

It was agreed that representatives of Council might participate in the discussions.

10. Mr. Innes advised Council that he could not agree to raised curbs and sidewalks around any portion of his property but would agree to the placing of concrete sidewalks without raised curbs. The sidewalk was to be located where the curbs are presently proposed to be placed. This would allow vehicles to approach and exit his property at any point, but would prohibit their parking in the areas designated as sidewalks. Mr. Innes further stated that he would not agree to any landscaping or street lights in the area fronting his property.

ADJOURNMENT OF SESSION

ON MOTION of Councillor Tolson, seconded by Councillor Doyle, it was moved that the Town Council Session be adjourned at 7:30 p.m. in order to accommodate the holding of a Public Hearing and re-convene thereafter. Motion carried unanimously.

RE-CONVENING OF SESSION

The Town Council Session re-convened at 9:45 p.m. following completion of the Public Hearing scheduled for 7:30 p.m.

10.2 DELEGATIONS

10.2.1 H. MACKINLAY - SIDEWALKS - CHICKENBURGER RESTAURANT

Mayor Roberts called for a presentation from H. MacKinlay re Sidewalks - Chickenburger Restaurant. The Chair was informed that Mr. MacKinlay had left the meeting.

11.11 BIDC(MAINSTREET COMMITTEE) REPORT (cont'd)

In speaking to the situation with regard to the placing of curbs and sidewalks in front of the Chickenburger Restaurant, Councillor Tolson proposed a compromise plan which might be considered by Mr. Innes and Town Council. This plan would result in raised curbs and sidewalks around the Dartmouth Road corner, a portion of the south east end of the property and a portion in front of the sign - the balance to be constructed with rolled curbs for the flow of vehicles.

ON MOTION of Councillor Roy and Councillor Lugar it was moved that the question of the design of the surface improvements in front of the Chickenburger Restaurant be referred to staff, and that staff representatives discuss this matter further with Mr. Innes and attempt to come to a resolution within two weeks. Motion carried unanimously.

It was agreed that representatives of Council might participate in the discussions.

10. PETITIONS, DELEGATIONS, CORRESPONDENCE

10.1 PETITIONS

10.1.1 HAMMONDS PLAINS ROAD/BEDFORD HIGHWAY INTERSECTION

A petition signed by almost one hundred residents living in the vicinity of Hammonds Plains Road/Bedford Highway Intersection was presented to Town Council by Councillor Short. The petition expressed the disappointment of the residents with regard to Town Council's decision to reverse their earlier approval of the purchase of the former Myatt property at 940 Bedford Highway. Also outlined in the petition was the residents' concern with regard to traffic problems at the intersection in question and the need for highway improvements.

In speaking to the petition, Councillor Short also expressed concern with regard to this intersection.

The petition was received for information and it was agreed that further discussion could be deferred until after the next agenda item being that the Delegation would also be expressing concern over this intersection.

EXTENSION OF TIME OF MEETING

ON MOTION of Councillor Lugar and Councillor Roy, it was moved that the meeting be extended until 11:00 p.m. Motion carried unanimously.

10.2 DELEGATIONS

10.2.1 BEDFORD SCHOOL TRUSTEES RE STUDENTS CROSSING HAMMONDS PLAINS ROAD/BEDFORD HIGHWAY

Copies of correspondence from the Bedford School Trustees were circulated to members of Council, in which the Trustees requested that action be taken to remedy the dangerous crossing situation for a number of school children crossing the Hammonds Plains Road at the Bedford Highway intersection in order to travel by school bus.

On the invitation of Mayor Roberts, Mrs. Ann Birdsall, Chairman of the School Trustees, addressed Council noting in particular that there was no clearly designated crossing lanes or crossing light assistance at this intersection, and that a great deal of additional traffic has been generated due to the Sobey Mall construction. She also expressed concern with regard to the confusing traffic patterns which currently exist at this intersection.

