTION: Moved by Ald. Crawford and Romkey that second approval be given to the over-expenditure in the amount of \$64,400. for a further six-month extension in service on transit route 62.

Ald. Hetherington suggested that some of the information concerns raised in debate could be discussed with the Transit Advisory Board, in a joint meeting with Council. He therefore moved that Council be invited to attend the next Transit Advisory Board meeting, at which time the general discussion requested will be included as the first agenda item. The motion was seconded by Ald. Romkey and it carried.

MOTION: Moved by Ald. Hetherington and Romkey that Council be invited to attend the next Transit Advisory Board meeting, at which time the general discussion requested will be included as the first agenda item.

WATER RIGHTS:
LAKE MAJOR
RESOLUTION 85-14

Resolution 85-14, authorizing application to be made to the Dept. of the Environment for renewal of water rights in Lake Major, was before Council, accompanied by a copy of the application and a report from Mr. Moir, recommending the adoption of the resolution.

Council adopted Resolution 85-14, as presented, on motion of Ald. Greenough and Withers.

MOTION: Moved by Ald. Greenough & Withers that Council adopt Resolution 85-14, authorizing application to be made to the Dept. of Environment, for renewal of water rights in Lake Major.

AWARD TENDER:
DEMOLITION OF HOUSE
14 GRAHAM'S GROVE

Tenders have been received as follows for the demolition of the house at 14 Graham's Grove:

Woodlawn Construction Ltd.	\$2500.
Mills Heavy Hauling Ltd.	2700.
Fred Dunphy Excavating & Constr.	2800.
Sun Construction Ltd.	2845.
H.S. Walker Construction Ltd.	3150.
Spryfield Demolition Ltd.	3165.
D.A. Lanthier Construction Co. Ltd.	3200.
W. Eric Wheby Ltd.	3208.50
Steele Developments Ltd.	3790.
Glendale Construction	4500.

Acceptance of the tender from Woodlawn Construction Ltd. has been recommended, and it was moved by Ald. Levandier and Hetherington that the recommendation be adopted.

Ald. Crawford wanted to have this building considered for possible renovation and use to house people in emergency situations, recognizing the fact that families in these circumstances are now having to be housed in hotel rooms when they are without other accommodations. Ald. Bregante agreed that the Housing Crisis Committee should have an opportunity to look into the feasibility of moving the house from its present location to a City property where it could be renovated for emergency housing use. Ald. Hawley questioned whether the building is in good enough condition to even withstand a move from its location, and Ald. Romkey indicated to Council the

kind of cost figures that would be involved to move the house, put it on another foundation and renovate it to a useable standard. He estimated the figure to be about \$75,000. in total.

Ald. Bregante and Stubbs moved referral to staff for a cost estimate to move the building, also to indicate the feasibility of relocating it on another City-owned property. Mr. Atkinson was asked to comment on the original intent for the Graham's Grove property when a decision was made to purchase it. He said the intent has been to increase the amount of parking available at Graham's Grove, where problems occur in the summer months with cars having to be parked along the side of the roadway. Ald. Peters agreed there is a need for the additional parking spaces and noted that the province is willing to deed a portion of land to the City in this area as well, permitting a total expansion of the park.

When the vote was taken on the motion to refer, it was defeated with Ald. Crawford, Stubbs, Bregante, Greenwood, and Withers voting in favour.

The main motion carried with Ald. Crawford voting against.

MOTION: Moved by Ald. Levandier & Hetherington that the tender for demolition of the building on the property at 14 Graham's Grove, be awarded to Woodlawn Construction Ltd., as recommended to Council.

Mr. Smith has submitted a report which proposes the use of the 1984 Provincial election list for the City's municipal election, thereby eliminating the cost of enumerating, estimated at between \$15,000. and \$20,000. Spot enumerating would be carried out in areas where it is evident that names are missing from the Provincial list.

Resolution 85-17, which would permit the City to use the 1984 Provincial voters list, has been prepared and was before Council in this connection. It was moved by Ald. Greenough and Withers that Council adopt Resolution 85-17.

USE OF PROVINCIAL
ELECTION LIST:
RESOLUTION 85-17

Ald. Hetherington, Bregante and Crawford were not in favour of using the Provincial list, noting that there have already been problems with it in the provincial election and it will be even more inaccurate after the lapse of time from November of 1985 to October of 1985. Ald. Greenough suggested the the spot enumerating referred to in Mr. Smith's report should take care of this problem, and Ald. Withers asked about the cost involved to carry it out. He also questioned how effective it will be, and moved deferral of a decision on Resolution 85-17, pending a report from staff on the cost of spot enumerating and the degree of accuracy that will be produced as a result. The motion to defer was seconded by Ald. Bregante and it carried.

