

Dartmouth, N. S.

August 20/85.

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

Present - Mayor Brornlow

Ald. Sarto	Withers
Crawford	Levandier
Stubbs	Greenwood
Hawley	Greenough
Bregante	Hetherington
Peters	
City Solicitor, M. Moreash	
City Administrator, C. A. Moir	
City Clerk-Treasurer, B. Smith.	

MINUTES

On motion of Ald. Bregante and Sarto, Council approved the minutes of meetings held on June 25th, July 2, 9, 15, 16 and 31st, as circulated.

REQUEST: USE OF  
CITY CREST

Council has received copies of a letter from Mr. Fred Sandy, requesting permission to incorporate the City crest on plaques that will be presented during the Dartmouth Open Amateur Ballroom Dance Championship, which will be held in conjunction with the 1985 Closed Canadian Professional Ballroom Dance Championships, at the World Trade Centre in Halifax on September 21st.

Permission was granted by Council for the use of the crest in this way, on motion of Ald. Greenough and Hawley.

MOTION: Moved by Ald. Greenough and Hawley that permission be granted for the use of the City crest on plaquest to be presented in conjunction with the 1985 Closed Canadian Professional Ballroom Dance Championships, as per the letter of request received from Mr. Fred. Sandy, dated Aug. 7/85.

RETIREMENT:  
SGT. A. BROWN

A report from Mr. Moir was considered on negotiations that have been carried on between the City and the Police Association with regard to the retirement of Sgt. Aubrey Brown from the Dartmouth Police Force and a settlement arrangement reached for eligibility under the Long Term Disability Plan.

It has been recommended to Council that in recognition of Sgt. Brown's years of service to the City Police Dept., he be granted an additional 32.5

days of sick leave during the year 1985 so that he will suffer no loss of income while awaiting his eligibility for the L.T.D. Plan. The cost to the City is \$5,855. and there is sufficient funding to cover this expenditure in the Police Dept. budget.

Council approved this recommendation, on motion of Ald. Greenwood and Sarto.

MOTION: Moved by Ald. Greenwood and Sarto that Mr. Moir's recommendation be adopted on the retirement settlement negotiated for Sgt. Aubrey Brown of the Police Dept., as outlined above and on page 1 of these minutes.

CONTRACTING  
JANITORIAL  
SERVICES

Mr. Moir has submitted a report which proposes the contracting of janitorial services for City Hall, the third floor of the Ferry Terminal building and public areas of both the Dartmouth & Halifax terminal buildings, the two ferries, Queen Square, the O'Brien building, and the Lesbriel building. It is his recommendation that City staff be authorized to prepare specifications and call tenders for providing janitorial services to the buildings noted, as outlined in his report of Aug. 12/85; a subsequent recommendation will then be made to City Council, based on a comparison of the quotes received with actual cost to the City for these services.

Ald. Bregante declared a conflict of interest on this item, since he owns a janitorial company, and withdrew from his place on Council while the item was considered.

Mr. Moir's recommendation was adopted, on motion of Ald. Greenough and Crawford.

MOTION: Moved by Ald. Greenough and Crawford that staff be authorized to prepare specs. and call tenders for janitorial services to City buildings noted above, as recommended and outlined in Mr. Moir's report to Council on this subject, dated Aug. 12/85.

WALKWAY OVER  
VICTORIA RD.  
EXTENSION

In response to a concern expressed by Ald. Greenwood some time ago about the safety of children who are walking over the top of the caged walkway over Victoria Road Extension, Mr. Moir has reported on measures

that can be taken to prevent this happening in the future, advising that if Council wishes to proceed with the chainlink flange installation, an over-expenditure in the amount of \$2,500. will be required to carry out the work.

FIRST APPROVAL

Council gave first approval for an over-expenditure in this amount, on motion of Ald. Sarto and Greenwood.

MOTION: Moved by Ald. Sarto and Greenwood that first approval be given for an over-expenditure in the amount of \$2,500., to permit the chainlink flange installation required on the Victoria Road Extension walkway, in order to stop children from walking over the top of the walkway.

EASEMENT AGREEMENT:  
HALIFAX PORT COMMISSION

Council has been asked to approve Resolution 85-54, covering sewer outfall lease agreements with the Halifax Port Commission. Under the terms of the new agreement, the rate of the annual rental fee has been set at \$448.77 per annum.

RESOLUTION 85-54

Resolution #85-54 was approved, as recommended by Mr. Moir, on motion of Ald. Crawford and Withers.

MOTION: Moved by Ald. Crawford and Withers that Council approve Resolution 85-54, authorizing the entering into of lease agreements for sewer outfalls with the Halifax Port Commission.

EMERGENCY MUTUAL  
AID AGREEMENT

A draft agreement was before Council which provides for emergency mutual aid among the metropolitan municipalities, in the event that it would be required. The City Solicitor has reviewed the agreement and sees it as a 'general expression of intent' and acceptable for that purpose as drafted. Mr. Moir has therefore recommended approval of the draft agreement, and if it is also approved by the other participating municipalities, that the Mayor and the City Clerk be authorized to execute the agreement on behalf of the City.

Council approved this recommendation, on motion of Ald. Crawford and Sarto. Questions from Ald. Stubbs about the specifics of aid that would be rendered and the allocation of equipment (ie. in order to retain adequate service at the same time within our own City),

were discussed with the Solicitor. Mr. Moreash pointed out that the agreement is framed only in a very general way, leaving a great deal of discretion with respect to specifics. The motion carried.

MOTION: Moved by Ald. Crawford and Sarto that Council approve the proposed draft agreement providing for emergency mutual aid among the local metropolitan municipalities.

