

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

MEMBERS PRESENT: MAYOR SAVAGE
ALDERMEN THOMPSON, BILLARD
MACFARLANE, CONNORS
LEVANDIER, MCCLUSKEY
RODGERS, PYE, WOODS
HAWLEY, GREENOUGH
HETHERINGTON

MEMBERS ABSENT: ALD. SARTO, WALTON

CITY ADMINISTRATOR: J. BURKE
CITY SOLICITOR: S. HOOD
DEPUTY CITY CLERK: G.D. BRADY
DEPARTMENT HEADS & ASSISTANTS

INVOCATION

The meeting opened with the Invocation, lead by Mayor Savage.

POINTS OF PRIVILEGE

Points of privilege were as follows:

- 1) Ald. Hetherington: asked that the Mayor forward a letter to the Attorney-General or the Public Defender, seeking control and the regulation of video poker games, an item of concern on which Ald. Hetherington has received a number of calls. Mayor Savage agreed to take the matter up with the Police Chief and Deputy Chief, prior to writing the letter requested.
- 2) Ald. McCluskey: requested that consideration be given to spreading the collection of pollution control funds over a longer period of time, in order to minimize the impact of this charge on water bills.
- 3) Ald. Levandier: asked that action be taken to deal with vandalism problems that Slayter Street and Banook Ave. residents experience, after Banook Club dances. Mayor Savage said he would take the matter up further with the Police Chief.
- 4) Ald. Greenough: asked that the matter of pedestrian safety at the MicMac Parclo, be referred to Mr. Burke and the T.M.G., and the possibility of a pedestrian overpass considered by them.

- 5) Ald. Hawley: asked about points raised in the Boyne-Clarke Lawletter, circulated to members of Council. Mr. Burke responded with information on our own Building Inspectors, noting that they basically follow Provincial standards, and are fairly well versed on the points referred to by Ald. Hawley.

PRESENTATION

At this point, a presentation was made by Linda Zambolin, on behalf of the Five Star Committee. She presented the Gold Star Award, received by Dartmouth in recognition of the City's accessibility to recreation programs, back to the City. Mayor Savage accepted the award on behalf of the City, and paid tribute to Mr. Atkinson and Mr. Stevens of the Parks & Recreation Dept. He also noted that Dartmouth is the only Nova Scotia community to receive such an award.

1.0 APPROVAL OF MINUTES

MOTION: To approve the minutes of meetings held on June 12, 19 and 26th, with one correction: the volunteer recognized at the June 12th meeting was Ellie Dowthwaite.

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

2.0 BUSINESS ARISING OUT OF MINUTES

Referring to the June 12th minutes, Ald. McCluskey asked if the Public Works & Safety Committee has dealt with the Truck Route By-law. The Mayor advised that they will on July 9th.

Ald. McCluskey again asked about students hired for summer employment, in relation to the Affirmative Action program (June 19th minutes), and was advised by Mr. Burke that as soon as he has this information, Ald. McCluskey will also receive it.

3.0 DELEGATIONS & HEARINGS OF PROTEST

4.0 ORIGINAL COMMUNICATIONS

i) N.G.M. PRODUCTIONS INC.

LETTER:
N.G.M. PRODUCT-
IONS INC.

A letter has been received from Mr. Garfield Hendrickson, asking for the opportunity to address Council at this meeting. Council heard Mr. Hendrickson at this time, on the subject of the Commons Concert held on June 17th, which he organized.

Mr. Hendrickson indicated to Council that while the collection from the concert (\$69.43) for the Commons, was not a major amount, the concert went well, and could be seen as a beginning for future performances of this kind in a Commons setting. He noted that future performances would require permission for admission to be charged to the events.

Ald. Billard thanked Mr. Hendrickson for the work he put into the Commons Concert, and advised that two local resident groups will be meeting with representatives of the Commons Committee on July 16th, to draw up guidelines for concert promoters and organizers to follow in planning similar entertainments on the Commons, in the future.

5.0 PETITIONSi) STOP SIGN - CORNER OF BEDFORD & ELMWOOD STREETS

STOP SIGN
PETITION

Ald. McCluskey presented a petition signed by 24 residents, requesting a Stop sign on Elmwood Street, at the intersection of Bedford and Elmwood Streets. She moved that the Stop sign be installed as requested.

MOTION: That a Stop sign be installed on Elmwood Street, at the intersection of Bedford & Elmwood Streets, as requested by petition from area residents.

Moved: Ald. McCluskey
Second: Ald. Rodgers
In Favour: All members except
Against: Ald. Levandier
Motion Carried

7.0 REPORTS7.1 CITY ADMINISTRATOR

7.1.1 UPDATE ON POLICE HEADQUARTERSUPDATE: POLICE
HEADQUARTERS

Members of Council had previously received a report from Mr. Burke on the new Police headquarters and financing costs and options associated with the project. Consideration of that report was deferred for two weeks for a further report on a proposal received from Mr. Charles Keating for a development that would include a new police headquarters building, and a commercial/office complex, on a two-acre+ parcel of land on Wyse Road. This proposal is based on a public/private development scheme, modeled after that of Alderney Gate, although in this case, the land is not owned by the City.

In presenting his report on the proposal, Mr. Burke reviewed the advantages and disadvantages, as they have been analyzed at this early point, and he noted the two main staff concerns as being (1) the presently unknown economic details of the proposal; and (2) the fact that the time-frame for completion of the police headquarters would be lengthened with the proposal. It was noted that the site under consideration scored 99 points on the matrix applied to all headquarter sites that have been considered. This figure was increased slightly by Mr. Dobbs, at a later point in the discussion, when a number of the matrix elements were increased, in light of further information. Accompanying Mr. Burke's report was a project synopsis, prepared for Lakeview Shopping Centre Ltd. by Sperry/MacLennan, together with a site plan and zoning information. The proposal presented would involve a rezoning before it could proceed.

