

DARTMOUTH CITY COUNCIL  
AGENDA

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TUES. JULY 07/92  
7:30 PM  
COUNCIL CHAMBER

**INVOCATION**

1. **APPROVE THE MINUTES FROM THE MEETINGS:** April 9, June 2, 9, 16 & 30, 1992.
2. **BUSINESS ARISING FROM THE MINUTES**
3. **CONCERNS OF COUNCIL MEMBERS OR QUESTIONS (15 MINUTE MAXIMUM)**
4. **DELEGATIONS & HEARINGS OF PROTEST**
5. **ORIGINAL COMMUNICATIONS**
6. **PRESENTATIONS**
  - i) Presentation to Dan Brownlow by Ald. Hawley
  - ii) Actuarial Valuation - William M. Mercer Ltd. (Paul Conrad)
7. **PETITIONS**
8. **REPORTS**
  - 8.1 **GRANTS COMMITTEE**
    - 8.1.1 1992/93 Grants Committee Recommendations (supplementary report)
  - 8.2 **ALD. HAWLEY**
    - 8.2.1 FCM Costs (verbal)
9. **MOTIONS**
  - 9.1 **ALD. MACFARLANE/MAY**
    - 9.1.1 Review of Ward Boundaries
  - 9.2 **ALD. HETHERINGTON**
    - 9.2.1 Legal Services - Dartmouth District School Board
10. **NOTICES OF MOTION**

LOCATION: CITY COUNCIL CHAMBERS

TIME: 7:30 P.M.

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

CITY ADMINISTRATOR: J. BURKE  
CITY SOLICITOR: M. MOREASH  
ASST. CITY CLERK: V. CARMICHAEL  
DEPARTMENT HEADS & ASSISTANTS

INVOCATION

Deputy Mayor McCluskey opened the meeting with the Invocation.

1.0 APPROVAL OF MINUTES

MOTION: To approve the minutes of meetings held on April 9, June 2, 9, 16 and 30th, 1992, with one correction: the vote recorded on page 5 of the June 16th minutes, should have indicated Ald. Cunningham as voting against.

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

To further substantiate points made by Ald. May, at the June 2nd meeting, during debate on the Financial Statements, he had circulated at this time, additional information for comparison purposes on net unmatured debt as a percentage of net assessment, based on a Dept. of Municipal Affairs annual statistical report. He said the figures provided by him indicate a trend that should be noted, bearing out the points he brought to Council's attention previously.

2.0 BUSINESS ARISING FROM THE MINUTES

4.0 DELEGATIONS & HEARINGS OF PROTEST

6.0 PRESENTATIONS

i) PRESENTATION TO DAN BROWNLOW BY ALD. HAWLEY

Ald. Hawley, who has recently attended the FCM conference in Montreal, made a presentation at

this point, to former Mayor Dan Brownlow, who was in attendance with his wife and members of his family. In this presentation, he was enrolled in the FCM Roll of Honour, for his service to the FCM and to municipal government in Canada. In the recognition read out by Ald. Hawley, the accomplishments of former Mayor Brownlow were commended, and he was described as being '. . . a gentle person, a gentle politician, and an ambassador extraordinaire'. Mr. Brownlow accepted the honour received from Ald. Hawley, on behalf of the FCM, and acknowledged members of Council who served with him and still on Council, City staff members, and members of his own family, who have assisted and supported him over the years. A standing ovation followed, as Mr. Brownlow returned to his seat in the gallery.

ii) ACTUARIAL VALUATION - WILLIAM M. MERCER LTD.

ACTUARIAL  
VALUATION

Ald. Greenough, Chairman of the Pension Committee, gave introductory remarks, prior to an overview presentation to Council of a report on the valuation of the City Pension Plan, as prepared by William M. Mercer Ltd., and given by Paul Conrad, as the next item of business.

The report centered mainly around the impact of the new Pension Plan change that became effective as of July 1/91, described as a 'stacked' Plan (ie. not integrated with CPP), and the resulting unfunded liability of 19 million dollars, which was projected to be eliminated in fourteen years time. Mr. Conrad advised, however, that if contributions by the City and employees continue at current levels, the liability should be eliminated in about 12½ years, or 2½ years ahead of schedule. Asked by Ald. Sarto if the City Pension Plan provides benefits over and above the plans of most other public-sector employees, Mr. Conrad said the City Plan has a high benefit level, but at the same time, lacks features common to other plans, such as indexing.

Several members of Council considered the City Plan to be excessive in its cost implications for the City, but it was pointed out by Ald. Greenough that changes resulting in additional cost did not come about as a result of Pension Committee recommendations, but rather, as a result of contract negotiations with employee groups, notably, the Police Dept. contract. He went on to explain how the pension provision negotiated, at the time of the police strike, ended up costing the City 1½% more than anticipated at the time of the settlement; the impact of this is now being felt. Also discussed, was the additional cost factor, affecting both the employees and the employer, to support a 'stacked' plan, as opposed to a CPP-integrated plan.

After members of Council had received all of the information they required from Mr. Conrad and Mr. Burke, a motion to receive and file the report was adopted. The Pension Committee has already dealt with the actuarial valuation in detail.

MOTION: To receive and file the Actuarial Valuation report, as at Dec. 31/91, as presented by Mr. Conrad, on behalf of Wm. M. Mercer Ltd.

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

In conjunction with the previous item, an information report from Mr. Burke (Gillian Osborne) was circulated to Council, clarifying information on the 'gender-wage gap', in response to a recent newspaper item from the Daily News (July 5/92 edition). In connection with this information provided, Deputy Mayor McCluskey said she would like to see the comparative figures separated out for City Hall male and female employees only, as opposed to the figures for all groups, which include teachers, etc.

8.0 REPORTS

8.1 GRANTS COMMITTEE

8.1.1 1992/93 GRANTS COMMITTEE RECOMMENDATIONS (SUPPLEMENTARY REPORT

GRANTS COMM.  
RECOMMENDATIONS

Before Council, was a supplementary report from the Grants Committee, with revised recommendations, based on the referral motion from the June 30th Council meeting. Also, a letter from the VON, Dartmouth Branch, seeking a grant from the City, has been received and was circulated at this meeting.

CONFLICT OF INTEREST

Being employed by one of the organizations that have applied to the City for a grant, Ald. Cunningham declared a conflict of interest, and withdrew from the Council Chamber while this item was before Council.

Ald. Hawley presented the supplementary report from the Grants Committee, which proposes a reallocation of grants, making use of \$32,500. in additional funding, freed up through a revised payment schedule for the multi-year grant commitments of the City. The Committee recommends the amended reallocation, as per the July 2nd

report, plus the recommendations from the original report of June 19/92, that remain unchanged. Ald. Hawley also noted a change in the cost-sharing figure for the Help Line Grant, resulting in an extra \$1,200. available for allocation, not expected by the Committee when their report was prepared.

MOTION: To adopt the recommendations of the Grants Committee, including the reallocations proposed in their supplementary report.