AWARD TENDER:  
SCHOOL BUS  
BODY & CHASSIS

Tenders have been received as follows for a 66-passenger school bus (body & chassis):

Kiley Distributor	\$34,864.95
Perry Rand	36,540.00
Capital Bus Sales	35,849.00

Acceptance of the low bid, received from Kiley Distributor, in the amount of \$34,864.95, has been recommended by Mr. Harry George, the Chief Buyer, and by Mr. Moir. The tender was awarded, as recommended, on motion of Ald. Crawford and Sarto.

MOTION: Moved by Ald. Crawford and Sarto that the tender for a school bus be awarded to the low bidder, Kiley Distributor, as recommended by Mr. George, with Mr. Moir's concurrence.

CONTRACT 85-14:  
MANOR PARK  
RECREATION AREA  
PHASE II

The following tenders have been received for Contract 85-14, Phase II of the Manor Park Recreation area:

Woodlawn Construction Ltd.	\$211,632.00
Elmsdale Landscaping Ltd.	216,080.90
Terra Nova Landscaping Ltd.	236,537.88

Acceptance of the low bid, received from Woodlawn Construction Ltd., has been recommended, and it was moved by Ald. Crawford and Peters that the tender be awarded as recommended.

Ald. Levandier was opposed to this major expenditure in any one section of the City for recreation purposes, maintaining that it should be allocated for various locations throughout the City instead. Other members, who were in support of the motion, pointed out that the project was approved and has been in progress for some time; therefore, it should be completed as originally planned since provision for

the project was included in the 1985 budget.

Ald. Hetherington commented on the deterioration of parks and playgrounds in Ward 7, suggesting that the Recreation Dept. budget should be including some provision for continuing maintenance of such areas and replacement of equipment that has been vandalized. Ald. Greenwood made the suggestion that the possibility of having developers do more in the way of providing play equipment and playgrounds for their developments, should be looked at by staff.

Ald. Levandier again stated his opposition to this major funding allocation for Manor Park when so little has been done in the way of providing recreational areas in his ward. Reference was made by several members, including Ald. Crawford, to a number of parks and recreation facilities that have been developed in recent years in Ward 3, including the Sportsplex.

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

MOTION: Moved by Ald. Crawford and Peters that the tender for Contract 85-14 (Phase II, Manor Park recreational area) be awarded to the low bidder, Woodlawn Construction Ltd., in the amount of \$211,632.00.

A single tender has been received from Cloran Traders Ltd., in the amount of \$61,406.25, for traffic signals at Manor Drive on Portland Street. Acceptance of this bid has been recommended by Mr. Moir, plus an expenditure to Maritime Tel & Tel, in the amount of \$922.43; further, an over-expenditure in the 1985 Capital Budget, in the amount of \$2,328.68 to cover the total cost of the project. (The amount of \$922.43 to Maritime Tel & Tel is for underground conduit crossing Portland Street.)

The tender for traffic signals at Portland St. and Manor Drive was awarded, as recommended, on motion of Ald. Hetherington and Crawford.

MOTION: Moved by Ald. Hetherington and Crawford that the tender for Contract 85-13, traffic signals at Portland Street and Manor Drive, be awarded to the bidder, Cloran Traders Ltd., as per Mr. Moir's recommendation, detailed above.

CONTRACT 85-13:  
TRAFFIC SIGNALS

CONTRACT 85-12:  
TRAFFIC SIGNALS

A single tender has also been received for Contract 85-12, traffic signals at Albro Lake Road at Wyse Road, and Pleasant Street at Imperial Oil. The tender has been received from Cloran Traders Ltd., in the total bid price of \$112,293.40 for the two installations. This price includes provision for an underground wiring installation alternative in the case of the Albro Lake/Wyse Road installation. Acceptance of this bid has been recommended by Mr. Purdy, in conjunction with Mr. Moir. Ald. Hetherington and Withers moved the adoption of the recommendation and the awarding of the tender as recommended.

Ald. Levandier questioned the need for the traffic light installation at Albro Lake and Wyse Road, and took the position that no decision should be made on that intersection until the results of the Traffic Study are known. He asked whether in fact the need for lights there has been substantiated by traffic counts, and was advised by Mr. Purdy that the requirement for traffic signals has been duly substantiated by the most recent traffic counts that were taken. Ald. Levandier said he has never had any difficulty making turns at this point and he has occasion to travel this route often.

Ald. Hetherington had several questions about the pedestrian walk signal at the Imperial Oil signals to be installed on Pleasant Street. He felt it would be preferable to have the pedestrian buttons installed in the Imperial Oil gatehouse, but Mr. Purdy and Mr. Moir had reservations about whether or not such an installation would be advisable or even allowed on what is privately-owned property. Ald. Hetherington also raised a point about the need for Special Constables at this traffic point, once the lights are in, and asked Mr. Moir to keep this point in mind when their reappointment comes up for renewal.

Ald. Levandier remained opposed to the motion throughout the debate. The motion carried with Ald. Levandier voting against.

MOTION: Moved by Ald. Hetherington & Withers that the tender for Contract 85-12, traffic signals at Albro Lake & Wyse Road and on Pleasant Street at Imperial Oil, be awarded to the bidder, Cloran Traders Ltd., as recommended.

CONTRACT 85-01:  
STREET CONSTRUCTION

Tenders have been received as follows for

Contract 85-01, street construction:

Ocean Contractors Ltd.	\$673,965.00
Municipal Contracting Ltd.	684,296.25
Steed & Evans Ltd.	724,764.00

Included in this tender are paving and curbing on the following streets:

Forest Court	Gertrude St.
Glenn Ave.	Hemlock St.
Hillcrest Dr.	Leamont Terrace
Patterson St.	White Street

Mr. Moir has recommended acceptance of the low bid, submitted by Ocean Contractors Ltd., and Council's approval for an over-expenditure in the amount of \$115,865. in the 1985 Capital Budget, covering the shortfall between the budgeted item and the amount of the low tender received. The tender was awarded, as recommended, on motion of Ald. Greenough and Crawford.