The next presentation was made by Mr. Bayer, consisting of information on the site location and configuration of proposed buildings and parking within the space available, as defined by Wyse Road, Dawson Street and Faulkner Street. The proposed retail/commercial development would be 80,000 sq. ft. in size, the police headquarters, 53,400 sq. ft.

Council then heard Mr. Keating, followed by Mr. Sperry, with further details of their proposal. Mr. Sperry addressed several key areas of concern, such as the impact of a.m. peak traffic, in relation to the location of police headquarters on Wyse Road, the provision for future expansion of a police facility at this location, and the need for a free-standing, separate building, properly secured, to meet policing requirements. He felt that the exact requirements of the City can be met, through the proposal submitted, and

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concluded with a request that Council grant two months for negotiation between the developer and the City, with a September 4th deadline for report to Council on the outcome of negotiations.

Members of Council were now able to ask any questions they wanted to; providing answers, insofar as they were able to do so, were Mr. Burke, Mr. Sperry, Mr. Dobbs, Mr. Keating and Mr. Bayer.

(Ald. Thompson was present from this point in the meeting.)

Questions from members pertained to such issues as: (1) the rezoning required and compliance of the rezoning with M.P.S. policies; (2) any viewplane restrictions applicable to the Wyse Road site; (3) the expansion capabilities of the site; (4) the status of the Onex building and the negotiations with the Nova Scotia Business Capital Corp. for its acquisition; (5) leasing and ownership terms that may be negotiated with the developer; (6) the question of exclusivity and whether or not proposals should be invited from other developers; (7) the general acceptability of the site in relation to others measured by the same matrix.

Ald. Levandier felt the request for a two-month period to negotiate proposal details, should be granted, and he presented a motion to proceed accordingly.

MOTION: That the City of Dartmouth, through the City Administrator, enter into negotiations with Lakeview Shopping Centre Ltd., and that they appear before Council, not later than Tues., September 4th, with their findings.

Moved: Ald. Levandier
Second: Ald. McCluskey

Ald. Hawley requested a comparative estimate of the cost of going ahead with the Onex building, when Council is provided with the details of the Wyse Road proposal. Several members suggested that leasing terms could be different in this case than they were with Alderney Gate, where the land was owned by the City, and that a long-term lease may be preferable in the end, to City ownership of the facility.

Members who had some reservations about the motion, were concerned about the exclusivity of the proposal and the lack of competition that results without other proposals for Council to consider. Ald. Connors said the development community should feel free to indicate to Council, any interest developers may have in making proposals, although it was recognized that the police facility would be considerably delayed if proposals continue to come in one after the other, for several months. Ald. Hetherington did not support the motion because of the additional delay in completing the police headquarters, especially when a rezoning process is involved in an area where there has been considerable opposition to commercial development in the past.

Members who spoke in favour did not feel the two-month delay will be any more significant than the time required to conclude negotiations for the Onex building, in view of conditions that still have to be met by the Province before there could be a closing on that building and site. Ald. Rodgers suggested, however, that steps should be taken to protect the City's interest in the Onex building, over the two-month period while the Wyse Road proposal is under negotiation. The vote was taken on the motion.

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

A second motion, pertaining to options and also to any additional expressions of interest from other developers, was then presented by Ald. Rodgers.

MOTION: That the City Administrator look at all possible options, in terms of cost of funds, in excess of ten years, for the proposed police station, and that one of those options be the same time-frame as that of the proposal on the private project, provided it goes ahead; also, that any expression of interest by a private developer, must be presented to the City by the August 21st Council meeting.

Moved: Ald. Rodgers
Second: Ald. Connors
In Favour: All
Against: None
Motion Carried

7.3 HERITAGE ADVISORY BOARD7.3.1 SET DATE FOR HEARING: 78 SHORE RD., 48 - 50 KING ST.DATE FOR
HERITAGE
HEARING

The Heritage Advisory Committee has recommended that Council set August 21/90 as the date for hearing of proposed property registrations for 78 Shore Road and 48 - 50 King Street.

MOTION: That August 21/90 be set for hearing of proposed property registrations for 78 Shore Road and 48-50 King Street.

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

7.4 TRAFFIC MANAGEMENT GROUP7.4.1 CALEDONIA ROAD/DUMBARTON AVE: THREE-WAY STOP & RELOCATION OF CROSSWALKTHREE-WAY STOP:
CALEDONIA AND
DUMBARTON

A T.M.G. report was before Council on traffic conditions and pedestrian safety concerns involving Caledonia Road and the Caledonia Road/Dumbarton Ave. intersection in particular. A motion was presented for the adoption of the report.

MOTION: To adopt the T.M.G. report of June 26/90, with suggested traffic-control and pedestrian improvements, affecting in particular, the intersection of Caledonia Road and Dumbarton Ave.

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

7.4.2 TRAFFIC SIGNAL MODIFICATION: MANOR DR. & PORTLAND ST.TRAFFIC SIGNALS:
MANOR DRIVE

A T.M.G. report was considered on the traffic signals at the Manor Drive/Portland Street intersection; the report makes three recommendations to Council.

MOTION: To adopt the T.M.G. recommendations on the traffic signal modification at Manor Drive and Portland Street; these are:

- 1) that the left-turn restriction at the Manor Drive/Portland Street intersection, from 4:00 p.m. to 6:00 p.m., be removed.
- 2) the change be initiated in early July and carry through to the end of Sept., 1990, on a trial basis.
- 3) during this trial period, the T.M.G. will carry out traffic counts and monitor the movements during the evening peak, between 4:00 and 6:00 p.m.