Moved: Ald. Pye  
Second: Ald. Rodgers

Ald. Sarto noted the deficit position the VON will be in, as outlined in their letter to Council of July 6/92, and proposed some modifications in the reallocation figures recommended by the Grants Committee, in order to provide at least some funding assistance to this organization. He presented an amendment, based on these changes, seconded by Ald. Thompson. After hearing from the VON President and Executive Director, however, and in the light of opinions from other members, that the VON should receive assistance over and above the amount proposed in the amendment, it was withdrawn, in favour of another amendment that would increase the VON grant to \$10,200., comprised of various reallocated amounts, combined with the \$1,200. in extra funds available from the revised Help Line cost-sharing figures.

AMENDMENT: That a grant of \$10,200 be approved for the VON, comprised of the following reallocated amounts, plus the \$1,200. extra funds available:

\$2,000.	from Dartmouth Boys & Girls Club
2,000.	" Caledonia Boys & Girls Club
2,000.	" Help Line
1,000.	" Dartmouth Work Activity
2,000.	" Non-recurring grant fund
1,200.	Revised cost-sharing, Help Line
<u>\$10,200.00</u>	total.

Moved: Ald. Hawley  
Second: Ald. Walton

Members opposed to the amendment, felt the VON should receive the full \$16,000. they need from the City, even if it means an over-expenditure. Ald. May favoured a withdrawal of \$50,000. from reserve funds, to be used by the Grants Committee for assistance to organizations that are presently cut off from receiving any City grants. Mr. Burke cautioned against any such deviation from budget decisions, and Ald. Greenough was also against any over-

expenditures when Council is being expected to show fiscal restraint throughout the present budget year. After considerable debate, the vote was taken on the amendment.

In Favour: Majority of Council  
Against: Minority  
Amendment Carried

The Deputy Mayor then took the vote on the motion, as amended.

In Favour: All members except  
Against: Ald. Hetherington, Pye,  
Levandier, May, MacFarlane  
Motion Carried, as amended

Ald. Cunningham returned to his place on Council.

Further to the proposed terms of reference for the Grants Committee, also recommended in the Committee's original report, Ald. Hawley proposed their acceptance in principle at this time.

MOTION: To approve the recommended terms of reference for the Grants Committee, in principle, as set out in the report of June 19/92.

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

5.0

ORIGINAL COMMUNICATIONS

Deputy Mayor McCluskey brought to Council's attention, the letter from Jackie Condran of 22 Oakwood Ave., regarding the school closures (copies for Council of the letter, to the School Commissioners), and a letter from the Municipality of the County of Cape Breton, seeking support for a resolution with regard to concerns about violent crime.

RESOLUTION:  
CAPE BRETON CO.

MOTION: That Dartmouth City Council indicate support for the resolution forwarded in the communication from the Municipality of the County of Cape Breton.

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

3.0 CONCERNS OF COUNCIL MEMBERS OR QUESTIONS

Earlier in the meeting, item 3.0 was deferred in favour of other items, and Council proceeded with it at this point in the agenda.

ALD. MACFARLANE Ald. MacFarlane asked that the need for grass-cutting at Penhorn and Brownlow Parks, also on Prince Albert Road, be brought to the attention of the Parks & Rec. Dept. Two dead trees at Penhorn Park, that have been there for some time, need to be removed also.

Ald. MacFarlane was concerned that members of Council have received only a summary report of the comprehensive audit carried out of the school system; he felt that copies of the audit document itself should have been made available. Ald. MacFarlane proposed a motion that would have directed Mr. Burke to formally request the audit information, but upon being advised by Ald. May of the public meeting scheduled for July 22nd, he withdrew the motion.

Ald. MacFarlane provided background information on the properties at #7 and #19 Centre Street, which the owner, Lewis Toulany, was supposed to have carried out improvements to by a February deadline. There has been no response to date by him, and the properties have not been referred to the Legal Dept. for action. Ald. MacFarlane said he was to have had a report at this meeting from Mr. Turner, and that the lack of action by staff on these properties is unacceptable. Mr. Burke was not able to provide information for Ald. MacFarlane, but agreed to get an update by tomorrow.

ALD. HAWLEY Ald. Hawley asked to be informed of the TMG response to his request for a three-way Stop at Caledonia Road and Kennedy Drive, an item raised by him previously.

ALD. HETHERINGTON Ald. Hetherington requested that the line painting on City streets be started as soon as possible.

He presented a letter from the Portland Estates Residents Association, seeking permission to name their new park, The Birches Park. Mr. Burke agreed to speak to Mr. Stevens about the name and its acceptability. Council was willing to give approval for the name, provided it is acceptable to Parks & Rec. Dept.

MOTION: To approve the name The Birches Park, as requested by the Portland Estates Residents Assn., provided it is acceptable to Parks & Rec. Dept.

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

Ald. Hetherington later asked about the decision to close a section of Alderney Drive, in connection with the Daylight Festival (and Light Festival) being held downtown. Mr. Burke advised that the decision is a responsibility of the Traffic Authority, and Mr. Moreash agreed to provide information on the relevant section of the Motor Vehicle Act that applies. Ald. Hetherington felt this should have been a Council decision, as in the case of other requested street closures in the past (ie. for neighborhood and block parties).

ALD. CUNNINGHAM

Ald. Cunningham felt that in view of the position in which the School Board has been placed, on the school closure issue, a letter should go forward to the Minister of Education, demanding that the necessary funds be provided to carry out the Province's legislative decision. A motion to this effect was introduced.

MOTION: That a letter be forwarded to the Minister of Education, demanding that the necessary funds be provided to carry out the recent Provincial legislative decision (ie. on the school closures).

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

Ald. Cunningham asked if some consideration could be given to the accommodation of disabled people attending events such as those held on Canada Day, Natal Day, fireworks, etc. The idea of special allotted use of sections set aside for the disabled community, to give them vantage points for viewing parades and fireworks, was suggested. The Deputy Mayor said this may be an item of concern for Parks & Rec. to address.

ALD WALTON

Ald. Walton's first question was about the building at 6 Lilac Street, where a fire occurred on New Year's Day; the remains of the building are still there and nothing has been done about it since. Ald. Hetherington noted that the Legal Dept. is now involved.



Ald. Walton next asked about work being done in connection with the harbour clean-up, and was advised by Mr. Burke that the purpose is to consolidate the outfalls, in anticipation of the main project.

ALD. SARTO

Ald. Sarto reminded Council of the Transportation Advisory Committee meeting to discuss the ferry operating budget, scheduled for July 8th in the Helen Creighton Room.

Ald. Sarto advised, for Mr. Fougere's attention, that the section of Portland Street in-bound, from Dorothea Drive to Regal Road, is in need of street repairs.

He also requested repairs to the section of Day Ave. (in front of #21), where the street has fallen below grade.

Deputy Mayor McCluskey reminded Council of the meeting on July 20th at 5:15 p.m., to set the date for the municipal byelection.

ALD. PYE

Ald. Pye said he has received a complaint about fumes in the parking garage where the Farmer's Market is presently located. He asked if Mr. Burke would contact the Alderney Gate management about this condition, to see what can be done to eliminate it.

ALD. WOODS

Ald. Woods asked what is being done to strengthen the Unsightly Premises By-law and make it more effective; a report from Mr. Burke on this item was requested.

Ald. Woods asked to have dead trees removed from the area of Monique Ave. and Brule Street.

ALD. GREENOUGH

Ald. Greenough inquired about the marina building, and was informed that it may be moved from its present site by a group interested in having it.