MOTION: Moved by Ald. Greenough and Crawford that the tender for Contract 85-01, street construction, be awarded to the low bidder, Ocean Contractors Ltd., and that authorization be given for an over-expenditure in the amount of \$115,865. in the Capital Budget for this project.

SALE OF LOTS:  
LYNGBY AVE.

A further report has been received from Mr. Moir on the sale of the City-owned lots on Lyngby Ave. Following the lot draw carried out, five of the seven successful people chosen were not able to complete the transaction, and in addition, the person who was the successful tenderer for Lot D-13 has not yet finalized the purchase of his property. It has therefore been recommended that these lots (D-4, D-10, D-11, D-13, D-14, and D-15) be advertised for sale by tender, similar to the first advertisement, with the additional clause that no tender will be considered for less than \$36,930. for any of the lots. Resolution 85-57 has been prepared and was before Council in this connection.

RESOLUTION 85-57

Council approved Resolution 85-57, as recommended, on motion of Ald. Crawford and Hawley.

MOTION: Moved by Ald. Crawford and Hawley that Council adopt Resolution 85-57, authorizing the sale of six City-owned lots on Lyngby Ave. by tender, as recommended by Mr. Moir, with the conditional clause for inclusion in the tender, as noted on page 7 of these minutes.

SOCIAL SERVICES  
SIGNING OFFICERS  
RESOLUTION 85-56

On motion of Ald. Withers and Sarto, Council approved Resolution 85-56, authorizing signing officers for the Social Services Dept., as follows:

Wm. G. McNeil, Director of Social Services  
Paul Greene, Asst. Director  
Mary Lou Griswold, Supervisor, General Assistance

This signing authority is required in order to implement the changeover in computer programs which enables the Social Services Dept. to produce their own cheques, previously produced by the City Finance Dept.

MOTION: Moved by Ald. Withers and Sarto that Council approve Resolution 85-56, which authorizes the signing officers noted above for the Social Services Dept.

LAND: B.I.O.

A letter has been received from Public Works Canada, advising the City of surplus property (approx. 24 hectares) located at the Bedford Institute site, and requesting advice within thirty days of any interest on the part of the City in acquiring this property at market value.

Mr. Moir has recommended that Council indicate a potential interest in the property and that the matter be referred to City staff to ascertain how the land might be developed, serviced, etc. Staff could then advise Council on the potential development of the property. This recommendation was adopted, on motion of Ald. Greenough and Sarto. A plan of the lands involved was available for viewing by the members of Council.

MOTION: Moved by Ald. Greenough and Sarto that Mr. Moir's recommendation with respect to the availability of surplus lands at Bedford Institute, be adopted; the recommendation is detailed above.



WITHDRAWAL FROM  
SPECIAL RESERVE:  
RESOLUTION 85-52

Council considered a report from Mr. Smith on the expenditure approved, in the amount of \$220,410. for construction of an access road to the Dartmouth transfer project. This item was not included in the 1985 Capital Budget and special financing therefore has to be arranged. The method suggested is to use money from the Special Reserve Fund, and as lots are sold in conjunction with the construction of the access road, income would be credited to the Fund.

Resolution 85-52 has been prepared, in order to permit the necessary withdrawal of money from the Special Reserve Fund, and Council adopted the resolution, as requested by Mr. Smith, on motion of Ald. Crawford and Sarto.

MOTION: Moved by Ald. Crawford and Sarto that Council adopt Resolution 85-52, permitting the withdrawal of money from the Special Reserve Fund to cover the cost of constructing the access road to the Dartmouth transfer station, in the amount of \$220,410.

LAKE CHARLES DR.:  
RESOLUTION 85-55

Resolution 85-55 has been prepared by the City Solicitor to accomplish a land exchange negotiated with Mr. & Mrs. Downey, owners of the property at 1 Lake Charles Drive, thereby permitting the street construction and realignment of Lake Charles Drive. This agreement will exchange approx. equal size parcels of land, as shown on Schedule "A", attached to Resolution 85-55. The City will retain an easement across parcel B (to be conveyed) for drainage work and will sod or seed the parcel to be conveyed to the Downeys.

Resolution 85-55 was approved by Council, on motion of Ald. Sarto and Greenough.

MOTION: Moved by Ald. Sarto and Greenough that Council approve Resolution 85-55, which accomplishes a land exchange between the City and the owners of property at 1 Lake Charles Drive, in order to be able to carry out the street construction and realignment of Lake Charles Drive.

61 COURTNEY ROAD

The Solicitor has submitted a report to Council on the property at 61 Courtney Road, offered for sale by the City with a condition attached that it would be used for single-family dwelling purposes only, even

though the lot is zoned R-2.

The Non-Profit Housing Society has subsequently requested the removal of this restriction in order to allow the Society to have an R-2 housing development to proceed on the property. The Solicitor advised that in order to comply with the request of the Society, it will be necessary for Council to rescind the action taken at the Council meeting of Feb. 5/85 in stipulating that the property be sold for R-1 purposes only. Ald. Stubbs and Crawford proceeded to move that Council rescind the restriction imposed at the Feb. 5th meeting with respect to the property at 61 Courtney Road.

Ald. Greenwood questioned the size of this lot to accommodate R-2 development and advised Council that residents living in the area are very much opposed to any development other than R-1 on the land. Ald. Stubbs explained the difficulty that has been experienced by the Society in securing any funding whatsoever for non-profit housing units for 1985, noting that Dartmouth is the only municipality in Nova Scotia that was able to obtain funds from CMHC for 1985 and these are for R-2 development only. She stressed the urgent need for this type of housing unit, commenting on the success the Society has had to date with maintaining good-quality buildings at the various locations throughout the City where non-profit housing units have been established.