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

7.4.3

OVERHEAD CROSSWALK LIGHTS: AMBER VS. RED

OVERHEAD
CROSSWALK
LIGHTS

The T.M.G. has looked at the cost of converting amber flashers for overhead crosswalk signs, to red flashers, and has advised that the total cost to the City would be \$3,740. Information is also provided on the effectiveness of such a change, where it has been tried elsewhere.

MOTION: To receive and file the T.M.G. report on a suggested conversion from amber to red flashers for overhead crosswalk signs in the City.

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

7.4.4

PINE STREET/DAHLIA STREET: INTERSECTION IMPROVEMENTS

PINE & DAHLIA
ST.IMPROVEMENTS

Problems at the Pine and Dahlia Street intersection have been discussed by the T.M.G, and have been identified as being those of visibility and awareness. Several corrective measures are recommended, including the addition of painted Stop bars and crosswalks on Dahlia Street, at the intersection with Pine Street.

MOTION: To approve the T.M.G. recommendations for improving traffic safety at Pine and Dahlia Streets.

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

Ald. Connors asked that additionally, consideration be given to the possibility of erecting two Stop signs, where there is presently one. Mr. Bayer was not certain that this would be permitted by the Traffic Authority.

At 10:55 p.m., Council went in camera, on motion of Ald. Hetherington and Pye.

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

MOTION: To ratify action taken while meeting in camera on this date.

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

Meeting adjourned at 11:00 p.m.



G. D. Brady,
Deputy City Clerk.

ITEMS:

- Invocation, page 1.
 - Points of privilege, page 1.
 - Presentation, page 2.
 - 1.0 Approval of minutes, page 2.
 - 2.0 Business arising out of minutes, page 2.
 - 3.0 Delegations & Hearings of Protest, page 2.
 - 4.0 Original Communications, page 2.
 - i) N.G.M. Productions Inc., page 3.
 - 5.0 Petitions, page 3.
 - i) Stop sign, corner of Bedford & Elmwood Streets, page 3.
 - 7.0 Reports, page 3.
 - 7.1 City Administrator, page 3.
 - 7.1.1 Update on police headquarters, page 4 to 6.
 - 7.3 Heritage Advisory Board, page 7.
 - 7.3.1 Set date for hearing: 78 Shore Rd., 48 - 50 King St., pg. 7.
 - 7.4 Traffic Management Group, page 7.
 - 7.4.1 Caledonia Rd/Dumbarton Ave, three-way Stop, etc., page 7.
 - 7.4.2 Traffic signal modification, Manor Dr. & Portland St., pg. 7.
 - 7.4.3 Overhead crosswalk lights, amber vs. red, page 8.
 - Pine St/Dahlia Street, intersection improvements, pg. 8
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LOCATION: CITY COUNCIL CHAMBERS

TIME: 7:30 P.M.

MEMBERS PRESENT: MAYOR SAVAGE
ALDERMEN SARTO, THOMPSON
MACFARLANE, CONNORS
RODGERS, MCCLUSKEY
PYE, WOODS, HAWLEY
GREENOUGH, WALTON
HETHERINGTON MEMBERS ABSENT: ALD BILLARD
& LEVANDIER

ACTING CITY ADMINISTRATOR: B. SMITH

CITY SOLICITOR: M. MOREASH

DEPUTY CITY CLERK: G.D. BRADY

PETITIONS

Ald. Connors presented a petition from 25 householders seeking to rezone from R-2 to R-1 Zone, all the lots presently zoned R-2 on the south side of Thistle St., from the southeast corner of Thistle and Mayflower Streets, Civic #94 Thistle Street up to and including a vacant lot, Civic #114 Thistle Street. A cheque in the amount of \$1,500. has been forwarded as well to initiate rezoning proceedings.

Because of time constraints, Ald. Connors sought to have the rezoning process expedited by setting the date for public hearing of the rezoning application at this time, while at the same time, directing staff to prepare a report and hold the usual neighborhood information meeting; also, to advertise the public hearing immediately this week. Asked by the Mayor for comment, the Solicitor and Mr. Bayer pointed out that this procedure, if followed, would be a departure from the sequence of events normally followed with rezoning applications in the City.

MOTION: That Council set Sept. 4th as the date for public hearing of an application to rezone lots on the south side of Thistle Street to R-1 Zone; that staff be directed to prepare a report and hold the usual neighborhood information meeting in this connection; and that the public hearing be advertised immediately this week.

Moved: Ald. Connors
Second: Ald. McCluskey
In Favour: All
Against: None
Motion Carried

A second petition presented at this time, by Ald. Greenough, was on behalf of residents requesting total enclosure of the walkway being constructed between Appian Way and Waverley Road in Ward 6. The petition was made available to Mr. Brady and filed with him.

BILL LYNCH FAIR - NATAL DAY

Ald. Rodgers stated concerns brought to his attention about sewage from the Bill Lynch Fair location, entering Lake Banook. Mr. Smith and Ald. Hetherington responded to the points raised by Ald. Rodgers, explaining City and Environment Dept. requirements the operators are expected to meet during the period of time they are set up next to Lake Banook. Mr. Smith agreed to put the concerns raised in a letter to the operators, prior to the Natal Day weekend, and Ald. Rodgers requested a follow-up report back to Council on their compliance, after they leave the Banook location.

ITEMS FOR COUNCIL - MAYOR SAVAGE

The Mayor informed members of Council of a Formula Review information session, to be held on July 13th, from 10:00 a.m. to 12:00 noon.

He also advised that copies of the Solid Waste Management report are to be circulated to all members. He recognized the work of Colin May and Mary Ann Feetham, in connection with the report.

The Mayor welcomed Ald. Walton back to Council, and he also consulted Council on the use of the Council Chamber for court purposes, in view of the present need for additional courtroom space in the City. Members were willing to have the Council Chamber used for court purposes, as proposed by Mayor Savage.