A general discussion ensued during which Town Staff and residents of the area discussed possible short term and long term remedial action for this intersection. Mr. Rick Paynter, Town Engineer, advised Council of action which has and could be taken in the immediate future.

Mr. David Millen spoke on behalf of residents who had signed the petition received under Item No. 10.1.1. and requested that Council reconsider the previous decision not to purchase the property at 940 Bedford Highway. He emphasized the disappointment of the area residents with this decision.

Mrs. Margaret Lively also addressed Council, expressing strong concern with regard to the heavy volume of traffic which now passes through the Hammonds Plains Road/Bedford Highway intersection.

ON MOTION of Councillor Roy and Councillor Short, it was moved that Council receive the petition and correspondence and request a further staff report on the status of negotiations at the first Council Session in September. Motion Carried unanimously.

EXTENSION OF TIME OF MEETING

ON MOTION of Councillor Tolson and Councillor Lugar, it was moved that the Council Meeting be extended to 11:30 p.m.

9. PUBLIC HEARINGS AND MOTIONS ARISING THEREFROM

9.1 CONTRACT DEVELOPMENT AGREEMENT BEDFORD PARK

ON MOTION of Councillor Short, seconded by Councillor Tolson, it was moved that the Mayor and the Chief Administrative Officer be authorized to enter into and sign, on behalf of the Town, the Contract Development Agreement for Bedford Park considered at the Public Hearing held on Monday, August 20, 1984.

During discussion of the Motion, it was suggested that the proposed contract should be amended to ensure protection to the Town and residents with regard to possible future drainage problems.

ON MOTION of Councillor Roy, seconded by Councillor Tolson, it was moved that further consideration of this Motion be deferred to the next Session of Town Council, pending an opportunity for staff in consultation with the solicitor, to negotiate the desired new clause in the contract. Motion carried unanimously.

10.3 CORRESPONDENCE10.3.1 MINISTER DEPARTMENT OF TRANSPORTATION - RE BEDFORD APPOINTMENT TO HALIFAX DARTMOUTH PORT DEVELOPMENT COMMISSION

Copies of correspondence from the Honourable Jack MacIsaac, Minister, Department of Transportation were circulated to members of Council in which Mr. MacIsaac advised of the Proclamation of Chapter 6 of the Acts of 1984 and requested the nomination of one Director to the Board of Directors of the Halifax Dartmouth Port Development Commission.

By memorandum, the Chief Administrative Officer recommended the nomination of Mr. Jack Bathurst as the Town's representative on the Commission. He noted that Mr. Bathurst has been acting on this Commission under the former Order-in-Council and has been fully co-operative in his efforts to keep the Town informed accordingly.

ON MOTION of Councillor Tolson and Councillor Roy, it was moved that Mr. Jack Bathurst be nominated as the representative of the Town of Bedford on the Halifax Dartmouth Port Development Commission. Motion carried unanimously.

10.3.2 DEPARTMENT OF MUNICIPAL AFFAIRS - APPROVAL OF PLANNING ACT - SECTION RELATING TO SUBDIVISIONS

Copies of correspondence from the Honourable Thomas J. MacInnis, Minister of Municipal Affairs, were circulated to members of Council in which Mr. MacInnis advised that the remainder of the Planning Act, relating to Subdivisions, has been proclaimed in effect August 6, 1984. The correspondence was received for information.

10.3.3. DEPARTMENT OF SOCIAL SERVICES AMENDMENT OF "MANUAL OF PROGRAM STANDARDS FOR MUNICIPAL SOCIAL SERVICES"

Copies of correspondence from the Honourable Edmund L. Morris, Minister of Social Services were circulated to members of Council, in which Mr. Morris advised of amendments to the "Manual of Program Standards for Municipal Social Services." These amendments relate in particular to the personal use allowances to be provided to residents in Homes for Special Care, and it was also noted that these costs would be cost shared by the Department of Social Services. The correspondence was received for information.