Ald. Greenough questioned whether Council had the right to impose the R-1 condition in the first place, when the property is still zoned R-2. The Solicitor said it would be possible to maintain this condition through the first sale of the property, but if it were to be re-sold, the condition could not hold and the second owner would be able to proceed with another unit if he or she wanted to do so. Ald. Hawley noted that the sale of the property was not tendered under R-2 conditions and felt that if Council is now to remove

the restriction approved in February, the tendering process should be repeated under these new conditions in order to be totally fair to all interested parties.

During the debate, it was noted that Council took action on April 9th to approve the sale of the property to the Non-Profit Housing Society for the amount of \$15,000., but some members pointed out that in doing so, it was felt that an R-1 building would be going on the lot. Ald. Hetherington pointed out that CMHC have specified only R-2 development will be approved by them for the 1985 units and the Society is thereby restricted to that particular requirement.

When the vote was taken on the motion to rescind, it did not obtain the necessary two-thirds majority vote of Council required and it was therefore declared by the Mayor to be defeated.

No further motions were introduced at this time on the subject.

On motion of Ald. Crawford and Hawley, Council accepted the resignation submitted from Mr. Grant Brennan from the Downtown Revitalization Committee, of which he has been a member for a number of years. Mr. Brennan will be thanked for his participation on the Committee and the time and effort he has given to the downtown revitalization program over the years.

MOTION: Moved by Ald. Crawford and Hawley that Council accept the resignation of Mr. Grant Brennan from the Downtown Revitalization Committee.

RESIGNATION:  
DOWNTOWN  
REVITALIZATION  
COMMITTEE

MOTIONS:  
ALD. LEVANDIER

Notice of motion having been previously given, the following motions were introduced for consideration:

1) It was moved by Ald. Levandier, seconded by Ald. Crawford, that:

WHEREAS it is my opinion that the Minimum Standards By-law is presently not strong enough;

THEREFORE BE IT RESOLVED that Council ask the Solicitor to review the by-law, with the intent being to strengthen it.

Council supported the motion and it carried.

MOTION: Moved by Ald. Levandier & Crawford:  
text above.

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MOTION: Moved by Ald. Levandier & Crawford:  
text above.

ALD. CRAWFORD

2) Ald. Crawford moved, seconded by Ald. Stubbs,

that:

WHEREAS the Provincial Government has not taken over correctional facilities as originally decided;

AND WHEREAS the cost of operating the correctional facility at Sackville has escalated to such an extent that the funding municipalities are finding the costs well-nigh prohibitive;

AND WHEREAS the cost per day per prisoner in 1985 is \$67.00, with Dartmouth contributing \$1,031,622. in operation costs for the year 1985, the overall operating cost for 1985 being \$4,357,258.;

AND WHEREAS the counties of Humboldt and Delaware, in the State of Iowa in the U.S.A., have commenced charging inmates for room and board at the rate of \$20. or \$30. per day, with much success;

THEREFORE, BE IT RESOLVED that Dartmouth City Council request of its representatives on the Metropolitan Authority, and its staff, to obtain all possible information concerning the charges to inmates, for inclusion in the financial operation of the Sackville Correctional Centre, this information to be obtained from Humboldt County Jail Administrator, Richard Jurgens.

Ald. Crawford explained for Council, the intent of his motion, referring to the continually-increasing cost of operating the Sackville Correctional Centre and the impact of this cost on the participating municipal units when they have not received the assistance that was expected from the Province.

Members of Council did not oppose the motion and it carried with Ald. Levandier voting against.

MOTION: Moved by Ald. Crawford and Stubbs:  
text above.

Ald. Bregante indicated his wish to withdraw the notice of motion given previously by him with respect to education costs and the possibility of a tax rebate for citizens who do not have children in the school system.

No notices of motion were given for the next regular Council meeting.

INQUIRIES:

ALD. SARTO

Ald. Sarto asked about the status of the traffic lights for the intersection of Ridgecrest Drive and the #7 Highway. Mr. Purdy advised that they are in the process of being designed by the consultant.

Ald. Sarto also asked to have the T.M.G. look at the need for a crosswalk on Mount Edward Road at Cranberry Crescent.

ALD. GREENOUGH

Ald. Greenough requested information on the extension of water service planned for Waverley Road. Mr. Purdy said the survey, to establish street lines, is nearly completed, and it is expected that tenders for the project will be out by sometime in September.

ALD. CRAWFORD

Inquiries made by Ald. Crawford were as follows:

- 1) he asked again about the plan for extending Mount Hermon Cemetery and the takeover of Green Road in order to be able to do this. Mr. Moir noted that a letter on this subject was circulated by Mr. Bayer; he agreed to check further on the inquiry for Ald. Crawford.
- 2) asked about the new sound system for the Council Chamber. Mr. Purdy pointed out that twelve weeks are required for delivery and installation.
- 3) asked about the items that have appeared recently in the daily newspaper with regard to the possible annexation of the Cole Harbour section of the County. The Mayor noted that in his statements, he has only indicated his opinion that Council would be prepared to look at such a request if one were to be made.
- 4) Ald. Crawford extended his thanks to the Mayor, Mr. Moir and members of Council for the flowers he received when he was recently in hospital.