1.0 REPORTS

1.1 SOLICITOR

1.1.1 AMENDMENTS TO SOLID WASTE COLLECTION BY-LAW

BY-LAW S-1201:
WASTE COLLECTION

A revised version of By-law S-1201 has been prepared by the Solicitor for Council's approval, being a by-law to amend By-law S-1200, which pertains to the Collection and Disposal of Solid Waste. This revised version contains only the provisions for dealing with storage space for garbage for apartment buildings.

MOTION: That leave be given to introduce said By-law S-1201 and that it be read a first time.

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

MOTION: That By-law S-1201 be read a second time.

Moved: Ald. Hetherington
Second: Ald. Rodgers

Ald. McCluskey did not agree with the by-law reference to six units, suggesting the requirements of the by-law should be applicable to less units than six. She felt the Solicitor should look at the by-law obtained from a Cape Breton municipality, and consider their provisions for use in Dartmouth's case. A motion of referral, to have this point addressed further by the Solicitor, was presented.

MOTION: To refer By-law S-1201 back to the Solicitor for further consideration of the point raised about the number of apartment units to which it applies.

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

1.1.2

BY-LAWS RESPECTING STREETS

STREET BY-LAWS: S-801

A revised version of proposed By-law S-801 has been circulated, being a by-law to amend the Sign By-law, S-800, and applicable to ground signs, mobile signs and projecting signs on or over sidewalks. By-law S-801 was before Council for approval.

MOTION: That leave be given to introduce said By-law S-801 and that it now be read a first time.

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

MOTION: That By-law S-801 be read
a second time.

Moved: Ald. Greenough
Second: Ald. Hetherington

Ald. Pye was not in favour of passing by-laws such as this one, without the services of an enforcement officer to insure their effectiveness. He and Ald. Woods were concerned about the implications of the by-law for sidewalks in their section of the City, a point of concern also noted by Ald. Hetherington. The Solicitor explained why it is not possible to restrict the application of the by-law to only the Central Business District, although it may be possible to provide for such a stipulation through the Land Use By-law. Ald. Connors suggested that this possibility be followed up further, but in the meantime, the by-law be enacted in its present form so it can take effect as soon as possible. He also requested that consideration be given to an amendment that would allow for canopies and awnings to be installed on buildings, again in response to requests from business owners in the downtown. Ald. Pye asked if a municipality would be liable for any injuries caused by falling signs and/or canopies. Ald. Hawley said his concern was about signs being permitted on sidewalks in the Burnside Park, where up to this point, the erection of signs has been carefully watched and controlled.

In view of the reservations about the possible problems that could arise in areas of the City other than the downtown, if signs are permitted on sidewalks, a motion of referral back to the Solicitor was presented.

MOTION: To refer By-law S-801 in second reading, for consideration of the points of concern about signs on sidewalks in sections of the City other than the Central Business District, including possible provisions for that specific designation in the Land Use By-law.

Moved: Ald. Sarto
Second: Ald. Walton
In Favour: All members except
Against: Ald. Greenough, Connors, MacFarlane
Motion Carried

BY-LAW V-102

Proposed By-law V-102, which would amend the Street Vending By-law, to permit goods to be displayed and sold on sidewalks, was next presented for Council to consider. In response to a question about the definition of Portland Street in Schedule "B" of the by-law, members agreed to include a designation to the 'extension of Maitland Street'.

MOTION: That leave be given to introduce said By-law V-102 and that it now be read a first time.

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

MOTION: That By-law V-102 be read a second time.

Moved: Ald. Hetherington
Second: Ald. Greenough

In order to preclude situations where goods from the operations of junk dealers are displayed in front of their establishments, Ald. Connors put forward an amendment in second reading.

AMENDMENT: That a sub-section (15) be added to section 4. of the by-law, which reads:

(15) "A merchandise license shall not be issued under this by-law to any business which is the holder of a license under By-law J-101".

Moved: Ald. Connors
Second: Ald. Walton

At the request of the Solicitor, Council went in camera briefly at this point, and after reconvening in open meeting, the vote was taken on the amendment.

Moved: Ald. Sarto
Second: Ald. Walton
In Favour: All members except
Against: Ald. Greenough, Connors, MacFarlane
Motion Carried

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MOTION: That leave be given to introduce said By-law V-102 and that it now be read a first time.

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

MOTION: That By-law V-102 be read a second time.

Moved: Ald. Hetherington
Second: Ald. Greenough

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Moved: Ald. Connors
Second: Ald. Walton

At the request of the Solicitor, Council went in camera briefly at this point, and after reconvening in open meeting, the vote was taken on the amendment.

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

The Mayor then took the vote on second reading, as amended.

In Favour: All members except
Against: Ald. Pye
Motion Carried, as amended (Second reading)

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

BY-LAW S-1401

Proposed By-law S-1401, which would allow tables and chairs to be placed on sidewalks, as long as the conditions set out in the by-law are met, was presented in conjunction with the other two Street By-laws. Since neither of the other two by-laws passed on this date, members felt the third by-law should also be deferred until a later time when By-laws V-102 and S-801 come back to Council (in August or September).

MOTION: To defer By-law S-1401 until By-laws V-102 and S-801 come back to Council, By-law V-102 for third reading, and By-law S-801, still in second reading.

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

2.0 MOTIONS

2.1 ALD. CONNORS

2.1.1 COMPREHENSIVE AUDIT OF SCHOOL BOARD

At the request of Ald. Connors and on his motion, seconded by Ald. Rodgers, Council agreed to defer his motion on the subject of a comprehensive audit of the School Board, until Council meets again in August.

2.2 ALD. MACFARLANE2.2.1 LICENSING PRACTICE - FLEA MARKETS

MOTION: WHEREAS there are discrepancies in the City's licensing practices at the present time, particularly relating to flea markets, a number of which deal in new merchandise;

BE IT RESOLVED that staff review this matter, advising Council of their recommendations, as soon as possible.