Ald. Greenough stated his concerns about an unsafe rock wall on private property at 38 Braeside Court. Residents in the area are worried about the safety of children, due to the condition of the wall, and Ald. Greenough requested that action be initiated by staff to have the wall made safe. Ald. Hawley later made a similar request.

ALD. MAY

Ald. May asked that the TMG consider a request from residents of Sullivan House, for a three-way Stop on Crichton Ave., so they will not have so much difficulty exiting their parking garage at this location. (Petition to follow)

Ald. May inquired about the Water Utility budget. Mr. Burke expects to have it tabled before the summer recess, and proposed it be referred to the Water Utility Committee from Council.

Ald. May said there is a pothole in need of attention, on Pleasant Street, at the Imperial Oil overhead light location.

Ald. May inquired about the diversion of traffic in the downtown, during the Festival of Light. Mr. Burke said there will be regulatory traffic control during that period, but acknowledged that some areas will be adversely affected for the two or three days involved.

ALD. THOMPSON

Ald. Thompson asked for information on the collection of taxes to date; Mr. Burke to check out the inquiry.

Ald. Thompson requested that Parks & Rec. Dept. give consideration to a re-planting of trees to replace some of the silver maples planted to commemorate the City's 25th Anniversary Year. He noted that companies paid to have the trees planted at the time, but a number of them have not survived.

7.0

PETITIONS

PETITION RE  
PIGEONS

Ald. Pye presented a petition signed by 18 citizens who have complained about the problem created by Mr. Hardy, at the corner of Windmill Road and Parkstone Road, through his feeding of pigeons. Between 75 and 100 pigeons are being attracted to the area, as a result, and residents are requesting that something be done about the situation. Ald. Hetherington suggested that the best approach would be through the City's Nuisance By-law, but Ald. MacFarlane felt there is enough of a health problem for action through that means.

8.2

ALD. HAWLEY

8.2.1

FCM COSTS

Ald. Hawley gave a verbal report to Council on costs associated with travel that would be required for him to serve on the FCM Board, advising that it will cost approx. \$3,000. for the trips he would be making for meetings.

MOTION: To approve the \$3,000. travel costs involved for Ald. Hawley to attend FCM Board meetings, as required.

Moved: Ald. Pye  
Second: Ald. Hetherington  
In Favour: All members except  
Against: Ald. Sarto, Levandier  
MacFarlane & May  
Motion Carried

9.0 MOTIONS9.1.1. REVIEW OF WARD BOUNDARIES

This motion, proposed by Ald. MacFarlane and May, was deferred for consideration at the next Council meeting, with the concurrence of members.

9.2 ALD. HETHERINGTON9.2.1 LEGAL SERVICES - DARTMOUTH DISTRICT SCHOOL BOARD

MOTION: BE IT RESOLVED that the City of Dartmouth stop providing legal services to the Dartmouth District School Board, and advise that they obtain their own legal services from this day forward.

Moved: Ald. Hetherington

Second: Ald. Levandier

Ald. Hetherington noted, in presenting his motion, that legal services for the School Board have already cost the City \$6,300., so far this year. He said the Nova Scotia School Boards Assn. could provide legal services instead and the City Solicitor would then deliver services solely for the City.

Another consideration referred to in debate was the conflict-of-interest aspect, this problem having arisen recently during the school closure issue. Mr. Moreash pointed out, however, that conflict situations tend to be rare; he said he could think of only two in the past 13 years. Most of his legal work has to do with labour relations, advice on discipline issues, meeting procedures, etc. - areas where there is no conflict between the interests of the Board and the City. He also provided information on legal fees for services to the Board, which range between \$10,000. and \$20,000. annually.

Ald. Greenough and several other members felt it would be unfair to withdraw legal services immediately, without giving the School Board some time to make other arrangements. An amendment was therefore put forward by Ald. Greenough, to change the wording of the motion as follows:

AMENDMENT: That the motion be altered by deleting the words ' . . . from this day forward', to be replaced with the wording ' . . . to be effective on April 1, 1993'.

Members were generally willing to support the amendment, but Ald. Hetherington requested some assurance that Mr. Moreash will refrain from any participation in further school closure discussions that may take place. Mr. Moreash indicated his willingness to comply with the request, and Ald. May suggested having something in writing to this effect, for confirmation. The vote was then taken on the amendment -

In Favour: All  
Against: None  
Amendment Carried

- and on the main motion, as amended.

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

Meeting adjourned at 11:00 p.m.

*V. Carmichael*  
V. Carmichael,  
Asst. City Clerk.

ITEMS

- Invocation, page 1.
  - 1.0 Approval of minutes, page 1.
  - 2.0 Business Arising from the minutes, page 1.
  - 4.0 Delegations & Hearings of Protest, page 1.
  - 6.0 Presentations, page 1.
    - i) Presentation to Dan Brownlow by Ald. Hawley, page 1.
    - ii) Actuarial Valuation, page 2 & 3.
  - 8.0 Reports, page 3.
  - 8.1 Grants Committee, page 3.
  - 8.1.1 1992/93 Grants Committee recommendations, page 3 to 5.
  - 5.0 Original Communications, page 5.
    - Resolution, Cape Breton Co., page 5.
  - 3.0 Concerns of Council members or questions, page 6 to 9 incl.
  - 7.0 Petitions, page 9.
    - Petition re pigeons, page 9.
  - 8.2 Ald. Hawley, page 9.
  - 8.2.1 FCM costs, page 9.
  - 9.0 Motions, page 10.
  - 9.1.1 Review of ward boundaries, page 10.
  - 9.2 Ald. Hetherington, page 10.
  - 9.2.1 Legal services, Dartmouth District School Board, page 10 & 11.
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**DARTMOUTH CITY COUNCIL  
AGENDA**

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**TUES. JULY 14/92  
7:30 PM  
COUNCIL CHAMBER  
IN CAMERA SESSION  
10:00 PM**

**1. PRESENTATION**

- i) Presentation - Shawn Sleep

**CONTINUATION OF COUNCIL AGENDA OF JULY 7/92**

**2. MOTION (previously circulated)**

**2.1 ALD. MACFARLANE/MAY**

- 2.1.1 Review of Ward Boundaries

**3. NOTICES OF MOTION**

**COUNCIL AGENDA OF JULY 14/92**

**4. REPORTS**

**4.1 CITY ADMINISTRATOR**

- 4.1.1 Property Tax Write-Off, 63 Bonnie Brae Trailer Court
- 4.1.2 Carver Street, Settle Street, Day Avenue Traffic
- 4.1.3 Application to Enter Into Development Agreement - Can-Euro Investments Ltd.
- 4.1.4 Application to Amend Land Use By-law - Woodlawn Court (set date for Public Hearing)
- 4.1.5 Woodlawn Road (previously circulated)
- 4.1.6 Contract 92-13, Simmonds Drive - Overlay
- 4.1.7 Contract 92-12, MicMac Boulevard - Brookdale Crescent/Glen Manor Drive to Trunk 111, Sidewalk Construction
- 4.1.8 Application, Retail Video Outlet, Jason Video
- 4.1.9 Strategic Planning

**5. CONCERNS OF COUNCIL MEMBERS OR QUESTIONS (15 MINUTE MAXIMUM)**

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**IN CAMERA SESSION - 10:00 P.M.**

- 1. Purchase of Property
- 2. Lease

DARTMOUTH CITY COUNCIL

JULY 14, 1992.