ALD. WITHERS

Inquiries made by Ald. Withers were as follows:

- 1) asked to have the Engineering Dept. look at the sidewalk areas that have heaved on Symonds Street between Wyse Road and Victoria, and on Cherry Drive.
- 2) asked that staff consider including in the 1986 capital budget, an item for sidewalk on Slayter Street between Russell Street and Albro Lake Road.
- 3) asked that staff look at the area of Albro Lake Road and Ernest Ave. (going from Ward 4 into Ward 5), where there are no crosswalks painted on the streets at present.
- 4) asked about the progress with the sidewalk project on Woodland Ave. Mr. Purdy said the land transactions with the owners of property on Kingston Crescent are not all finalized yet. Mr. Moir noted that it will not take long to complete these now.
- 5) asked if the improved street lighting on Woodland Ave. could be extended through to Victoria Road.
- 6) asked that the Engineering Dept. look at street surfacing on Murray Street, especially in the area of Frances Street.

ALD. STUBBS

Ald. Stubbs asked if there is to be a meeting with the Solicitor to discuss the Trinity Ave. right-of-way, as she requested. The Mayor said this item can go on the agenda for next week's meeting.

Ald. Stubbs asked why there has been a hold-up with the bus shelter on Alderney Drive, next to City Hall. Mr. Moir said the work was started yesterday and the project should be done within a few days.

Ald. Stubbs requested that the two-way lines be repainted on the section of Prince Albert Road which is the approach road to the Rotary.

ALD. LEVANDIER

Inquiries made by Ald. Levandier were as follows:

- 1) asked to have attention given to the condition of North Street (in the area of King Street) and the sidewalks as well.
- 2) Ald. Levandier noted there has been no improvement with the junk yard at the foot of Lyle Street. Mr. Moir said this situation is in hand.
- 3) asked to have an inspection of the building at 65 Pleasant Street (old Martin property) where there is a zoning violation.
- 4) asked what is happening with the CN relocation discussions. Mr. Moir said they will be resumed, but he would like to have Mr. Bayer and Mr. Fougere available for them, and they are on vacation at present.
- 5) requested information on the upkeep of the cemetery that is located at Victoria Road and Park Ave. - ie. is the City responsible for upkeep and will something be done to improve the condition.
- 6) Ald. Levandier was concerned about paving that took place over the sidewalk on the north side of Thistle Street, between Maple and Pine Streets. Ald. Crawford explained why this occurred and pointed out that there was not sufficient funding for a concrete sidewalk there.

ALD. BREGANTE

Inquiries made by Ald. Bregante were as follows:

- 1) asked to have attention given to problems with dogs on Franklyn Street, Renfrew St., and Lynn Drive.
- 2) asked to have attention given to the excessive speeding on Pleasant Street.
- 3) Ald. Bregante was concerned about the dust problem associated with the street project (curbing) on Rodney Road. He said some dust control measures are required when the contractor is not going to be there.

ALD. HETHERINGTON

Inquiries made by Ald. Hetherington were as

follows:

- 1) asked to have a notation made of streets that need to be improved in Ward 7: Dustan Street, Johnstone Ave., Marvin, Chadwick and Renfrew Streets.
- 2) asked about the synchronization of lights

on Alderney Drive in morning rush-hour traffic and discussed this inquiry with Mr. Moir and the Mayor.

- 3) asked about problems with drains running through the properties at 17 Marvin Street and on Crawford Street; discussed with Mr. Purdy.
- 4) asked about sidewalks on streets such as Hershey Road and on Pleasant Street, where a maintenance and replacement program is required. Mr. Purdy pointed out that an overall sidewalk rehabilitation program has been requested by Council to include work on streets such as those referred to by Ald. Hetherington.
- 5) Ald. Hetherington asked the Police Chief how it is possible to deal with four-lane pedestrian crossings. Chief Trider stated that it is impossible to enforce such crossings on four-lane highways. He said the street-crossing program that Prof. Van Houten proposed, did not work and it is not being encouraged by the Police Dept. at all.
- 6) Ald. Hetherington asked if there is any improvement in the Police Dept. program to deal with violations by people on bicycles. Chief Trider advised that his department has noticed an appreciable change as a result of enforcement measures being followed up by the department.

ALD. GREENWOOD

Inquiries made by Ald. Greenwood were as follows:

- 1) asked to have a bus shelter considered for a location at 175 Albro Lake Road.
- 2) asked for a report from staff on the building on Windmill Road where a half-way house is being operated.
- 3) asked to have something done about the lights in the area of the north-end fire station, which have been flashing for three or four days.
- 4) asked about the recent instance where a child went into a drainage sewer on a bike. Mr. Moir reported on the action being taken by the Engineering Dept. in this connection.

ALD. HAWLEY

Inquiries made by Ald. Hawley were as follows:

- 1) asked what is happening with the Market Malls development. Mr. Moir said there is some road construction taking place at the site.
- 2) asked the Police Chief to have No Parking restrictions enforced on Waverley Road in the area of civic #200.
- 3) asked if funding has been approved for the section of Waverley Road from Red Bridge Pond to Breeze Drive. Mr. Purdy said it has and it is expected that tenders will be out in September.
- 4) asked if there are plans for a guard rail along the new sidewalk area on Braemar Dr. Mr. Purdy said there will be guard rails along the sections where there are retaining walls.

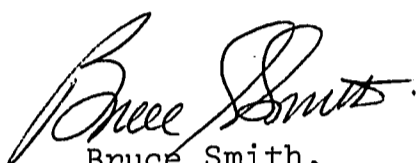


- 5) asked that a sidewalk be considered for Maple Street, now that children will be walking that route on their way to and from school.
- 6) inquired about the petition received from residents of Mountain Ave., seeking traffic control and traffic pattern alterations. Mr. Moir agreed to check on this inquiry.

ALD. HETHERINGTON

Ald. Hetherington referred to a response from the City Engineer to an inquiry raised by him last month about flooding on Fenwick Street. He said water is coming off the ballfield at this location, and he asked to have the situation looked at again.

Meeting adjourned.

  
Bruce Smith,  
City Clerk-Treasurer.