10.3.4 WARDEN ARTHUR MACKENZIE, COUNTY OF HALIFAX RE BEDFORD APPOINTMENT TO TOURISM STEERING COMMITTEE

Copies of correspondence from Warden Arthur MacKenzie, Municipality of the County of Halifax, were circulated to members of Council, in which Warden MacKenzie requested consideration of Town Council to the appointment of a delegate to the Tourism Steering Committee, recently established by County Council.

In response to a call for nominations by Mayor Roberts, Councillor David Lugar was nominated to serve on this committee by Councillor Doyle. There being no further nominations in response to two further calls by the Mayor, Councillor Lugar was declared the Council appointee to the Tourism Steering Committee.

11. STANDING COMMITTEE REPORTS

11.1 BIDC(MAINSTREET) REPORT (Cont'd)

ON MOTION of Councillor Short, seconded by Councillor Lugar, it was moved that the construction of sidewalk on the south side of the Bedford Highway from the Sackville River Bridge to the Railway Bridge on the Dartmouth Highway and across the Sunnyside Intersection be approved in principle, at an expenditure not to exceed \$8,000. contingent upon there being funding available; such amount being subject to cost sharing with the Department of Development.

During discussion on the motion, some concern was expressed by Council as to whether or not the total project cost will be completed within budget. It was, however, noted that, to date, the project appears to be on target or even under budget.

The motion was put to the meeting and passed. Councillor Doyle abstained from voting.

12. OTHER REPORTS

12.1 FIRE CHIEFS MONTHLY REPORT - JUNE 1984

Copies of the Fire Chief's Monthly Report for June 1984 were circulated to members of Council. The report was received for information.

12.2 ENGINEERING DEPARTMENT MONTHLY REPORT - JULY 1984

Copies of the Engineering Department Monthly Report for July 1984 were circulated to members of Council.

In speaking to the report, it was agreed that any report respecting the sewer agreement between the County of Halifax and the Town of Bedford should be initially discussed "in camera."

The Town Engineer reviewed the progress to date with regard to the Town's 1984 program of walkway development and improvements.

The report was received for information.

12.3 REPORT - 1984 BUDGET TO ACTUAL AS AT JULY 31, 1984

Copies of a report with regard to revenues and expenditures - Budget to Actual as at July 31, 1984, were circulated to members of Council. The report indicated a net operating surplus for the first seven months of 1984, of \$53,351.

Included with this report was a memorandum from Mr. Rick Paynter, Director of Engineering and Works, outlining in detail, expenditures and commitments undertaken to date against Operating Account Number 23230 - Maintenance of Roads and Streets. He noted those expenditures which, to date, are over budget. In addition, he requested further funding, in the amount of \$11,000 for crack sealing, and in the amount of \$15,000 for additional asphalt surfacing over and above those funds originally budgeted for Account Number 23230.

ON MOTION of Councillor Roy and Councillor Doyle, it was moved that the Engineering Department be authorized to proceed with the additional work of crack sealing at a cost not to exceed \$11,000. Motion carried unanimously.

It was agreed that Council would address the question of additional funding in the amount of \$15,000 for asphalt surfacing at the September meeting of Council when a further report will be received from the Engineering Department.

13. MOTIONS

Nil

14. NEW BUSINESS

14.1 APPROVAL AWARD OF TENDER 84 05 SURFACE TREATMENT

By memorandum, the Director of Engineering & Works advised Council of the result of tenders called for the surface treatment of ten different streets within the Town of Bedford. He advised that two

tenders were received of which the low tender was from Municipal Contracting Ltd. in the amount of \$32,066. He recommended that the lowest tender be accepted and that a 10 percent contingency allowance be approved for unforeseen expenditures.

ON MOTION of Councillor Tolson and Councillor Short, it was moved that the tender of Municipal Contracting Limited be accepted and that the Mayor and Chief Administrative Officer be authorized to enter into a contract with Municipal Contracting Limited in the amount of \$32,066 for the surface treatment of ten different streets within the Town of Bedford and further that a 10 percent contingency allowance be approved. Motion carried unanimously.