LOCATION: CITY COUNCIL CHAMBERS

TIME: 7:30 P.M.

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

MEMBER ABSENT: ALD. HAWLEY

CITY ADMINISTRATOR: J. BURKE  
CITY SOLICITOR: M. MOREASH  
ASST. CITY CLERK: V. CARMICHAEL  
DEPARTMENT HEADS & ASSISTANTS

At the opening of the meeting, Deputy Mayor McCluskey informed Council of the death of Ald. Hawley's mother. Sympathy is extended by Council to Ald. Hawley and his family.

1.0 PRESENTATION

i) PRESENTATION - SHAWN SLEEP

A certificate of commendation was presented by Deputy Mayor McCluskey to Mr. Shawn Sleep, in recognition of his assistance rendered to a woman being accosted and robbed on May 24th of this year. Members of Council paid tribute to the action of Mr. Sleep in going to the assistance of a citizen in need of help.

PUBLIC HEARING - APPLICATION TO ENTER INTO DEVELOPMENT AGREEMENT - CAN-EURO INVESTMENTS LTD.

PUBLIC HEARING:  
CAN-EURO APPLIC-  
ATION

This meeting of Council constituted the public hearing for an application from Can-Euro Investments Ltd. to enter into a Development Agreement, to permit the construction of a three-storey apartment building (87 units), on lands adjacent to MicMac Mall. All the required documentation has been circulated to members of Council, prior to this date, and the report from Mr. Burke (G. L'Esperance, V. Spencer) recommends that Council approve the entering into of the Development Agreement, and the passing of Resolution 92-28, accompanying the report to Council.

With the exception of Ald. Hawley, all members of Council were recorded as being present for the public hearing.

The Planning Dept. presentation to Council was made by Mr. L'Esperance. He noted that of the four-acre site involved, two acres are to be preserved for open space purposes, and that before any development begins,

areas containing vegetation and trees will be designated for protection, before any excavation work is commenced on site.

Other specific provisions noted, in addition to those that would normally apply, were: the emergency access driveway that will connect the development with the MicMac Mall parking lot; the bonding provision related to landscaping, walkways and the tot lot completion; approval of a Lake Protection Plan by the Lakes Advisory Board.

Ald. Pye requested that in future, members of Council receive a generalized land use map of the overall area in which development is being proposed, to help assess the merits of the development in relation to its surroundings.

After Mr. L'Esperance had completed his presentation, and had recommended in favour of Resolution 92-28, authorizing the Development Agreement, the Deputy Mayor called for any speakers in favour of the application.

Mr. Bill Anwell, the Architect for the project, showed Council the site drawings and the drawings for the apartment building, which would be located next to the Horizon Estates building. He described the building as a three-storey wood-frame walk-up, consisting of 78 two-bedroom units and nine bachelor units. He informed Council of the parking that will be available for the development, and of landscaping and recreational features that the developer will include. Members had the opportunity to ask Mr. Anwell questions about specific details of the project, or any areas of concern in particular. Ald. Rodgers asked for clarification of a land allocation requirement, specific to this building itself, and was advised by Mr. L'Esperance that Horizon Estates sits on its own lot, as will this building; this means there will be two buildings on two lots.

Ald. Rodgers commented on a number of positive features that came out in the public participation process, and Ald. Woods had several questions for Mr. Anwell about the merits of the Development Agreement process, from the point of view of the Can-Euro experience. Mr. Anwell responded to all of the questions from these two members.

Upon completion of the Architect's presentation to Council, the Deputy Mayor called three more times for any speakers in favour of the application. There being none, she called three times for speakers opposed, and when there was no one to speak against, she declared the public hearing to be closed, on motion of Ald. Greenough and Sarto.



RESOLUTION  
92-28

Council then proceeded with the approval of Resolution 92-28, authorizing the Development Agreement.

MOTION: To approve Resolution 92-28,  
as recommended.

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

Deputy Mayor McCluskey informed Council of the death of John Till, former Tourism Director for the City. She also reminded members of the Council meeting to be held on July 20th at 5:15 p.m., when the date will be set for the municipal election required, and the solid waste mediators will be present for discussion with Council.

Further to the ferry issue, Council was advised that a report has gone to the Metro Authority and will be dealt with at their July 27th meeting. Ald. Hetherington requested that members of Council be provided with copies of this report.

- 2.0 MOTION
- 2.1 ALD. MACFARLANE/MAY
- 2.1.1 REVIEW OF WARD BOUNDARIES

MOTION: WHEREAS many citizens have expressed a view that the number of members of Council should be reduced;

AND WHEREAS the Dartmouth School Board must propose the boundaries of districts within the City, for election of Board members, to the Municipal Board by Dec. 31, 1993;

BE IT RESOLVED that Council cause a committee to be formed to review ward boundaries, and that the School Board be asked to join such a committee, as an equal and joint partner, to prepare a joint submission to the Municipal Board.

Moved: Ald. MacFarlane  
Second: Ald. May

There was a lengthy debate on the motion, with members

generally favouring the idea of a ward boundary review, but not the preamble to the motion that would tie the review in with any pre-conceived conditions as to the size of Council (School Boards have to be between 8 and 12 members in size), or to a reduction in the number of members on Council. It was suggested several times that Wards 1 and 6 are presently too large, in comparison with other City wards, and Ald. Woods felt that wards should encompass a mix of housing and people, and that population alone should not be the only basis for a ward revision.

An amendment proposed by Ald. Greenough, that would have given some parameters for the review (a Council of not less than 11 members), was later withdrawn, but a second amendment, deleting the words '. . . to prepare a joint submission to the Municipal Board', was approved by Council. Members felt it should be clearly understood that the report of the review committee would come back to Council first, for consideration and determination of further action on it.

AMENDMENT: That the third paragraph of the motion be amended by deleting the wording at the end, which reads  
' . . . to prepare a joint submission to the Municipal Board'.

Moved: Ald. Hetherington

Second: Ald. Pye

In Favour: All

Against: None

Amendment Carried

Ald. MacFarlane and May considered their motion to be in order as they have presented it, and did not see the 'whereas' paragraphs as conveying any political or restrictive intent (ie. tied in with School Board regulations). Ald. May said it would make good sense to have the number of City wards correspond with the number of School Board districts, especially for election purposes.

The composition of the review committee was another point of issue, some members favouring a committee comprised solely of citizens-at-large, while other members wanted to have aldermanic representation on the committee as well. Ald. Rodgers felt the review would be timely, considering the municipal reform proposals that are likely to come before the Provincial Legislature, and decisions that could be made about an amalgamation of metro municipalities.

Throughout the debate, there continued to be opposition to the two 'whereas' paragraphs and the implications of conditional restrictions they were seen to contain, in relation to a ward boundary review. The final amendment presented was to delete both paragraphs altogether, leaving only the main BE IT RESOLVED section as the motion.

AMENDMENT: To delete both 'Whereas' paragraphs, comprising the preamble to the main part of the resolution.

Moved: Ald. Greenough  
Second: Ald. Cunningham  
In Favour: All members except  
Against: Ald. MacFarlane  
Amendment carried

The vote was taken on the motion as amended.