City Council, Aug. 20/85

ITEMS:

- 1) Request: Use of City Crest, page 1.
- 2) Retirement: Sgt. A. Brown, page 1.
- 3) Contracting janitorial services, page 2.
- 4) Walkway over Victoria Rd. Ext., page 2.
- 5) Easement Agreement: Hfx. Port Commission, pg.3. Resolution 85-54, page 3.
- 6) Emergency Mutual Aid Agreement, page 3.
- 7) Award tender: School bus body & chassis, page 4.
- 8) Contract 85-14: Manor Park Rec. area Phase II, pg. 4.
- 9) Contract 85-13: Traffic signals, page 5.
- 10) Contract 85-12: Traffic signals, page 6.
- 11) Contract 85-01: Street construction, page 7.
- 12) Sale of lots: Lyngby Ave., page 7. Resolution 85-57, page 7.
- 13) Social Services signing officers, page 8. Resolution 85-56, page 8.
- 14) Land: B.I.O., page 8.
- 15) Withdrawal from Special Reserve: Res. 85-52, pg. 9.
- 16) Lake Charles Dr.: Res. 85-55, page 9.
- 17) 61 Courtney Road, page 9 to 11 incl.
- 18) Resignation: Downtown Revitalization Comm., pg. 11.
- 19) Motions: Ald. Levandier, page 11. Crawford, page 12.
- 20) Inquiries, page 12 to 16 incl.

Dartmouth, N. S.

August 27/85.

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

Present - Mayor Brownlow

Ald. Romkey	Withers
Beeler	Peters
Crawford	Levandier
Stubbs	Greenwood
Hawley	Greenough
Bregante	Hetherington
City Solicitor, S. Hood	
City Administrator, C. A. Moir	
Deputy City Clerk, G. D. Brady.	

1984 FINANCIAL  
STATEMENT

The first item on the agenda was a review of the 1984 audited Financial Statements, with Mr. Rollie Jamieson, representing the Auditors, Doane Raymond. Also present for the review were Mr. Smith, Mr. Corrigan and Mr. McBain from City staff.

As the review began, Ald. Stubbs raised a point about surpluses being carried forward from year to year and reflected in budget projections when Council is preparing to set the tax rate for an ensuing year. Mr. Jamieson said that it would be a decision of Council to carry a surplus forward to the next year in the budget process. He went on to discuss with Ald. Stubbs the basic philosophy of the trend that has been taken toward the use of surplus funds, advising that the Dept. of Municipal Affairs does not require a municipality to bring such funds forward into revenue. Responding to a statement made by Mr. Jamieson about the practice of the City to budget for a break-even position, Ald. Peters maintained that the policy has been to budget for a surplus position. Mr. Jamieson noted that there was no surplus position in 1983, but rather, the City ended up with a deficit.

The Mayor referred to decisions taken when the '20% or . . .' report was dealt with by Council, on the establishment of an investment fund, although Mr. Smith later indicated that decisions on the surplus from any given year are made annually and not on the basis of that particular '20% or . . .' recommendation.

Ald. Withers requested an update from Mr. Smith on the '20% or . . .' recommendations and just which ones were actually adopted when Council dealt with that report.

Ald. Stubbs was concerned that the interim financial information provided to City administration staff on the City's financial position, is not being communicated to Council when it is received from Doane Raymond.

Questions at this point from Ald. Peters pertained to the Burnside Industrial Park assets and the surplus that exists in this account at present. Mr. Jamieson commented on the difference between equity and surplus where these funds are concerned, pointing out that funds are not realized from the sale of industrial land in the present inventory, until it is sold. Ald. Peters said that basically, as of Dec. 31/84, there is eighteen million dollars represented in cash and ten million dollars 'on the shelf' (ie. in the land inventory). He then asked about the accounting procedures being followed for the Industrial Park accounts, as compared with those that would be used if it were administered by a private company. Mr. Jamieson admitted that the procedures are different, but in the case of a privately-operated park, the profit motive would exist, whereas in the case of a municipality, the objective is to provide a service (ie. employment and a tax base).

Ald. Crawford asked if in fact, the financial statement is in error as a result of the procedure being followed for the Industrial Park accounts, and Ald. Greenough said that if reference is being made to some irregularity with respect to the Industrial Park figures, it should be clarified now. Assurance was given that the procedures being followed are correct and in keeping with directives contained in the Municipal Accounting Manual. Mr. Jamieson gave a breakdown of the surplus & reserve accounts which comprise the eighteen-million-dollar

figure referred to by Ald. Peters.

In addition to the general revenue fund surplus (\$5,455,277.), there is the Burnside Park sale of land account (\$7,546,785.), an asset valuation allowance of \$3,219,444. (as required by the Municipal Affairs Dept.) and various operating and equipment reserves which are allocated for specific purposes. In the case of specific surplus accounts, such as the Water Utility and the Ferry operation, those funds would be earmarked specifically for capital improvements or other such requirements that relate directly to the service. It was noted that the 7.5 million in the Burnside Park account is designated for future use for capital acquisitions and projects associated with continuing development of the Park. Interest received from the investment of the funds in this account, goes back into the account.

Ald. Levandier was concerned about the fact that the City does not have an investment counselor as such to oversee the City's investment interests. He discussed this point further with Mr. Jamieson. Mr. Jamieson said that in his opinion, maximum rates have been realized with the investment practices followed and his assessment was that investments have been made astutely on the City's behalf. Mr. Smith noted that the City's investment policies have been reviewed again recently and a report will be coming to Council from Mr. Corrigan on the subject. The Auditors will also take a look at the report and have an opportunity for input and any suggestions they may wish to make. Responding to a question about the total funds presently invested, Mr. Smith advised that as of this date, about 38 million dollars is invested (this amount includes taxes that have been collected in advance, as well as the surplus and reserve accounts).