14.2 APPOINTMENT OF DELEGATES-UNSM 79TH ANNUAL CONFERENCE

Correspondence was circulated to Members of Council with regard to the 79th Annual Conference of the Union of Nova Scotia Municipalities. Following discussion by Council with regard to which individuals would be attending this conference, it was agreed that Mayor Roberts, Councillor Lugar and the Chief Administrative Officer, Mr. Dan English, would be the authorized voting delegates from the Town of Bedford. to the Conference to be held September 19 - 22, 1984.

14.3 SALT STORAGE CONTRACT - TOWN OF BEDFORD - WAYNE AND WENDY KELLY

By memorandum, the Chief Administrative Officer advised Council of the background and details of the termination of the Lease Agreement with Wayne and Wendy Kelly, for the use of facilities located on Kearney Lake Road, in Bedford, for purpose of salt and equipment storage. He requested that Council confirm and ratify his actions, taken to terminate the Town's obligations under the contract.

ON MOTION of Councillor Short and Councillor Lugar, it was moved that Town Council confirm and ratify actions taken by Dan R. English, Chief Administrative Officer, to terminate the Town's obligations under contract for storage of salt between the Town of Bedford and Wayne and Wendy Kelly. Motion carried unanimously.

EXTENSION OF TIME OF COUNCIL SESSION

ON MOTION of Councillor Lugar, seconded by Councillor Doyle it was moved that the Council Meeting be extended to 12:15 a.m. Motion carried unanimously.

14.4 POLICE BUILDING RENOVATION - ADDITIONAL FACADE WORK

By memorandum, the Chief Administrative Officer reviewed the background and details of a desire of the Board of Police Commissioners to proceed with additional modifications to the exterior of the Police Building to further enhance its appearance.

He further advised that the Board, along with Council, met with the architect, on July 3, 1984, to view the architect's proposal, and that the total cost of the improvements would amount to approximately \$27,000 of which 60 percent would be cost shared through the Mainstreet funding.

ON MOTION of Councillor Tolson seconded by Councillor Doyle, it was moved that Town Council accept the recommendation of the Bedford Board of Police Commissioners that the sum of \$27,000 be approved for additional work to be carried out on the Police Building with the understanding that 60 percent cost sharing will be received from the Nova Scotia Department of Development under the Mainstreet Program. FURTHER, that Council authorize the Board to call bids and recommend the awarding of a contract to the successful bidder, once the final determination is made as to the type of material which will be utilized on the exterior facade.

During discussion of the Motion, strong concern was expressed by some members of Council with regard to proceeding on this work and that under no circumstances should any work proceed before the final design is presented to Town Council for approval.

ON MOTION of Councillor Lugar seconded by Councillor Tolson, it was moved that further consideration of this motion be deferred to the next Session of Council. Motion carried. Mayor Roberts voted against the Motion.

14.5 APPOINTMENT OF CONSULTANTS - PROPOSED LEGION PARK

By memorandum, Mr. Robert Nauss, Recreation Director, advised Council of the progress to date in the matter of interviewing consultants for the overall study and completion of design work on the Legion Park. Meetings were held with four consultants and the Commission, and after a lengthy review of the consultants in question, recommended to Council the appointment of Project Consultants Limited with Mr. George Russell to direct the project.

ON MOTION of Councillor Lugar and Councillor Doyle it was moved that Town Council approve the appointment of Project Consultants Limited, as Consultants for the overall design work of the Legion Park at a cost not to exceed \$15,000 and with Mr. George Russell as Director of the Project.

In response to an enquiry as to why the Recreation Commission is recommending Project Consultants Limited, Councillor Lugar advised that in the opinion of the Recreation Commission, Project Consultants Limited will provide the most extensive overall plan for the funding available.

The motion was put to the meeting and passed unanimously.