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

Suggested names put forward by Ald. Greenough, as possible members of the review committee, were: Dan Brownlow, John Kavanaugh, Barb Hart, Jim Connors, and Audrey Manzer. Ald. Rodgers proposed that one or two names of citizens-at-large, from each of the City wards, be submitted by members for consideration. Council agreed to defer a decision on the appointment of the review committee until the July 20th meeting.

MOTION: To defer a decision on the appointment of the review committee until the July 20th meeting of Council.

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

### 3.0 NOTICES OF MOTION

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

Ald. May/Levandier

WHEREAS compensation by performance is becoming more common;

BE IT RESOLVED that the City Administrator prepare a report for Council's consideration, identifying how staff may be rewarded for superior performance, and how a pilot program could be developed and implemented.

4.0 REPORTS

4.1 CITY ADMINISTRATOR

4.1.1 PROPERTY TAX WRITE-OFF, 63 BONNIE BRAE TRAILER COURT

TAX WRITE-OFF:  
63 BONNIE BRAE  
TRAILER COURT

Report from Mr. Burke (B. Smith) on a property tax write-off recommended for 63 Bonnie Brae Trailer Court, where the house trailer located on a rented site was destroyed by fire. The recommendation is that Council authorize the write-off of all outstanding taxes for 63 Bonnie Brae Trailer Court, Holly Parker, account number 7-08-10-14-758.

MOTION: To adopt the recommendation on the write-off of taxes for 63 Bonnie Brae Trailer Court.

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

4.1.2 CARVER STREET, SETTLE STREET, DAY AVE. TRAFFIC

CARVER, SETTLE,  
DAY AVE. TRAFFIC

A report has been prepared for Council by Mr. Purdy and submitted by Mr. Burke (R. Fougere) on the traffic situation involving Carver and Settle Streets, also Day Avenue and other streets in the same area. Some time ago, both Carver and Settle Streets were closed at Portland Street, to try and take some of the excessive traffic off these two residential streets, but this has resulted in traffic problems being diverted to the wider neighborhood, affecting residents living on Elizabeth Street, Bruce Street, and generally, throughout the Woodlawn area.

A number of recommendations are now being proposed to Council, to try and resolve the traffic congestion and confusion, that has not been alleviated to date by the closure of Carver and Settle Streets.

MOTION: To adopt the following recommendations:

- 1) The intersections of Carver St. & Settle St. at Portland Street to be physically modified

with curbs, sidewalk and landscaping, and be signed to:

- (a) prohibit left turns from Portland St. to Settle St. and to Carver Street.
  - (b) prohibit right turns from Portland St. to Carver Street.
  - (c) prohibit through traffic from Eisener Blvd. to Carver Street.
  - (d) permit right turns from Settle St. to Portland Street, and from Portland Street to Settle Street.
  - (e) permit left and right turns from Carver Street to Portland Street, and through traffic from Carver Street to Eisener Blvd., from one lane only for all movements (later amended by deleting the one-lane restriction in favour of an additional lane for right-turning traffic onto Portland Street, rather than left, right and straight-on traffic all using one lane).
  - (f) permit dual left turns from Eisener Blvd. to Portland Street.
- 2) The signals at Carver Street to be adjusted to discourage use of this street for non-local traffic, by limiting the length of the phase for left/right/through traffic.
  - 3) If the streets are to remain open, or open with restrictions, the resolution respecting closure be reversed.

Moved: Ald. Hetherington

Second: Ald. Sarto

Ald. Thompson felt that two-way traffic should be resumed on both Settle and Carver Streets, as the best solution to the traffic problems that have now been compounded throughout this section of the City. Ald. Sarto favoured the recommended changes, and other members were willing to let them proceed. Ald. Greenough suggested an amendment to recommendation 1, section (e), to improve the traffic flow from Carver Street, by providing for an additional lane to accommodate right-turning traffic.

AMENDMENT: To delete the reference to a 'one lane only traffic movement' from recommendation 1, section (e), and provide for an additional lane to accommodate right-turning traffic from Carver onto Portland Street.

Moved: Ald. Greenough  
Second: Ald. Thompson  
In Favour: All  
Against: None  
Amendment Carried

Ald. Sarto noted that some of the traffic congestion in this Portland Street commercial area will be relieved by a proposed development consolidation and additional access and egress via Baker Drive.

The vote was taken on the amended motion.

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

Ald. Thompson requested a monitoring by staff of the traffic situation, with the modifications that have been approved, for further report to Council in the fall.

## 4.1.4

APPLICATION TO AMEND LAND USE BY-LAW - WOODLAWN COURT

APPLICATION:  
 WOODLAWN COURT

Report from Mr. Burke (V. Spencer, G. L'Esperance) on the setting of a date for public hearing of an application to amend the Land Use By-law, for the proposed Woodlawn Court development (rezoning from R-1 to R-2 Zone). Sept. 15th has been recommended for the public hearing.

Ald. Sarto proposed a motion that would have not set a public hearing date, but having received advice from the Solicitor on the right of appeal to the Municipal Board, by the applicant, under those circumstances, the motion was withdrawn, and Council proceeded to set a date, as recommended. Ald. May suggested Sept. 22nd instead of Sept. 15th, in view of the civic election date, which is likely to be Sept. 12th.

MOTION: That Sept. 22nd be set as the date  
 for public hearing of the Woodlawn  
 Court rezoning application.

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

(In fact, this was an amended motion, Sept. 15th having first been moved by Ald. Hetherington and Thompson, before Ald. May raised the point about the civic election and swearing in of new members.)

4.1.5 WOODLAWN ROAD

WOODLAWN RD.

The report on Woodlawn Road traffic conditions, in response to a petition from area residents, was again before Council. Ald. Sarto requested that it be deferred until after a final decision has been made on Penhorn School for next year.

MOTION: To defer the Woodlawn Road report until a final decision has been made on Penhorn School, for next year.

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

4.1.6 CONTRACT 92-13, SIMMONDS DRIVE - OVERLAYAWARD TENDER:  
CONTRACT 92-13

Report from Mr. Burke (R. Fougere, G.M. Boyd) on tenders received for Contract 92-13, Simmonds Drive, overlay paving, recommending that the tender be awarded to the lowest bidder, Ocean Contractors Ltd., with a bid price of \$170,263.75; completion time: 30 workdays.

MOTION: To award the tender for Contract 92-13 to the lowest bidder, Ocean Contractors Ltd., with a bid price of \$170,263.75, as recommended.

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

4.1.7 CONTRACT 92-12, MICMAC BLVD. - BROOKDALE CRES/GLEN MANOR DR.AWARD TENDER:  
CONTRACT 92-12

Report from Mr. Burke (R. Fougere, G.M. Boyd) on tenders received for Contract 92-12, MicMac Blvd. - Brookdale Crescent/Glen Manor Drive to Trunk 111 (sidewalk construction), recommending that the tender be awarded to the lowest complete bid, Ocean Contractors Ltd., with a bid price of \$52,409.14; completion time: 25 workdays.

MOTION: To award the tender for Contract 92-12 to the lowest complete bid, Ocean Contractors Ltd., with a bid price of \$52,409.14, as recommended.

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

4.1.8 APPLICATION, RETAIL VIDEO OUTLET, JASON VIDEO

APPLICATION:  
JASON VIDEO

Council has been asked to indicate any objection to an application for a retail video outlet for 95 Caledonia Road (Jason's Video). Police Dept. have expressed no concerns about this application.