MOTION: Moved by Ald. Withers and Bregante that a decision on Resolution 85-17 be deferred, for information on the cost of spot enumerating and the degree of accuracy that will result.

APPLICATION TO
AMEND LAND USE

BY-LAW: 200 MAIN ST. on an application to rezone the property at 200 Main Street, from R-1 to S (Institutional) Zone, to permit the use of the existing residence as a Home for Special Care for 9 senior citizens.

A Planning Dept. report was before Council

The Planning Dept. has recommended in favour of the proposed amendment to the Land Use By-law, and that Council instruct staff to hold a neighbourhood information meeting. This recommendation was adopted, on motion of Ald. Bregante and Romkey. Ald. Crawford asked that the members of Council be advised of the date of the meeting. Deputy Mayor Sarto requested that the meeting be scheduled for a Wednesday evening so that he and Ald. Romkey will be free to attend.

MOTION : Moved by Ald. Bregante and Romkey that staff be instructed to hold a neighbourhood information meeting, in connection with the application received to rezone the property at 200 Main St. from R-1 to S Zone.

STAFF REPORT:
TAKEOVER OF
PRIVATE STREETS

As requested by Council, the staff report on the takeover of private streets, originally adopted on March 23/82, has been circulated again for review.

Ald. Crawford and Romkey moved the adoption of the recommendation on page 4 of the report, which is as follows: That the Engineering Dept., as time permits, survey and prepare a legal plan and description of each of the 19 streets (ie. in category 1), and that as they become available, they be presented to Council for formal acceptance pursuant to Section 137 of the City Charter.

Ald. Greenwood said there are streets in Ward 5 that he would like to have moved up from category 2 to category 1, so they can fall within the terms of the staff recommendation. He moved in amendment, seconded by Ald. Stubbs, that the following streets now listed in category 2, be moved up to category 1:

Lovetts Road
Pinewood Drive
Stone Ave.

Wournell Drive - thereby providing for the possibility of the City taking over these streets, and having services on them brought up to the level of other streets in the City. As debate proceeded, the amendment was expanded, at the request of Ald. Greenough, to include the following: Sutherland Terrace
Wyndcrest Drive
Islandview Drive
Creelman Drive

- and by Ald. Bregante, to include: Mayfield Drive.

Ald. Romkey said he would want to have a report on the costs associated with each of the streets covered in the amendment, before Council makes any decision to go ahead with them. Ald. Greenwood also requested estimates, in the report, to asphalt the streets at their present widths, in order to provide a better street surface for the residents on a year-round basis and eliminate some of the maintenance costs they presently require. The amendment carried and the amended motion carried.

MOTION: Moved by Ald. Crawford and Romkey that Council adopt the recommendation of staff, as contained in page 4 of the report on the Takeover of Private Streets, dated Feb. 9/82; text of recommendation is on page 7 of these minutes.

AMENDMENT: Moved in amendment by Ald. Greenwood & Stubbs that the nine streets listed on page 7 of these minutes be moved from category 2 to category 1, thereby providing for the possibility of the City taking over these streets, and having services on them brought up to the level of other streets in the City.

(Ald. Peters was not present from this point onward in the meeting.)

LEFT-LAND TURNS:
MACDONALD BRIDGE

As directed by Council, Mr. Bayer has forwarded a letter to the General Manager of the Halifax-Dartmouth Bridge Commission to determine their opinion on the matter of permitting left-hand turns onto Wyse Road at the MacDonald bridgehead and their position on cost-sharing in the modifications required to permit a left-turning traffic pattern.

Mr. Kay has responded with a letter, dated Feb. 26/85, in which he states that any costs involved would be the entire responsibility of the City, and expressing concern about possible traffic back-ups and delays that could result from such a traffic pattern change at the bridgehead.

Ald. Withers requested and moved a deferral of any decision on the part of Council until the first week in May; the motion was seconded by Ald. Greenough. Ald. Greenwood asked if there is any point in deferring a decision when it appears obvious from the staff reports and other communications on this subject, that a left-turning traffic movement at this point will not work. Mr. Bayer was asked to comment and again reviewed the history of this request for left-turning traffic to be permitted at the bridgehead, noting the original staff recommendation was not in favour of it. However, if it is to be allowed, staff have suggested ways by which it can be accomplished. It should be recognized that all traffic movements at this intersection will be affected and delayed by

any change that has to be made in the traffic light sequence.