Moved: Ald. MacFarlane

Second: Ald. Sarto

In Favour: All members except

Against: Ald. Hawley

Motion Carried

Ald. Pye felt the motion should be applicable only to privately-operated flea markets and not to those sponsored by organizations for fund-raising purposes. Ald. Hawley was opposed to another license requirement, on the basis that citizens are already over-regulated.

2.2.2 REVIEW DEFERRALS PROPERTY TAXATION AND INCREASE IN WATER BILLS

MOTION: WHEREAS the increasing burden of property taxation and increasing water bills, is placing a burden on fixed and limited income;

AND WHEREAS many residents in this position find the City's deferral program an unacceptable option;

AND WHEREAS City policies should enhance the wish of seniors in particular, to remain in their own homes.

THEREFORE BE IT RESOLVED that Council support a review of this matter by the Finance & Program Review Committee, with a view to recommending options and costs of programs to assist those who are vulnerable to these increases.

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

Ald. Rodgers asked that members of Council be provided with transcripts from the minutes of meetings where the harbour clean-up and funding requirements, were discussed. The Mayor advised that an information report is in the process of being prepared for members.

Ald. Sarto asked that the Committee, in dealing with Ald. MacFarlane's motion, look at information on Provincial programs in place to assist people, additionally to our own programs.

2.3 ALD. LEVANDIER

2.3.1 TRAFFIC PATTERNS - AUSTENVILLE AREA

In the absence of Ald. Levandier, his motion was presented by Ald. Connors.

MOTION: WHEREAS there are serious concerns with respect to traffic patterns in the Austenville area.

AND WHEREAS the Vaughn Traffic Study recommended the closure of Dahlia St. at the mid-way point between Beech St. and Crichton Ave.;

AND WHEREAS the local residents group support this recommendation;

THEREFORE BE IT RESOLVED that a temporary barricade be immediately erected at this location for a trial period of six months;

AND BE IT FURTHER RESOLVED that if a six-month evaluation is favourable, that a permanent attractive closure be installed.

Moved: Ald. Connors
Second: Ald. Thompson

Circulated to members of Council, in conjunction with this motion, were copies of the relative section of the Vaughn Traffic Report, Option B being indicated by Ald. Connors as the preference for the barricade proposed.

Ald. Greenough and Thompson were opposed to the barricade, referring to other past instances where problems have existed when barricades were erected elsewhere in the City. They did not consider this to be an effective way to deal with traffic problems, and predicted that traffic will only be diverted instead to other residential streets in the same area.

MOTION: To refer this item to the T.M.G.
for report and recommendation.

Moved: Ald. Greenough
Second: Ald. Thompson
In Favour: Ald. Greenough & Thompson
Against: All other members
Motion Defeated

- 2.4 ALD. WOODS The main motion carried with Ald.
Greenough & Thompson voting against.
- 2.4.1 REMOVAL OF ROCKS - ALBRO LAKE

MOTION: WHEREAS Albro Lake is a recreation source which is enjoyed by thousands of people each year;

AND WHEREAS the large rocks in the middle of Albro Lake pose a significant restriction to the wide range of uses in which this lake might be used;

BE IT RESOLVED that the Engineering and Parks & Recreation Departments be asked to examine the methods, issues and costs which are associated with the removal of the rocks, and report back to Council on their findings;

BE IT FURTHER RESOLVED that this report be completed in time for the 1991 Capital Budget debate.

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

2.4.2 ENCOURAGE MAPC ON ITS WORKS AND SET PRIORITIES ON SEVERAL ISSUES

MOTION: WHEREAS the mandate of the Metropolitan Area Planning Commission is to advise the Minister of Municipal Affairs in the revision of the Halifax-Dartmouth Regional Development Plan, and to consult between the Minister and participating municipalities on matters of mutual interest;

AND WHEREAS the members of MAPC have spent the last three meetings discussing the future roles which this planning arm of municipal government may play;

AND WHEREAS it is now time for Dartmouth City Council to review and comment on MAPC's achievements or non-achievements;

BE IT RESOLVED that Dartmouth City Council encourage MAPC in its work and set as priorities, the following issues:

Municipal structure/annexations
Piped services/water supply
Economic Planning Strategy Coordination
Municipal Planning Strategy Coordination
Education/School Board structure
Regional Transportation planning

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

Ald. Pye felt that item five (Education/School Board structure) should be removed from the list of issues and that it should not be looked at as a regional issue, but rather, from a provincial perspective. Otherwise, members were in favour of the motion as presented.

3.0

ENQUIRIES & ANSWERS

ALD. MCCLUSKEY

Ald. McCluskey asked that members of Council be provided with keys to get into City Hall from the Alderney Gate parking facility.

She asked if a decision has been received on the Boland Road case. Mr. Moreash said he understood a decision was reserved on this case.

Ald. McCluskey requested information on the tourism booth in the Halifax Ferry Terminal, and whether or not the City is paying rent for it.

She also inquired how many people will be going to the Healthy Community program in Montreal. The Mayor said a decision has not yet been made on those attending.

4.0 NOTICES OF MOTION

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

5.0 REPORTS

5.1 MAYOR

5.1.1 SPECTACLE PRODUCTIONS - PERMISSION TO SELL NIGHT MAGIC GLOW
JEWELLERY PRODUCTS - NATAL DAY

REQUEST:
SPECTACLE
PRODUCTIONS

A letter has been received by the Mayor's office from Spectacle Productions, seeking permission to sell their Night Magic Glow Jewellery Products during the City's evening activities on Natal Day, August 6th, 1990. They will pay the City a 10% royalty fee, based on each unit sold during the course of the event, ten days after the event.

MOTION: To grant permission for the sale of Night Magic Glow Jewellery Products, as requested by Spectacle Productions, and in accordance with the arrangements outlined in their letter to Mayor Savage of July 4/90.