MOTION: To indicate no objection to the retail video application for 95 Caledonia Road (Jason's Video).

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

4.1.9 STRATEGIC PLANNING

STRATEGIC  
PLANNING

In view of the lateness of the hour and the time required for Mr. Burke's Strategic Planning presentation, Council agreed to defer the item until the August date when meetings resume, after the summer break.

MOTION: To defer the Strategic Planning item until after the summer break, when Council resumes meeting in August.

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

From this point, Council dealt with items added to the agenda, for which reports have been circulated.

4.1.10 AUTHORIZATION FOR OVER-EXPENDITURE - FIRST APPROVAL

FIRST APPROVAL:  
OVER-EXPENDITURE

Council was requested to give first approval for an over-expenditure of \$100,000. for a special election required to fill the mayoralty vacancy and any aldermanic elections required at the same time.



MOTION: To give first approval for an over-expenditure in the amount of \$100,000., required for a special election to fill mayoralty and aldermanic vacancies.

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

4.1.11 AWARD TENDER - COMMODORE DR. IMPROVEMENTS, B.I.P.

AWARD TENDER:  
 COMMODORE DR.  
 IMPROVEMENTS

Report from Mr. Burke (R. Fougere, D. Rix) on tenders received for improvements to Commodore Drive, recommending that the tender be awarded to the low bidder, Woodlawn Construction Co. Ltd., for the tendered amount of \$394,408.42, required additional funds to be transferred from the Akerley Blvd. Extension capital project.

MOTION: To award the tender for the Commodore Drive improvements to the low bidder, Woodlawn Construction Co. Ltd., for the tendered amount of \$394,408.42, as recommended.

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

4.2 INDUSTRIAL COMMISSION

4.2.1 FEDERAL GOVERNMENT SHIPYARD CLOSING POLICY

SHIPYARD CLOSING  
 POLICY

As requested by Council, the Industrial Commission has given consideration to the Federal Government Shipyard Closing Policy, and has adopted the following motion:

That the Industrial Commission recommend to City Council that the Federal Government consider specific changes to existing policy, with regard to rationalization of the ship-building industry, to permit the Dartmouth yard to remain open. Should this not be possible, the Dartmouth yard is to be treated as an entity unto itself in the application of federal policy, and to receive compensation packages similar to those received in the case of yards that have closed in Quebec, Ontario, and British Columbia.

Ald. Greenough elaborated further on the discussion that took place at the Commission meeting, in relation to the future of the Dartmouth Shipyard, and provision for compensation for the workers, if this yard is closed.

MOTION: To adopt the recommendation of the Industrial Commission.

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

Ald. Rodgers suggested that additional information be sought on the question of compensation for workers in subsidiary yards, as opposed to wholly-owned yards.

LETTER OF RESIGNATION - METRO AUTHORITY

RESIGNATION:  
METRO. AUTHORITY

Deputy Mayor McCluskey read to Council, a letter of resignation received from Ald. Rodgers, who is resigning as Council's representative (one of three) on the Metropolitan Authority. His resignation is effective immediately, and Council proceeded to appoint a replacement member at this time. On the nomination of Ald. Thompson and MacFarlane, Ald. May was duly appointed by Council to replace Ald. Rodgers on the Metro. Authority.

Ald. Rodgers was commended by Deputy Mayor McCluskey and other members of Council for his work while serving on the Authority.

At the suggestion of Ald. Hetherington, Council agreed to deal with an in camera item while still in open meeting. The item deals with the lease agreement between the City and Neighbourhood Pubs Ltd., covering the lease of lots 14 and 15, #48 Rodney Road.

LEASE AGREEMENT - NEIGHBOURHOOD PUBS LTD.

LEASE AGREEMENT:  
48 RODNEY RD.

RESOLUTION 92-27

Report from Mr. Burke (T. Rath) on the lease agreement being recommended for 48 Rodney Road, between the City and Neighbourhood Pubs Ltd. It is recommended that Council approve Resolution 92-27, authorizing the lease agreement, according to the terms and conditions set out in the report of June 25/92.

MOTION: To adopt Resolution 92-27, as recommended.

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

Mr. Burke advised that the Kuhn Road report, listed for consideration in camera, has been withdrawn.

Meeting adjourned at 11:00 p.m.

*V. Carmichael*  
V. Carmichael,  
Asst. City Clerk.

ITEMS:

- 1.0 Presentation, page 1.
    - i) Presentation, Shawn Sleep, page 1.
      - Public hearing, application to enter into Development Agreement, Can-Euro Investments, pg.1
      - Resolution 92-28, page 3.
  - 2.0 Motion, page 3.
  - 2.1 Ald. MacFarlane/May, page 3.
  - 2.1.1 Review of ward boundaries, page 3 to 5.
  - 3.0 Notices of Motion, page 5.
  - 4.0 Reports, page 6.
  - 4.1 City Administrator, page 6.
  - 4.1.1 Property tax write-off, 63 Bonnie Brae Trailer Court, page 6.
  - 4.1.2 Carver Street, Settle Street, Day Ave. traffic, pg. 6 to 8.
  - 4.1.4 Application to amend Land Use By-law, Woodlawn Court, pg. 8.
  - 4.1.5 Woodlawn Road, page 9.
  - 4.1.6 Contract 92-13, Simmonds Drive, overlay, page 9.
  - 4.1.7 Contract 92-12, MicMac Blvd., Brookdale Cres., etc., pg. 9.
  - 4.1.8 Application, retail video outlet, Jason's Video, pg. 10.
  - 4.1.9 Strategic planning, page 10.
  - 4.1.10 Authorization for over-expenditure, first approval, pg. 10.
  - 4.1.11 Award tender, Commodore Dr. improvements, page 11.
  - 4.2 Industrial Commission, page 11.
  - 4.2.1 Federal Government Shipyard Closing Policy, page 11.
    - Letter of resignation, Metro Authority, page 12.
    - Lease agreement, Neighbourhood Pubs Ltd., page 12.
    - Resolution 92-27, page 12.
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*Lib. Ref. Dept.*

**DARTMOUTH CITY COUNCIL  
AGENDA**

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**MON. JULY 20 /92  
5:15 PM  
COUNCIL CHAMBER**

1. Set date for Special Municipal Election (September 12, 1992).
2. Presentation - JUMP
3. **REPORTS:**
  - 3.1 **CITY ADMINISTRATOR**
    - 3.1.1 Appointment of Returning Officer
    - 3.1.2 Second Approval for Over-expenditure  
Special Election (previously circulated)
  - 3.2 **MUNICIPAL ELECTION**
    - 3.2.1 Advance Poll Dates
    - 3.2.2 Establishment of Polling Districts and  
Use of Other Lists (Resolution 92-29)
4. Solid Waste Mediators
5. Appointments - Committee to Review Ward Boundaries

DARTMOUTH CITY COUNCIL

JULY 20, 1992

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

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

CITY ADMINISTRATOR: J. BURKE                      MEMBER ABSENT:  
CITY SOLICITOR: M. MOREASH                      ALD. MACFARLANE  
CITY COMPTROLLER: D. MCBAIN

1.0            SET DATE FOR SPECIAL MUNICIPAL ELECTION

SET DATE:  
ELECTION

Council was asked to set the date for the Special Municipal Election required to fill the Mayoralty vacancy, and for any Aldermanic elections required in this connection. The date proposed is Sept. 12th, 1992, and this date was acceptable to Council.