Ald. Crawford agreed with the points made by Ald. Greenwood about traffic being impeded by introducing another movement in traffic at the bridgehead intersection. He also did not see the point in looking for funding assistance if the change to permit left turns is not advisable in the first place. He noted that M.T.C. is opposed to such a change and have not altered their position in this regard from the beginning of these discussions.

The majority of Council were willing to at least wait until the first week in May, as requested by Ald. Withers, to make a decision on the item, and the motion to defer carried.

Mayor Brownlow took the chair at this point in the meeting and Deputy Mayor Sarto took his Council seat for the remainder of the items.

MOTION: Moved by Ald. Withers and Greenough that any decision on the part of Council with respect to the item on left turns at the MacDonald bridgehead, be deferred until the first week in May.

MICMAC ROTARY
TRAFFIC SURVEY

Mr. Bayer has submitted an information report to Council on a traffic survey to be carried out at the MicMac Rotary, to take place in late April or early May, over a two-hour period at the a.m. peak and p.m. peak traffic hours, plus one hour during an off-peak period the same day.

He explained why the study is required before any improvements can take place at the Rotary, and he noted that every effort is being made to keep traffic moving during the study and to minimize inconvenience to the public.

Ald. Levandier objected to another study of the Rotary problem. He said action is needed to deal with the traffic problems there, instead of studying them again. He wanted to know why there has not been a meeting with Transportation Dept. representatives, to review existing plans for the

Rotary improvements, a request that has been made by Council several times already. The Mayor noted that a committee of Council has been formed to discuss the Rotary with Provincial people, and suggested that the committee should have a chance to act before we make another request to review the Rotary plans as a Council. Ald. Stubbs also had reservations about the study and whether or not it is worthwhile. She was concerned about the traffic problems that will occur on the day of the study itself.

After further discussion with Mr. Bayer as to the value of the study and the need for it, a motion was adopted to receive and file his report on the subject, as moved by Ald. Hawley and seconded by Ald. Greenwood.

MOTION: Moved by Ald. Hawley and Greenwood that Council receive and file an information report from Mr. Bayer on the traffic study to be carried out by the Transportation Dept. at the MicMac Rotary.

ANNUALREPORT:
INDUSTRIAL COMMISSION

The 1984 annual report of the Industrial Commission has been circulated with the agenda for this meeting, and on motion of Ald. Crawford and Sarto, it was tabled at this time for a joint meeting between Council and the Industrial Commission, when the report can be discussed in more detail.

MOTION: Moved by Ald. Crawford and Sarto that the 1984 annual report of the Industrial Commission be tabled for discussion at a joint meeting of Council with the Commission.

SITE 34-B:
181 JOSEPH
ZATZMAN DR.

A report was before Council from Mr. Rath on the industrial site 34-B at 181 Joseph Zatzman Drive, with a recommendation from the Industrial Commission that this site be purchased back by the City, from Centennial Leaseholds Ltd., for the price of \$255,000. The assessment value of this property is \$299,000. Resolution 85-16 has been prepared to accomplish the purchase of the site, and was before Council with the other accompanying correspondence.

RESOLUTION 85-16

Ald. Sarto and Bregante moved the adoption of

the recommendation from the Commission, but it was opposed by Ald. Levandier, Stubbs and Crawford. They all considered the price to be excessive and felt the property should stay on the market and be sold in the private sector.

Mr. Rath explained the importance of having the City regain control over the property, to insure that an acceptable development takes place there, one that will be compatible with other businesses already existing in the Park. Other members of Council in favour of the motion shared this concern that the City should be in a position to approve what development is allowed on the site. When the vote was taken, the motion to adopt the recommendation of the Commission and Resolution 85-16, carried with Ald. Stubbs, Crawford, DeMont and Levandier voting against.

NOTICE OF
RECONSIDERATION

Ald. Crawford and Stubbs then gave notice of reconsideration.

MOTION: Moved by Ald. Sarto and Bregante that Council adopt the recommendation of the Industrial Commission on the purchase of Site 34-B (181 Joseph Zatzman Dr.) in the Burnside Park, and approve Resolution 85-16 in this connection.

INCREASED
MEMBERSHIP:
BOARD OF HEALTH
RESOLUTION 85-15

Based on the recommendation of the Board of Health, that a representative of the Dartmouth Medical Society be permitted to serve as a Board member, Council has been requested to approve Resolution 85-15, which will make it possible to increase the membership on the Board from six to seven, thereby allowing this representation.