14.6 GLOBE AND MAIL VENDING MACHINES

Copies of a memorandum were circulated to members of Council with regard to the placement of additional Globe and Mail Vending Machines throughout the community. The recommendation that a decision on the request for permission to place these machines be deferred to the next meeting pending an opportunity for Council members to observe the machines in the various locations was accepted.

14.7 APPEAL - J. TOLSON MINOR VARIANCE - BEDFORD HIGHWAY

By memorandum, Mr. Barry Zwicker, Director of Planning and Development advised Council of an appeal to his decision with regard to a Minor Variance application for property located at 1440 Bedford Highway.

In speaking to this matter, Mr. Zwicker also advised Council of his concern that all of the requirements for an appeal to a Minor Variance decision may not have been fulfilled, and he requested a deferralment of this matter to the next Session of Council. This request was approved by Council.

15. QUESTIONS

15.1 ACTION SHEET

15.1.1. BRIDGE APPROACHES DETOUR (SPEED HUMPS)

Some discussion took place between Council and Staff with regard to the possibility of conducting a traffic count on Shore Drive, and it was agreed that, for the time being, such a count would not be undertaken due to the costs involved and because of the uncertainty as to what would be achieved.

16. NOTICES OF MOTION

Nil

17. ADDED ITEMS

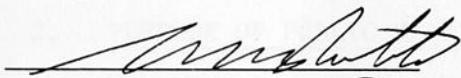
NIL

18. OTHER

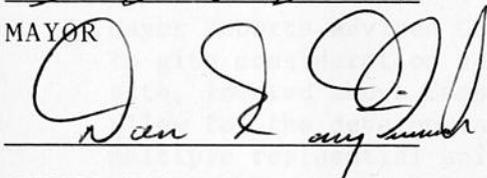
Nil

19. ADJOURNMENT

ON MOTION of Councillor Lugar, seconded by Councillor Doyle, it was moved that the meeting adjourn at approximately 12:05 a.m.



MAYOR



CHIEF ADMINISTRATIVE OFFICER

MINUTES OF THE TWENTIETH SESSION OF THE SECOND
YEAR'S MEETINGS OF THE SECOND COUNCIL OF THE MUNICIPALITY
OF THE TOWN OF BEDFORD
PUBLIC HEARING - AUGUST 20th, 1984

A Public Hearing called by the Town Council of the Town of Bedford was held on Monday, August 20, 1984, at 7:35 p.m. in the Town Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia, Mayor Keith Roberts presiding.

1. ATTENDANCE

Councillors Phyllis Doyle, David Lugar, William Roy, Robert Short and John Tolson were in attendance at the commencement of the Session.

Staff members attending the Public Hearing included Kenneth A. MacInnis, Town Solicitor; Dan R. English, Chief Administrative Officer; Joan Pryde, Deputy Clerk; Barry Zwicker, Director of Planning and Development; John Malcolm, Planner; and Rick Paynter, Director of Engineering and Works.

Approximately 100 members of the public at large were also in attendance at this session.

2. PURPOSE OF PUBLIC HEARING

Mayor Roberts advised Council that the purpose of this Public Hearing was to give consideration to a proposed Development Agreement for a 14.9 acre site, located above Campbell Drive, and adjacent to the LeBrun Centre, to allow for the development of 63 condominium, semi detached, town houses and multiple residential units.

3. STAFF REPORT

Mr. Barry Zwicker, Director of Planning and Development, advised Council that, pursuant to the Planning Act of Nova Scotia, the required advertising and notices were placed in local newspapers and letters were sent to all residents on Campbell Drive, Wimbledon Drive, Landsburg Road, the top of Douglas Drive, and the top of Heffler Street, informing them of the proponents intention to effect a Development Agreement with the Town of Bedford.

Signs were also placed on the property at Wimbledon, Heffler, and Landsburg Streets.

In reviewing details of the proposal, Mr. Zwicker referred, in particular, to aspects of land use, circulation, and servicing. In particular, he noted that a significant portion of the lands will be left in their natural state, a walkway will be constructed from the end of Landsburg Road to Heffler Street, and an internal walkway system will be provided as part of the overall development package.