MOTION: To set Sept. 12/92 as the date for the Special Municipal Election required.

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

2.0            PRESENTATION - JUMP

PRESENTATION:  
JUMP

A basketball franchise offer is being proposed for Dartmouth, and Greg Boyce was present on behalf of the National Basketball League, to provide information and answer questions about the Dartmouth proposal. Members of Council received an information package with the agenda, for this item. Since the venue for the League, in the event of a Dartmouth franchise, would be the Sportsplex, Mr. Bagnell was also present for discussion with Council as to the availability of the facility for basketball.

The City is not being asked for any funding, but only to give endorsement to the idea of a Dartmouth basketball franchise, based on the proposal that has been outlined.

MOTION: That Dartmouth City Council give endorsement to the idea of an NBL basketball franchise for Dartmouth

Moved: Ald. Hetherington  
Second: Ald. Levandier

Members were generally willing to support the idea of a basketball franchise for Dartmouth, in principle, on the understanding that the City has no involvement from a financial point. Ald. Hawley was concerned that any deficit that might be incurred by the Sportsplex, if the franchise is not successful, would end up being the responsibility of the City. He asked that Mr. Burke be involved in any contract negotiations, to insure the City's protection. It was noted that five members of Council serve on the Sportsplex Commission, and could be expected to speak for the City in that capacity. Mr. Burke said he would certainly brief Council on terms and conditions of any contract negotiated.

Questions to Mr. Bagnell concerned the seating capacity of the Sportsplex, for basketball games, the disruption of ice schedules for the games (three days out of every two weeks), etc. He said the maximum capacity for the Sportsplex arena, including standing room, would be 5,000. Mr. Boyce advised that a basketball floor could be made available from Kitchener, Ont. for a price of between \$10,000. and \$20,000. After questions to Mr. Boyce and Mr. Bagnell had been answered, and the debate concluded, the vote was taken on the motion.

In Favour: All  
Against: None  
Motion Carried

(Ald. Levandier left the meeting.)

3.0 REPORTS

3.1 CITY ADMINISTRATOR

3.1.1 APPOINTMENT OF RETURNING OFFICER

APPOINTMENT:  
RETURNING  
OFFICER

A report from Mr. Burke (V. Carmichael, B. Smith) was before Council, recommending the appointment of Bruce S. Smith, City Clerk-Treasurer, as the Returning Officer for the Special Election to be held on Sat., Sept. 12/92.

MOTION: To approve the appointment of  
Bruce S. Smith as Returning  
Officer for the Special Election,  
as recommended.

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

3.1.2 SECOND APPROVAL FOR OVER-EXPENDITURE - SPECIAL ELECTION

SECOND APPROVAL: Council was required to give second approval for the  
SPECIAL ELECTION \$100,000. over-expenditure required for the Special  
Election to be held on Sept. 12/92. First approval  
was given, on Mr. Burke's recommendation, at the  
July 14th meeting of Council.

MOTION: To give second approval for the  
over-expenditure of \$100,000. required  
for the Special Election to be held on  
September 12/92.

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

3.2 MUNICIPAL ELECTION3.2.1 ADVANCE POLL DATES

ADVANCE POLL  
DATES

A report from the Returning Officer, Bruce Smith, was  
the next item of business, recommending that advance polls  
for the 1992 Special Municipal Election, be set as Thurs.,  
Sept. 3rd, and Tues., Sept. 8/92, from 12:00 noon, through  
8:00 p.m.

MOTION: To approve the dates and times  
recommended by the Returning  
Officer, for the advance polls  
for the Special Municipal Election.

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

3.2.2 ESTABLISHMENT OF POLLING DISTRICTS & USE OF OTHER LISTS

POLLING DISTRICTS Report from the Returning Officer on the establishment  
of polling divisions and use of other lists, for the  
Special Election to be held on Sept. 12/92. The report  
makes two recommendations to Council.

MOTION: To adopt the following recommend-  
ations:

- 1) that Council approve the use of the  
same polling districts that were in  
effect in the 1991 municipal election.
- 2) that Council approve Resolution 92-29,  
authorizing the Returning Officer to use  
the lists of electors from the 1991 municipal  
election.

RESOLUTION 92-29



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

Ald. May requested that voting arrangements for seniors living in the downtown (Alderney Manor, Nantucket Place) be looked at, to see what accommodations for them can be made, and Ald. Hetherington asked about the possibility of a portable polling station, to serve locations such as Oakwood Terrace, where it is not really necessary to have the polling station open all day long.

Ald. Pye inquired about the advertising of requirements for poll clerks, DRO's, etc. Mr. Burke agreed to look at doing this for the next municipal election, but felt that for the special election, time constraints will not permit it.

4.0

SOLID WASTE MEDIATORSSOLID WASTE  
MEDIATORS

Mr. Bill Hayward, one of the two mediators appointed to try and resolve the solid waste management impasse, met with Council to hear the opinions and comments of members, for further consideration in preparing a report from the Mediation Committee.

Ald. Rodgers was present from this point in the meeting.

As a member of the original Solid Waste Management Committee, representing Dartmouth, Ald. May felt that the consultation process followed was very open to the public, and satisfactory procedures were followed in soliciting public opinion. He and other members of Council felt that Dartmouth's position has been flexible throughout the deliberations, whereas it has been difficult to determine exactly what the position of Halifax City is, or what they want in the way of management decisions. It was pointed out that while Halifax has expressed opposition to incineration, they are willing to have garbage from the metro area incinerated at Port Hawkesbury; also, to transport metro garbage to the tin mine in Yarmouth. Members of Dartmouth Council did not consider either of these alternatives, affecting other municipalities, to be acceptable.

Ald. Pye indicated his continuing opposition to the choice of the Burnside site for the waste-to-energy facility, while Ald. Greenough, who was also opposed to the Burnside location, suggested to Council members that if Halifax wishes to provide a site, they should be allowed to do so. He later presented a motion to this effect.

During the course of this discussion and consultation period, Ald. Hetherington left the meeting and Ald. Woods arrived for the meeting.

Ald. Walton, along with some of the other members, felt the present breakdown in the solid waste management project, represents a serious step backward in regional cooperation, and they also stressed the urgency of getting on with the project, considering the 1994 deadline for closing out the Sackville landfill site. Ald. May noted that garbage volumes in metro, rather than being reduced as projected by people opposed to incineration, are up by as much as 13% to 15%. He referred to what he called the 'manipulation' of facts and figures, associated with incineration, by detractors of the process. Ald. Rodgers commented on the lack of success with composting operations, one alternative promoted by the City of Halifax. He reported on a site visit to composting facilities in Iowa and Minnesota, describing them as appalling and producing only 5% to 10% of viable commercial composted material as the end result. He said that based on what he had seen, composting does not work as a satisfactory alternative.

The general opinion of Dartmouth Council was that Halifax has not been consistent in their arguments against incineration, has not been prepared for decisions that had to be made, and have entrenched themselves in a position that is now difficult to give up, in trying to resolve what is, after all, a regional problem where the cooperation of all metro municipalities is required.