Resolution 85-15 was adopted by Council, as presented, on motion of Ald. Hetherington and Bregante.

MOTION: Moved by Ald. Hetherington & Bregante that Council adopt Resolution 85-15, which will permit membership on the Board of Health to be increased from six to seven members, thereby allowing representation from the Dartmouth Medical Society on the Board.

AWARD TENDERS:
COMPUTER TERMINALS
& DISK DRIVE

Tenders have been received, as per the Purchasing Dept. report, for computer terminals and disk drive.

Mr. Smith has concurred in the recommendations of the

Chief Buyer, Mr. George, as outlined in his report to Council, dated March 19/85.

Ald. Greenough and Sarto moved that the tenders be awarded as recommended. Mr. Smith provided Council with additional information on the kind of equipment that the tenders include, noting that it is required for existing computer uses and does not represent an expansion in our computer program over and above what has been authorized. Having received the supplementary information requested on the tenders, Council adopted the motion on the floor.

MOTION: Moved by Ald. Greenough and Sarto that tenders be awarded for computer terminals and disk drive, as per Mr. Smith's report and recommendations, dated March 19/85. (Ald. Hetherington was not present from this point in the meeting.)

GENERAL FORM:
BANKS & SIGNING
OFFICERS

RESOLUTION 85-20

Council has been requested by Mr. Smith to approve Resolution 85-20, which authorizes banking transactions and services with any bank that the City deals with.

Resolution 85-20 was adopted by Council, as presented, on motion of Ald. Bregante and Hawley.

MOTION: Moved by Ald. Bregante and Hawley that Council adopt Resolution 85-20, authorizing banking transactions and services with any bank that the City deals with.

MECHANICAL
SIGNATURES:
CITY CHEQUES

RESOLUTION 85-19

Resolution 85-19 was presented for Council's approval, being a resolution to give authorization for the acceptance of automatically-signed cheques, as required by the Royal Bank. Ald. Withers and Sarto moved the adoption of Resolution 85-19.

Ald. Stubbs and Greenough requested information on the limit of signing authority permitted for such cheques, and Mr. Smith said he will provide this figure. The motion carried.

MOTION: Moved by Ald. Withers and Sarto that Resolution 85-19 be adopted, giving authorization for the acceptance of automatically-signed cheques, as required by the Royal Bank.

BORROWING RESOLUTION:
RESOLUTION 85-23

Council was asked to approve Resolution 85-23, a borrowing resolution for 1985, and it was adopted, on motion of Ald. Bregante and Greenwood.

MOTION: Moved by Ald. Bregante and Greenwood that Council adopt Resolution 85-23, a borrowing resolution for 1985.

DEPOSITS & FEES
FOR STREET OPENINGS:
RESOLUTION 85-05

The City Solicitor has recommended to Council, the adoption of Resolution 85-05, which covers the deposits and fees authorized by Council to be charged for street openings and for sewer and water services.

Resolution 85-05 was adopted, as recommended, on motion of Ald. Sarto and Crawford.

MOTION: Moved by Ald. Sarto and Crawford that Council adopt Resolution 85-05, covering the deposits and fees authorized by Council to be charged for street openings and for sewer and water services.

MUNICIPAL
AWARENESS WEEK

A report from Mr. Rath was considered on the subject of Municipal Awareness Week, to be held from May 13th to 19th. A program has been recommended for Council's approval, involving an over-expenditure in the amount of \$6,000.

OVER-EXPENDITURE:
FIRST APPROVAL

Ald. Bregante and Romkey moved the approval of the Municipal Awareness Week program, as it has been outlined, and first approval of the \$6,000. over-expenditure required to carry it out.

Ald. Crawford suggested that it would be worthwhile having information prepared for the public on such subjects as the Young Offenders' Act, and its implications for municipalities, costs associated with transit service and the operation of the Correctional Centre - in general, the kind of information that taxpayers may not be aware of now. He said it is important for the constituents of the Aldermen to know just what their members are doing and how much time they spend dealing with issues on their behalf, a point also shared by Ald. Romkey. The Mayor felt that an information package, with this kind of information, could be prepared for distribution, without too much trouble.

Ald. Romkey wanted to see the Aldermen involved

in visits to the high schools, and in giving out the pamphlets discussed, at locations such as the MicMac Mall display booth. There was general agreement that members of Council should be very much involved and participate in activities during the Awareness Week.

Mr. Smith said there is a staff committee working on this program and the committee would welcome any other suggestions from members of Council as planning goes along. The motion on the floor carried.