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

Ald. Pye asked that Mr. Rafuse, the company representative, give consideration to employing sellers from the Boys & Girls Club, in order to assist that organization at the same time. Mr. Rafuse indicated his willingness to approach the organizations, as suggested.

5.2 CITY ADMINISTRATOR5.2.1 TENDERS FOR RENEWAL OF RAMP BEARINGS IN HALIFAX FERRY DOCK5.2.2 TENDER: PAINTING & OTHER MISCELLANEOUS WORKTENDERS: RENEWAL
OF RAMP BEARINGS

Report from Mr. Burke (E. Purdy, D. Rix) on the tenders received for 1) renewal of ramp bearings in the Halifax Ferry dock, and other miscellaneous work in both Halifax and Dartmouth ferry docks; and 2) paint overhaul of the Halifax and Dartmouth Ferry docks. The recommendations to Council are:

- 1) that the tender for renewal of the ramp bearings & miscellaneous work be awarded to the only bidder, Marid Industries, for the bid price of \$114,221.00. The extra \$40,000. required for this work to be taken from the operating budget.
- 2) further, that the tender for the paint overhaul not be approved at this time, and that the consultant substantially reduce the scope of the work and prepare new tender documents for painting in late summer.

A motion was first presented to accept the recommendations, but it was subsequently withdrawn, along with other motions that would have set a maximum figure of \$114,221. for the ramp project, plus another separate motion that would have authorized staff to proceed with the project and attempt to negotiate a price more in line with the budget projection for this work.

The consultant for this project and Mr. Rix were asked for additional information on the condition of the ramps, especially the one in Halifax where cracks have already had to be welded within the past year. Ald. Rodgers asked for a technical report from the consultant, on the inspections carried out since the cracks were detected and welded, on any subsequent deterioration in the ramp, and other relevant details that Council should have on its condition and the need for renewal of the ramp bearings at this time.

Members felt that other tenders should have been received for this project and were upset that the one tender received, came in at a price considerably higher than the budget projection. They were not willing to proceed with the awarding of the tender until a further report has been provided, with the kind of information Ald. Rodgers requested, and on the possible negotiation of a lower price with the company that tendered.

The motion finally adopted was one of deferral until a Council meeting scheduled for July 17th at 12:00 noon, when a further report will be considered.

MOTION: To defer any decision on the awarding of the tender until the July 17th Council meeting, when a further report will be considered.

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

5.3 SOLICITORS

5.3.1 TERMS OF REFERENCE - DARTMOUTH LAKES ADVISORY BOARD

LAB TERMS
 F REFERENCE

Revised terms of reference for the Lakes Advisory Board, deleting recently-added powers with respect to lake safety and use, have been recommended by the Solicitor. The Chairman of the Board has requested that these safety aspects not become functions of the Lakes Advisory Board, and it is Mr. Burke's recommendation that any lake safety matters that arise, be referred to staff of Parks & Recreation. Any matter that cannot be resolved by staff, will come to Council for a decision.

MOTION: To approve the revised terms of reference for the Lakes Advisory Board, as presented, and to adopt Mr. Burke's associated recommendation for dealing with lake safety matters.

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

5.3.2 LEASE - HALIFAX FERRY TERMINAL - MURPHY'S SAILING TOURS

LEASE: HALIFAX
 FERRY TERMINAL

A report from the Solicitor was before Council on the proposal negotiated with Gerard Murphy of Mar II Sailing Tours Ltd., for renting space inside the Halifax Ferry Terminal, for a take-out food operation. Resolution 90-25, authorizing the lease of approx. 50 sq. ft.

RESOLUTION 90-25

of space, has been recommended to Council for approval.

MOTION: To approve Resolution 90-25,
authorizing the lease of space
inside the Halifax Ferry Terminal
to Mar II Sailing Tours Ltd., as
recommended.

Moved: Ald. Connors
Second: Ald. Greenough

During debate on the motion, it was felt that a change should be made in the agreement, whereby the term of the lease and the monthly rental are to be negotiated yearly; an amendment to this effect was presented.

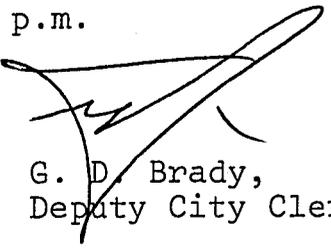
AMENDMENT: That the term of the lease and
the monthly rental be negotiated
annually.

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

Ald. Thompson was opposed to the rental of space as proposed in the terminal. Ald. McCluskey asked that the lessee be responsible for payment of taxes and Business Occupancy Tax, and that this understanding be communicated to the company. The vote was taken on the amended motion.

In Favour: All members except
Against: Ald. Thompson
Motion Carried, as amended

The meeting adjourned at 11:10 p.m.



G. D. Brady,
Deputy City Clerk.

ITEMS:

- Petitions, page 1 & 2.
Bill Lynch Fair, Natal Day, page 2.
Items for Council, Mayor Savage, page 2.
- 1.0 Reports, page 2.
 - 1.1 Solicitor, page 2.
 - 1.1.1 Amendments to Solid Waste Collection By-law, pg. 2.(S-1201)
 - 1.1.2 By-laws respecting streets, page 3 to 6.
 - By-law S-801, page 3.
 - V-102, page 5.
 - S-1401, page 6.
 - 2.0 Motions, page 6.
 - 2.1 Ald. Connors, page 6.
 - 2.1.1 Comprehensive audit of School Board, page 6.
 - 2.2 Ald. MacFarlane, page 7.
 - 2.2.1 Licensing practice, fela markets, page 7.
 - 2.2.2 Review deferrals property taxation & increase in water bills, page 7.
 - 2.3 Ald. Levandier, page 8.
 - 2.3.1 Traffic patterns, Austenville area, page 8.
 - 2.4 Ald. Woods, page 9.
 - 2.4.1 Removal of rocks, Albro Lake, page 9.
 - 2.4.2 Encourage MAPC on its works, page 10.
 - 3.0 Enquiries & answers, page 10.
 - 4.0 Notices of motion, page 11.
 - 5.0 Reports, page 11.
 - 5.1 Mayor, page 11.
 - 5.1.1 Spectacle Productions, permission to sell Night Magic Glow jewellery products, page 11.
 - 5.2 City Administrator, page 12.
 - 5.2.1 Tenders for renewal of ramp bearings in Hfx. dock, pg. 12
 - 5.2.2 Tender, paint overhaul of ferry docks, page 12.
 - 5.3 Solicitors, page 13.
 - 5.3.1 Terms of reference, Dartmouth Lakes Advisory Bd., pg. 13.
 - 5.3.2 Lease, Halifax Ferry Terminal: Mar II, page 13.
 - Resolution 90-25, page 13.
-

LOCATION: CITY COUNCIL CHAMBERS
TIME: 12:00 NOON

MEMBERS PRESENT: MAYOR SAVAGE
ALDERMEN SARTO, MACFARLANE
MCCLUSKEY, PYE, WOODS
GREENOUGH, WALTON
HETHERINGTON, BILLARD

MEMBERS ABSENT: ALD.
THOMPSON, HAWLEY,
LEVANDIER, CONNORS
RODGERS

CITY ADMINISTRATOR: J. BURKE
CITY SOLICITOR: M. MOREASH
CITY CLERK-TREASURER: B. SMITH

1.0 REPORTS

1.1 CITY ADMINISTRATOR

1.1.1 TENDERS FOR RENEWAL OF RAMP BEARINGS IN HFX. FERRY DOCK

TENDERS: RAMP
BEARINGS

Members of Council have received copies of the consultant's report on Contract 90-15 (renewal of ramp bearings) and Contract 90-16 (paint overhaul & other scheduled work), requested when this item was dealt with at the July 10th meeting.

The report recommends that Contract 90-15 be awarded to Marid Industries Ltd., in the amount of \$114,221., and secondly, that painting of the ramp be carried out as an extra to the contract, in as much as remaining funds are available from the total budget projection of \$205,000.; the items of painting to be carried out in the order of priority outlined in Table 2 (section 9) of the report.

CONFLICT OF
INTEREST

Ald. Billard declared a conflict of interest on this item, by reason of the fact that a company with which he is associated is one of the sub-contractors for this project. He withdrew from his place on Council while the item was being considered.

MOTION: To accept the recommendations of the consultants, as outlined.

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

Mr. Burke responded to questions from Ald. Sarto about the funding arrangements for this work, stating that the original budget projection will not be exceeded, even though some painting will have to be curtailed to keep within budget.

1.1.2 TENDER 89526 - LANDSCAPE MAINTENANCEAWARD TENDER:
CONTRACT 89526

Report from Mr. Burke (R. Fougere, E. Purdy) on tenders received for Contract 89526 (landscape maintenance, Burnside Park & City of Lakes Business Park), recommending that the tender be awarded to the low bidder, Maritime Nurseries, with a bid price of \$49,700.

Also recommended in connection with this item, was approval of Resolution 90-26, which authorizes the withdrawal of \$62,275. from the Burnside Sale of Land Account for debt repayment, as explained in Mr. Burke's report, prepared by Tom Rath.

MOTION: To approve the awarding of Contract 89526 (landscape maintenance, Burnside Park & City of Lakes Business Park), to the low bidder, Maritime Nurseries, as recommended.

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

MOTION: To approve Resolution 90-26, authorizing the withdrawal of \$62,275. from the Burnside Sale of Land Account for debt repayment, as recommended.

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

1.1.3 TENDER 90-02 - CALEDONIA ROAD RECONSTRUCTIONAWARD TENDER:
CONTRACT 90-02

Report from Mr. Burke (R. Fougere, G.M. Boyd) on tenders received for Contract 90-02 (Caledonia Road reconstruction), recommending that the tender be awarded to the low bidder, Steed & Evans Ltd., with a bid price of \$291,915.00; completion time: ten weeks.

MOTION: To approve the awarding of Contract 90-02 (Caledonia Road reconstruction) to the low bidder, Steed & Evans Ltd., as recommended.

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

Ald. Greenough requested that the surplus from this project be considered for use in required improvements to Waverley Road, in keeping with the same request made previously at budget time. The Mayor referred this request to staff for further consideration.

1.1.4

TENDER 90-18 - SUMMIT & ERSKINE STREET RECONSTRUCTION

AWARD TENDER:
CONTRACT 90-18

Report from Mr. Burke (R. Fougere, G.M. Boyd) on tenders received for Contract 90-18 (Summit & Erskine Street reconstruction), recommending that the tender be awarded to the low bidder, Steed & Evans Ltd., with a bid price of \$121,611.00; completion time: 8 weeks.

MOTION: To approve the awarding of Contract 90-18 (Summit & Erskine Street reconstruction) to the low bidder, Steed & Evans Ltd., as recommended.

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

1.1.5

TENDER 90-19 - CHAPPELL STREET RECONSTRUCTION

AWARD TENDER:
CONTRACT 90-19

Report from Mr. Burke (R. Fougere, G.M. Boyd) on tenders received for Contract 90-19 (Chappell Street reconstruction), recommending that the tender be awarded to the low bidder, Ocean Contractors Ltd., with a bid price of \$173,510.45; completion time: 11 weeks.

MOTION: To approve the awarding of Contract 90-19 (Chappell Street reconstruction) to the low bidder, Ocean Contractors Ltd., as recommended.