Vehicular access to the site will be obtained through the Heffler Street Extension and Wimbledon Drive Extension. Mr. Zwicker advised that the Heffler Street Extension was proposed in the Consultants Report to be constructed to a twenty-four (24) foot wide asphalt surface with gravelled shoulder; however, Town Staff is of the opinion that this roadway width must be increased to twenty eight (28) feet of asphalt surface with a two foot shoulder on either side, and such has been indicated in the proposed contract.

Mr. Zwicker further noted that the proposed method of handling storm water

In response to Mrs. Bradley's concerns, the Director of Engineering and Works, and the Director of Planning, reviewed the technical details of the proposal for Heffler Street and the drainage system. They then expressed the opinion that the runoff on the site has received an extensive amount of study by both the Consultant for the Developer, as well as from Town Staff. It is now planned to implement a series of detention ponds within the development and through a controlled outfall into the existing stormwater system, achieve a reduction in the peak flows at the various points of discharge.

In conclusion, Town Council was advised by Mr. Zwicker that it is the collective agreement of Town Staff that this development proposal achieves and possibly goes beyond the overall objectives related to residential development from the Municipal Development Plan which states, "to make provision for high quality mixed housing types to meet the needs of a range of income groups," and would be an asset to the Town of Bedford.... "

4. QUESTIONS/DISCUSSION

Questions raised by Council with regard to the proposed width of the asphalt surface of Heffler Street Extension, and the replacement of the usual standard of concrete curbs with two foot gravelled shoulders led to some discussion with regard to Subdivision Standards that are acceptable. It was suggested by the Director of Planning & Development that the proposed contract will allow for a very high standard of hard services. Because it is a contract development agreement, some deviation from so called "normal" standards might be expected; but, in this case, any relaxation of one standard has been more than compensated by higher levels of other standards, especially with regard to the drainage system proposals..

5. PUBLIC HEARING

ON MOTION of Councillor Tolson and Councillor Doyle, it was moved that the Hearing be opened to submissions from the public, Motion carried unanimously.

6. SUBMISSIONS IN FAVOUR OF THE APPLICATION

Mr. Graeme Duffus spoke to Council as the architect of the proposed development and as a representative of the developer. He reviewed the aims of the development and noted that the property in question is very attractive, but also very difficult to develop. The developers wish to achieve a park-like area which would retain as much of the natural environment as possible. Mr. Duffus also addressed the technical details of the proposal with regard to roadways and drainage systems.

Mrs. Margaret Bradley addressed Council, as a resident of Campbell Drive, and also as Chairman of the Bedford Park Residents Association. She advised Council that the Residents Association was pleased with the proposal but wish to note a few concerns. The initial concern was with regard to the amount of traffic which will be generated from this new subdivision and she expressed the desire that Council think seriously of the future traffic flow for the area in question. Members of the Association are also concerned with regard to the proposed drainage system and wish to be assured that it will work as pre-ceived. Lastly, Mrs. Bradley expressed a personal concern with regard to the proposal that curbs will not be placed on Heffler Street and she expressed the opinion that this decision should be reconsidered.

In response to Mrs. Bradley's concerns, the Director of Engineering and Works, and the Director of Planning, reviewed again the technical details of the proposal for Heffler Street, and the drainage system. They then expressed the opinion that these plans were satisfactory.

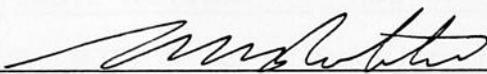
Several other residents addressed Council, including: Dr. Andrew Stewart, Landsburg Road; Don Ambler, Holland Avenue; Francene Cosman, Bedford Hills Road; Mr. Peacock, Doyle Street; Peter White, Shoreview Drive; Tom Innes, Bedford Highway; and Chris Nolan, Shore Drive. All spoke in favour of the proposed development, in principle, but expressed some concerns with regard to the roadway and/or drainage system proposals. During the discussions which ensued staff members and Mr. Duffus explained, in depth, what is reasonable to expect with regard to the development of stormwater drainage systems in a Town with topography such as Bedford.