The motion of Ald. Greenough was presented mid-way through the period of discussion and consultation.

MOTION: WHEREAS Halifax is opposed to the economic package accruing to the City of Dartmouth, as the site location for the incinerator;

BE IT RESOLVED that Dartmouth City Council request Halifax City Council to propose a site for solid waste incineration acceptable to them, and an economic package acceptable to the Metro Authority.

Moved: Ald. Greenough

Second: Ald. May

Aside from Ald. Pye, who questioned the introduction of a motion, as being proper procedure, Council tended to agree that Halifax objected to the terms and conditions of the Dartmouth proposal for the Burnside site. They were

therefore willing to accomodate the City of Halifax, by giving them an opportunity to offer a site in Halifax, if the present impasse could be resolved through this means. Ald. Rodgers said it should be clearly stated, in the motion, that Council is offering the choice of a Halifax site, and made an amendment to the motion, for purposes of clarification.

AMENDMENT: That the words '. . . within Halifax boundaries' be added to the motion, after the words 'Halifax City Council to propose a site . . . '.

Moved: Ald. Rodgers  
Second: Ald. Greenough

Ald. Woods said he could not go along with the Burnside site, being located as it is in Ward 5, but if the site were decided upon, the City and Ward 5 should have full compensation for the land there.

The vote was taken on the amendment -

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

- and on the motion, as amended.

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

#### 5.0 APPOINTMENTS - COMMITTEE TO REVIEW WARD BOUNDARIES

REVIEW COMMITTEE Besides the names put forward by Ald. Greenough at the July 14th meeting, for appointment to the Ward Boundaries Review Committee, Deputy Mayor McCluskey advised that she has also received the names of Gloria Kelly, Cliff Williams, and Ken Harris. The name of Philip Elliot was submitted by Ald. Sarto, at this time, plus the name of Donald Smeltzer, submitted by Ald. Rodgers.

Ald. Thompson suggested that the Review Committee should have some terms of reference first, before any appointments are made, and he moved referral to staff for a report to Council.

MOTION: To refer the item on Review Committee appointments to staff, to prepare terms of reference for the Committee, for report to Council.

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

At 7:50 p.m., Council went in camera, and after reconvening in open meeting, they ratified the action taken in camera.

MOTION: To approve the action taken while meeting in camera on this date (lease and land items).

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

Meeting adjourned at 8:30 p.m.



D. McBain,  
City Comptroller.

ITEMS:

- 1.0 Set date for Special Municipal Election, page 1.
  - 2.0 Presentation, JUMP, page 1 & 2.
  - 3.0 Reports, page 2.
  - 3.1 City Administrator, page 2.
  - 3.1.1 Appointment of Returning Officer, page 2.
  - 3.1.2 Second approval for over-expenditure, Special Election, pg. 3.
  - 3.2 Municipal Election, page 3.
  - 3.2.1 Advance Poll dates, page 3.
  - 3.2.2 Establishment of polling districts & use of other lists, pg. 3.  
Resolution 92-29, page 3.
  - 4.0 Solid waste Mediators, page 4 to 6.
  - 5.0 Appointments, Committee to review ward boundaries, page 6.
-

LOCATION: CITY COUNCIL CHAMBERS

TIME: 1:00 p.m.

MEMBERS PRESENT: DEPUTY MAYOR MCCLUSKEY  
ALDERMEN SARTO, THOMPSON, WOODS  
RODGERS, HAWLEY, GREENOUGH  
MAY, CUNNINGHAM

MEMBERS ABSENT: ALD. MACFARLANE, HETHERINGTON  
LEVANDIER, PYE, WALTON

CITY ADMINISTRATOR: J. BURKE

CITY SOLICITOR: M. MOREASH

CITY COMPTROLLER: D. MCBAIN

SPECIAL MEETING WITH SCHOOL BOARD RE FUNDING

MEETING RE  
FUNDING

In response to a School Board request, Council met with the Chairman and other Commissioners present, to discuss the effects of Bill 286 on the Dartmouth school system, and activities of the Board. The Board is seeking additional funding from the Province, following the passage of Bill 286, which reverses the Board's decision to close three schools in Dartmouth. Having received no answer from the Province to date, as to whether or not they are willing to provide the \$350,000. amount needed to keep the three schools open, Council has been placed in the position of deciding whether the City should assist financially, over and above the School Board allocation approved at budget time. Present for the School Board, in addition to Comm. Everett and Ms. Berard, Asst. Supt., were: Comm. Brennan, Austin, and Barlow.

Comm. Everett addressed Council on the implications for the school system of budget reductions that already had to be implemented, pointing out to Council that the Board has recourse to only two sources of funding, that is, from the City and the Province. Asked about her perception of additional funding from the Province, Comm. Everett said she was not encouraged by indications from them to date. If the response from the Province is negative, the only remaining alternative for the Board is to seek \$350,000. from the City, the amount required to keep the three schools open for seven months.

Ald. Cunningham commended the School Board for the manner in which they have handled their budget, and attempted to cope with the severe funding restrictions placed upon them. He felt the Provincial bill was unfair to the Board and to children in the City, since it came into effect after City and Board budgets had already been set, and decisions taken on the three school closures. A motion was presented by Ald. Cunningham.

MOTION: That the funding request to keep the Penhorn, North Woodside and St. Peter's schools open, be denied.

Moved: Ald. Cunningham

Second: Ald. Greenough

Ald. Sarto opposed the motion, on the basis that Council has an obligation to the children and parents in the community, who are affected by the school closures. He had particular concerns about the Penhorn School, and the community in this Ward 1 area.

Ald. Greenough summarized the funding contributions already made by the City for this year, noting that the City's non-mandatory funding amounts in total to about 6½ million dollars, additionally to the mandatory contribution. He took the position that since the Province is responsible for the legislation which requires the schools to stay open, the Province should also be willing to provide the necessary funding. Several other members took the same position, agreeing that basically, this is a Provincial action that the Province should be willing to fund. The possibility of cost-sharing between the City and the Province, was suggested by Ald. May, who opposed the motion. He said the problem all began with the improper process followed in the school closure procedures; the Board should have followed the intent of the guidelines and did not, he said.

\*\*\* note, pg. 3.

Ald. Hawley said the Province kept \$650,000. the School Board should have received in the first place, and they should now at least make \$350,000. of that amount available, to help out the Board in this present difficulty. He also maintained that Council should not have to accept responsibility for the decision of another government level. Members tended to feel that the Province should not have interfered with School Board action in the first place, especially after budgets were set and planning for next year's school enrollments had been decided.

At the end of the debate and after receiving information from Comm. Everett, who was available throughout the meeting to answer questions from Council, the vote was taken on the motion.

In Favour: All members except

Against: Ald. May, Sarto & Thompson

Motion Carried

Adjournment was then moved by Ald. Rodgers and Woods, after which notice of reconsideration was given by Ald. May and Sarto. The motion to adjourn therefore took precedence, but the quorum was lost before the vote could be taken.

The meeting ended at 2:20 p.m.



D. McBain,  
City Comptroller.

\*\*\* (Additional note: Mr. David Richey of PACE answered questions from Ald. Sarto, further to the funding recommendation contained in their letter of July 18/92 to Deputy Mayor McCluskey, with copies to all Council members and local MLA's.)

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