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

Ald. McCluskey asked that trees not be cut down on this street, but that they be trimmed to help improve the lighting situation. Mr. Rix advised that an upgrading of lighting (size of brackets & increased wattage) has been requested of the Power Corp., to improve the situation as well.

1.1.6 TENDER 90-20 - PAINTING WRIGHT AVE. RESERVOIR

AWARD TENDER:
CONTRACT 90-20

Report from Mr. Burke (R. Fougere, G.M. Boyd) on tenders received for Contract 90-20 (painting Wright Ave. Reservoir), recommending that the tender be awarded to the low bidder, Byron MacDonald Ltd., with a bid price of \$137,500.00; completion time: six weeks.

MOTION: To approve the awarding of Contract 90-20 (painting Wright Ave. Reservoir) to the low bidder, Byron MacDonald Ltd., as recommended.

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

1.1.7 AFFIRMATIVE ACTION CONSTRUCTION CONTRACTS

CONSTRUCTION
CONTRACTS

A report from Mr. Burke was considered on the program of Affirmative Action construction contracts proposed for this year; the report makes three main recommendations to Council.

MOTION: To adopt the three recommendations from Mr. Burke's report on Affirmative Action construction contracts; these are:

- 1) to establish an Affirmative Action Business Program for 1990.
- 2) to select projects for the Program, as follows:

- a) Strath Lane b) Lakecrest Dr.
c) Cranberry Cres. d) Victoria Road
e) Herbert St. f) Cleary Drive
g) Dartmouth Park h) Sullivans Pond
i) Mt. Hermon Cemetery TOTAL: \$470,000.
- 3) to authorize the City Administrator to enter into agreement for these projects, only on a Purchase Order basis, not to exceed the budgeted amounts.

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

In responding to a number of questions about this program and its success, Mr. Burke indicated that he would be prepared to: (1) monitor the impact of the program in terms of employment provided for black workers; (2) provide information on the amounts of the bids received; and (3) attempt to find a project in Ward 5 that could be substituted for one of the projects now proposed. In addition, the Mayor advised that at the end of the year, the program will be reviewed and assessed with the Black Consortium leaders to determine its worth and effectiveness. Council will receive information on the program, following this overall assessment.

DAHLIA STREET BARRIER

Members have received copies of a letter of concern from Mr. Wm. Lesbirel, about the barrier planned for Dahlia Street, and Ald. Hetherington asked for some assurance that the barrier will not be put in place until Council has an opportunity to deal with the item further. A proposed motion to rescind the action taken at the July 10th meeting, could not be presented without two-thirds of Council members present; ten members would have been required.

Mr. Burke advised that he has requested a report from the T.M.G., in view of safety concerns indicated to him by staff members. If it turns out that public safety is at issue, further action will be delayed until the next Council meeting in August.

Ald. Hetherington also questioned the legality of closing a street without due public hearing process. Mr. Moreash was asked to give consideration to this point, in conjunction with the other information requested.

Ald. McCluskey suggested that consultation between the Aldermen for the area and residents is needed, and that residents should be polled on the subject.

1.1.8 PROPOSED HEIGHT RESTRICTIONS

PROPOSED HEIGHT
RESTRICTIONS

Planning Dept. reports on the proposed M.P.S. and Land Use By-law amendments, with respect to height restrictions for office uses in the City of Lakes Business Park, were presented. The report of July 12/90 from Mr. Burke (D. Bayer, R. Wells) recommends that August 28th be set as the date for public hearing to deal with the proposed amendments.

MOTION: To set August 28th as the date for public hearing of M.P.S. and Land Use By-law amendments, relating to height restrictions for buildings in the City of Lakes Business Park.

Moved: Ald. Sarto
Second: Ald. Pye

Ald. Hetherington and McCluskey were not in favour of holding a public hearing during summer months, and preferred a date in September instead.

AMENDMENT: That September 11th be set as the public hearing date, rather than the date recommended.

Moved: Ald. Hetherington
Second: Ald. McCluskey
In Favour: Ald. McCluskey & Hetherington
Against: All other members
Amendment Defeated

The vote was taken on the main motion.

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

1.1.9 APPLICATION TO AMEND LAND USE BY-LAW - ALBRO LAKE LANDS

APPLICATION:
ALBRO LAKE LANDS

Staff reports were before Council in connection with a rezoning application from the Nova Scotia Dept. of Housing for the Albro Lake lands. It has been recommended to Council that staff be instructed to proceed with a neighborhood information meeting, scheduled for Sept. 17th.

MOTION: That staff be instructed to proceed with a neighborhood information meeting in connection with the rezoning application for the Albro Lake lands, this meeting to be held on September 17th.

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

On motion of Ald. Sarto and Walton, Council went in camera to deal with an item of business involving a collective agreement proposal. After reconvening in open Council, the action taken in camera was ratified.

MOTION: To ratify the action taken in camera by Council on this date.

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

The meeting adjourned at 1:15 p.m.


Bruce S. Smith,
City Clerk-Treasurer.

ITEMS:

- 1.0 Reports, page 1.
 - 1.1 City Administrator, page 1.
 - 1.1.1 Tenders for renewal of ramp bearings in Hfx. ferry dock, pg. 1
 - 1.1.2 Tender 89526, Landscape Maintenance, page 2.
 - 1.1.3 Tender 90-02, Caledonia Road reconstruction, page 2.
 - 1.1.4 Tender 90-18, Summit & Erskine St. reconstruction, pg. 3
 - 1.1.5 Tender 90-19, Chappell St. reconstruction, page 3.
 - 1.1.6 Tender 90-20, painting Wright Ave. Reservoir, pg. 4.
 - 1.1.7 Affirmative Action construction contracts, page 4
Dahlia Street barrier, page 5.
 - 1.1.8 Proposed height restrictions, page 6.
 - 1.1.9 Application to amend Land Use By-law, Albro Lake lands, pg. 6.
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