7. SUBMISSIONS AGAINST THE APPLICATION

In response to an invitation from Mayor Roberts, there were no submissions against the proposed contract development agreement at this time.

8. ADJOURNMENT

ON MOTION of Councillor Tolson seconded by Councillor Lugar, it was moved that the Public Hearing be adjourned at approximately 9:30 p.m.



MAYOR



CHIEF ADMINISTRATIVE OFFICER

MINUTES OF THE TWENTY-FIRST SESSION OF THE SECOND
YEAR'S MEETINGS OF THE SECOND COUNCIL OF THE MUNICIPALITY
OF THE TOWN OF BEDFORD

A Regular Session of the Town Council of the Town of Bedford was held on Monday, September 10, 1984, at 7:30 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia, Mayor Keith Roberts presiding.

1. LORD'S PRAYER

Mayor Roberts opened the Session by the leading of the Lord's Prayer.

2. ATTENDANCE

Deputy Mayor Bosko Loncarevic and Councillors Phyllis Doyle, David Lugar, William Roy and Robert Short were in attendance at the commencement of the Session.

Staff members attending this meeting included Dan R. English, Chief Administrative Officer; Joan Pryde, Deputy Clerk; Barry Zwicker, Director of Planning & Development; Rick Paynter, Director of Engineering & Works; Ron Singer, Accountant; John Malcolm, Planner; Micheel Towner, Mainstreet Coordinator; and Kenneth MacInnis, Town Solicitor.

3. APPROVAL OF MINUTES

3.1 REGULAR SESSION - AUGUST 20, 1984

3.2 PUBLIC HEARING - AUGUST 20, 1984

ON MOTION of Councillor Roy and Councillor Lugar, it was moved that the Minutes of the Regular Session of August 20, 1984, and the Minutes of the Public Hearing of August 20, 1984, be approved as amended. Motion carried.

During discussion of the Minutes of the Regular Session of August 20, 1984 and the Minutes of the Public Hearing of August 20, 1984, it was agreed that Item 11.1 of the Minutes of the Regular Session of August 20, 1984, should be amended to reflect that the approval for funding of sidewalks was contingent upon there being "funding available." ✓

4. ADDITIONS/DELETIONS TO ORDER OF BUSINESS

It was agreed by Council that consideration of Item 7.1 would be deferred pending the conclusion of a meeting between the Director of Planning and Development and Legal Counsel.

5. APPROVAL OF ORDER OF BUSINESS

ON MOTION of Councillor Doyle, and Councillor Lugar it was moved that the Order of Business, as amended, be approved. Motion carried unanimously.

Some concern was expressed by Council with regard to the fact that a meeting of the Committee of the Whole Council was scheduled to be held at the conclusion of the Regular Session of Town Council. The opinion was expressed that agreement had been reached whereby meetings of the Committee of the Whole would be scheduled on separate nights from Regular Town Council Sessions.

In speaking to the matter, the Chief Administrative Officer advised that, in all likelihood, a meeting of the Committee of the Whole would be scheduled for October 1, 1984; however, he wished Council to be aware of the items which are currently pending, awaiting such a meeting. It was agreed that a decision on whether or not to hold a Committee of the Whole meeting following the Regular Session of Town Council, would be made following the conclusion of the current session.

6. MOTIONS OF RECONSIDERATION

Nil

7. DEFERRED BUSINESS / BUSINESS ARISING FROM THE MINUTES

7.1 CONTRACT DEVELOPMENT - BEDFORD PARK

(See Page 3)

7.2 INTERSECTION IMPROVEMENTS - HAMMONDS PLAINS ROAD & BEDFORD HIGHWAY

Copies of a memorandum to H.A. MacKenzie, Chief of Police and Traffic Authority, from Mr. Wayne Legere, Superintendent of Works, were circulated to members of Council, in which Mr. Legere discussed traffic improvements which might be considered for the intersection of the Hammonds Plains Road and the Bedford Highway.