Ald. Stubbs requested information about the companies involved and Mr. Corrigan later provided the names of some of the eighteen banks and trust companies with whom City funds are invested.

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Ald. Peters felt that the Financial Statement should be reflecting the financial picture of the City Pension Plan, which represents another thirty million dollars worth of investment; also, there should be reports to Council on how this fund is doing from an investment point of view. Mr. Smith noted that the concern of staff about the lack of provision for this fund in the Accounting Manual, has already been indicated.

Ald. Stubbs asked why the income from deed transfers, recorded to the end of December, 1984, was so much higher than projected. Mr. Smith explained that two shopping malls changed hands during that period and this could not have been anticipated in the budget projection. Ald. Stubbs also asked about taxes that were written off by the City and Mr. Smith noted that these amounted to approx. \$50,000. and were recently approved by Council. For the most part, they are attributable to bankruptcies and companies going out of business.

Another question from Ald. Stubbs pertained to transfers to and from special reserve funds, details of which are contained in page A-29 of the statement. Mr. Smith referred to a report that came to Council in November of 1984, with a review of items approved for capital funding over a period of years, some of which were never funded or completed for various reasons. The reserve established provides for items that are still outstanding and after discussions with the Municipal Affairs people on what is basically a house-keeping item.

Further to the pages in the statement that deal with the Industrial Park, Ald. Stubbs asked why the development of the Burnside Business Park is being paid for out of public funds when there is a surplus available for this purpose. Mr. Smith noted that the policy approved by Council with respect to the development of industrial lands has not changed in this instance.

He went on to explain the procedures that are followed in providing for the Park projects in the capital budget, pointing out that as in the past, development costs are directly offset by revenue from the sale of industrial land. As in the past, there is no tax levy for the Burnside Park development.

Ald. Stubbs asked about the administration of the Sportsplex and the degree of financial control the City has over this facility. She asked Mr. Jamieson if he is satisfied with the figures for the Sportsplex and he stated that he is. Ald. Crawford questioned the land valuation figure on page A-12, suggesting that it should be considerably higher than \$500,000.

Ald. Withers asked about the remaining 1.8 million dollars still outstanding for construction of the Sportsplex, and Mr. McBain noted that this amount was funded in the 1985 capital budget. This will be reflected in next year's financial statement.

Ald. Stubbs asked for information on the present unfunded debt of the City. Mr. Smith agreed to provide this figure.

In his concluding statements, Mr. Jamieson commented on the satisfactory financial position of the City and thanked City staff for their assistance in preparing the Financial Statements.

On motion of Ald. Greenough and Withers, Council approved the Financial Statements for 1984, as presented.

MOTION: Moved by Ald. Greenough and Withers that Council approve the 1984 Financial Statements, as presented.

(Ald. Peters left the meeting at this point in the agenda.)

On motion of Ald. Crawford and Greenough, Council gave second approval to an over-expenditure in the amount of \$2,500., required to install a chainlink flange around the top and both sides of the walkway over the Victoria Road Extension. This will prevent children from walking over the top of the crosswalk.

SECOND APPROVAL:  
VICTORIA ROAD  
WALKWAY

MOTION: Moved by Ald. Crawford & Greenough that second approval be given to an over-expenditure in the amount of \$2,500. for the installation of a chainlink flange around the top and both sides of the walkway over Victoria Road Ext.

MONTHLY REPORTS

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

- 1) Social Services (July): approved on motion of Ald. Hetherington and Hawley.
- 2) Development Officer (July): approved on motion of Ald. Withers and Greenough.
- 3) Building Inspection (July): approved on motion of Ald. Greenough and Bregante.
- 4) Minimum Standards (July): approved on motion of Ald. Bregante and Greenwood.

Ald. Levandier requested an inspection of the property next to 100 Thistle Street, about which a complaint has been received.

- 5) Fire Chief (July): approved on motion of Ald. Levandier and Hawley.

Ald. Hetherington was concerned about the large number of false alarms reported for July; this problem was discussed with the Fire Chief and Mr. Moir. Mr. Moir noted that the Chief has had discussions with the Solicitor about the possibility of some type of by-law to deal with the problem. Since the bulk of these are attributable to private companies and not our own system, Mr. Moir suggested it may be necessary to restrict the type of system that is acceptable and if a by-law is drafted, such a condition could be considered for inclusion in it.

- 6) Dog Control (June): approved on motion of Ald. Levandier and Stubbs.

Ald. Greenwood said he understood that the two additional patrol officers hired for the summer were to have been placed on patrol duties and not just selling dog licenses; he questioned their effectiveness in dealing with dog problems if they are not on patrol. Mr. Moir agreed to take this point up further with Mr. Rath.

- 7) Tourism Director (Tourist Bureau registrations for July and the season to date): approved on motion of Ald. Levandier and Greenough.

MOTIONS: To approve the monthly reports as detailed above.

1985 BUDGET:  
STREET PATCHING

Mr. Moir has submitted a report on the need for additional funds to complete the street patching that should be carried out in 1985. An additional \$40,000. is needed for this work, and an over-expenditure in this amount has been recommended to Council.

FIRST APPROVAL

First approval was given for this over-expenditure, on motion of Ald. Withers and Greenough.



Ald. Levandier questioned whether this amount will be enough for all the streets that require attention. Mr. Moir asked Mr. Purdy to provide a list of the streets involved for the Council meeting of Sept. 3rd when this item will come back for second approval. Ald. Levandier said he would also like to have a breakdown of the capital projects at this point and what has been spent to date. Mr. Moir said he was not sure this information could be compiled in time for next Tuesday's meeting.

MOTION: Moved by Ald. Withers and Greenough that first approval be given for an over-expenditure in the amount of \$40,000. to complete the street patching that needs to be carried out in 1985.