MOTION: Moved by Ald. Bregante and Romkey that Council approve the Municipal Awareness Week program, as proposed, and give first approval for the \$6,000. over-expenditure involved.

ROUGH-GRADING:
AREAS DESIGNATED
FOR PLAYGROUNDS

In keeping with a motion adopted at Council, City staff have investigated the advisability of requiring developers to rough-grade areas designated for playgrounds, before final subdivision approval is given to a development.

The report's concluding paragraph takes the position that the control over the development of park lands should be left entirely in the hands of the City, and recommends, therefore, that we not require developers to rough-grade areas designated for playgrounds within their subdivisions (ie. based on the points that have been brought out in the report).

Ald. Greenough and Bregante moved the adoption of this recommendation, but Ald. Romkey felt that action must be initiated to have the Planning Act changed with respect to this requirement. He said there is no reason why a developer should not be able to assist in developing playgrounds within a subdivision as part of the overall development and in conjunction with it. Ald. Hawley commented on some problems that can occur when you allow developers to rough-grade sections of land, leaving the land exposed to erosion and run-off when it is not seeded or sodded fast enough after excavation. He said the Lakes Advisory Board has already had to deal with these situations and they are a big problem. He would rather see a

deposit required of a developer for the time when it is feasible to develop the playgrounds and there is no danger of run-off to lakes and water systems from exposed land areas.

When the vote was taken on the motion, it carried with Ald. Romkey voting against.

MOTION: Moved by Ald. Greenough & Bregante that Council adopt the staff recommendation on the subject of the proposed rough-grading of areas designated for playgrounds in subdivisions.

POLICE HEADQUARTERS
COMMITTEE REPORT

Ald. Levandier requested that the item on the agenda, which was to have been a verbal report on behalf of the Police Headquarters Committee, be deferred to next week's Council meeting. He asked that the Police Chief and Mr. Joe Ross be asked to attend for this item. Council agreed to defer the item as requested.

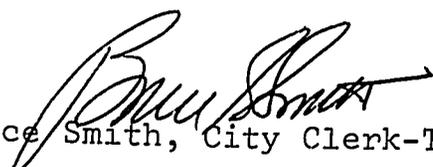
Ald. Stubbs asked that another item, dealing with a letter received from Apex Developments Ltd., be added to the agenda for next week's meeting as well. Council concurred with adding this item also.

Ald. Stubbs asked when Council will be discussing the effects of Provincial funding cuts and other related subjects. Mr. Smith said the subject of additional revenue demands, as a result of overall Provincial revenue cutbacks, will be dealt with at a meeting of Council to be arranged in the near future.

Ald. Crawford noted that the Province has issued a press release in connection with facilities planned to meet the needs of the Young Offenders' Act. He asked that if a communication is received from the Attorney-General, prior to next week's Council meeting, that item be added to the agenda for discussion.

On motion of Ald. Bregante and Sarto, Council adjourned to meet in camera. Following the in camera meeting, Council reconvened and ratified the action taken in camera, on motion of Ald. Crawford and Hawley.

Meeting adjourned.


Bruce Smith, City Clerk-Treasurer.

City Council, March 26/85

ITEMS:

- 1) Over-expenditure: Route 62 (2nd approval), page 1 to 3 incl.
- 2) Water Rights: Lake Major (Res. 85-14), page 4.
- 3) Award tender: demolition of house, 14 Grahams Grove, page 4 & 5.
- 4) Use of Provincial election list (Res. 85-17), pg. 6.
- 5) Application to rezone: 200 Main St., page 6.
- 6) Staff report: Takeover of private streets, page 7.
- 7) Left-hand turns: MacDonald Bridge, page 8.
- 8) MicMac Rotary traffic survey, page 9.
- 9) Annual report: Ind. Commission, page 10.
- 10) Site 34-B: 181 Joseph Zatzman Dr. (Res. 85-16) pg. 10
Notice or reconsideration, page 11.
- 11) Increased membership: Board of Health (Res.85-15),
page 11.
- 12) Award tenders: Computer terminals & disk drive, page 11
- 13) General form: Banks & signing officers (Res. 85-20),
page 12.
- 14) Mechanical signatures: City cheques (Res.85-19),
page 12.
- 15) Borrowing Resolution (Res. 85-23), page 13.
- 16) Deposits & fees: Resolution 85-05, page 13.
- 17) Municipal Awareness Week, page 13.
Over-expenditure, page 13.
- 18) Rough-grading: Areas designated for playgrounds, pg.14
- 19) Police Headquarters Committee report, page 15.