SMOKING BY-LAW:  
BY-LAW C-557

The Solicitor has prepared a draft of the No Smoking By-law requested by Council. She has brought several items to the attention of Council for direction; these include:

- 1) The requirement with respect to restaurants and lounges and whether the provision of the by-law is to be optional or mandatory. Ald. Romkey and Hawley moved that the requirement for non-smoking areas in these establishments, be mandatory.

The majority of the members had reservations about making this requirement mandatory and tended to favour the approach taken by the City of Halifax in favour of an optional provision. The concensus was that if this optional provision does not work out, the by-law can be amended later. The motion was defeated with Ald. Romkey and Hawley voting in favour.

- 2) Smoking and no smoking areas in schools. Referred to the School Board for consideration and response, on motion of Ald. Romkey and Stubbs.

MOTION: The matter of smoking and no smoking areas in schools, was referred to the School Board for consideration and response: moved by Ald. Romkey & Stubbs.

- 3) Smoking in taxicabs. Council felt this provision has been adequately addressed in the Taxicab By-law, which requires that the driver have the permission of the passenger before he smokes.
- 4) Fines. Sections 20 and 21 of the by-law were considered to be satisfactory as drafted.

The Solicitor also brought to Council's attention, the implication of Section 15, which pertains to a place of public assembly and would include the City Council Chamber. There was some concern among members as to how a smoking area could be designated

in the Chamber and the impact of this restriction, which would be applicable to the gallery and seating areas of the Chamber. Members of Council who are non-smokers were not concerned about the restriction, but other members considered the requirement to be an infringement on their rights. The item raised by the Solicitor was not resolved and there was no amendment presented at this time to change the present wording of Section 15.

It was moved by Ald. Crawford and Greenough and carried that leave be given to introduce the said By-law C-557 and that it now be read a first time.

It was moved by Ald. Greenough and Stubbs and carried that By-law C-557 be read a second time.

Unanimous consent was not given by Council for third reading of the by-law.

MOTIONS: First and second readings given to By-law C-557, the No Smoking By-law.

AMENDMENT TO LAND  
USE BY-LAW:  
HEIGHT RESTRICTION

On motion of Ald. Greenough and Withers, Council set October 15th as the date for public hearing for an amendment to the Zoning By-law, which would restrict an accessory building in residential zones to 14 feet in height and a maximum area of 650 sq. ft.

MOTION: Moved by Ald. Greenough and Withers that Council set Oct. 15th as the date for public hearing of an amendment to the Zoning By-law, with respect to restricting the size of accessory buildings.

PROPOSED AMENDMENT:  
DEVELOPMENT AGREEMENT  
SEACOAST TOWERS

On motion of Ald. Hetherington and Hawley, Council approved a Planning Dept. report recommending that staff hold a neighbourhood information meeting and prepare the necessary documentation required to implement a request for converting 6,000 sq. ft. of commercial space in Seacoast Towers into eight residential units. This change requires an amendment to the existing development agreement and necessitates these procedures to be followed accordingly.

MOTION: Moved by Ald. Hetherington & Hawley that Council approve procedures, as noted above, for amending the development agreement with respect to Seacoast Towers.

APPOINTMENT:  
NEW MEMBERS  
HERITAGE ADVISORY  
COMMITTEE

On motion of Ald. Withers and Greenwood, Council approved two additional appointments to the Heritage Advisory Committee, which has increased its membership from 12 to 14; they are: Mr. Harry Chapman and Mr. Vaughn Munroe.

MOTION: Moved by Ald. Withers and Greenwood that Council approve two additional appointments to the Heritage Advisory Committee, namely, Mr. Harry Chapman and Mr. Vaughn Munroe.

LETTER RE  
SILTATION:  
OATHILL LAKE

On motion of Ald. Greenough and Hawley, Council received and filed, a letter from the Minister of Environment, on the subject of siltation entering Oathill Lake from the Nicole Court development.

MOTION: Moved by Ald. Greenough and Hawley that Council receive and file a letter from the Minister of the Environment on the matter of siltation entering Oathill Lake from the Nicole Court development.

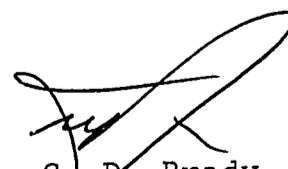
Ald. Levandier then moved, seconded by Ald. Hetherington, that a letter be forwarded to the Minister of the Environment, expressing concern about a recent report indicating that the Burnside Park may be considered for the storage of PCB materials and indicating that Council is not willing to have such a storage site anywhere within the boundaries of the City of Dartmouth.

MOTION: Moved by Ald. Levandier & Hetherington that a letter be forwarded to the Minister of the Environment, expressing concern about a recent report indicating that Burnside Park may be considered for the storage of PCB materials, and indicating that Council is not willing to have such a storage site anywhere within the boundaries of the City of Dartmouth.

On motion of Ald. Bregante and Romkey, Council adjourned to meet in camera as Committee-of-the-Whole.

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

Meeting adjourned.

  
G. D. Brady,  
Deputy City Clerk.

City Council, Aug. 27/85.

ITEMS:

- 1) 1984 Financial Statement, page 1 to 5 incl.
- 2) Second approval: Victoria Rd. walkway, page 5.
- 3) Monthly reports, page 6.
- 4) 1985 Budget: Street patching (first approval) pg. 6.
- 5) No Smoking By-law: By-law C-557, page 7.
- 6) Amendment to Land Use By-law: Height restriction, pg.8.
- 7) Proposed amendment: Development agreement, Seacoast  
Towers, page 8.
- 8) Appointment: New members, Heritage Advisory Comm.,  
page 9.
- 9) Letter re siltation: Oathill Lake, page 9.