In particular, the opinion of the Police Department was requested in regard to the proposal to install an advanced flashing green signal, which would serve to clear Hammonds Plains Road traffic from the intersection, before traffic from the Mill Cove Development is given the green light. The Department was also requested to investigate problems with pedestrian movement at the same intersection.

In discussing the memorandum, the Director of Engineering and Works, Mr. Rick Paynter, advised Council that appreciation has been expressed by residents of the area for improvements which have already been put in place, and noted that his Department will also be undertaking some construction in order to provide a place for children to await school buses.

During the ensuing discussion, it was suggested by Council that the School Board might be persuaded to relocate the school

7.2 (Cont'd)

bus pick up point from the Hammonds Plains Road to the Old Hammonds Plains Road.

ON MOTION of Councillor Lugar and Councillor Short it was moved that the traffic improvements that have been completed be accepted, and that authority be provided to introduce flashing lights at this intersection, if such are deemed desirable by staff. Motion carried unanimously.

In response to an inquiry from Council as to whether or not the ensuing Police Report will give an indication of accidents which have occurred at this location, the Director of Engineering & Works agreed that he would obtain these statistics.

In response to an enquiry from Council as to whether the portable curbs owned by the Town will be used at this intersection, the Director of Engineering & Works advised in the affirmative.

Some discussion also took place as to whether the Town Council should still pursue the acquisition of property located at civic number 940 Bedford Highway. It was suggested that such acquisition might be initiated under the Mainstreet Program by the BID Committee.

ON MOTION of Councillor Short and Councillor Roy, it was moved that further discussion of such land acquisition be deferred pending a meeting of the Committee of the Whole. Motion carried. Deputy Mayor Loncarevic voted against the Motion.

7.1 CONTRACT DEVELOPMENT - BEDFORD PARK

Deputy Mayor Loncarevic withdrew from the Session, as he was not in attendance at the Public Hearing of August 20, 1984.

In response to a request from Mayor Roberts, the Chief Administrative officer read the text of a Motion which was tabled at the Regular Session of Town Council held on August 20, 1984, as follows:

"ON MOTION of Councillor Short, seconded by Councillor Tolson, it was moved that the Mayor and the Chief Administrative Officer be authorized to enter into and sign, on behalf of the Town, the Contract Development Agreement for Bedford Park, considered at the Public Hearing held on Monday, August 20, 1984."

It was further noted by the Chief Administrative Officer that during discussion of the Motion, it was suggested that the

7.1 (Cont'd)

proposed contract should be amended to ensure protection to the Town residents with regard to possible future drainage problems, and the following Motion of Deferrment was tabled:

"ON MOTION of Councillor Roy and Councillor Tolson, it was moved that further consideration of this Motion be deferred to the next Session of Town Council, pending an opportunity for Staff, in consultation with the Town Solicitor, to negotiate the desired new clause in the contract. Motion carried unanimously. "

A very lengthy discussion ensued between Council and Staff during which an effort was made to determine the exact nature of protection that was desired -- whether it was protection against liability which might occur as a result of a failure of the storm drainage system and/or whether it was protection in order that the costs of repairing or replacing the system would be covered if such was required in the future.

ON MOTION of Councillor Luger it was moved that further consideration of the Motion be deferred to the next Session of Council in order to allow the time required for staff, legal counsel and insurance advisors to meet and determine what type of protection can practicably be included in the contract. There was no response to three calls for a seconder, and the Motion was DECLARED INVALID by the Mayor.

ON MOTION of Councillor Lugar and Councillor Short it was moved that further consideration of the Motion be deferred until later in the evening, pending an opportunity for consultation between the Director of Planning & Development and Legal Counsel. Motion carried unanimously.

(For further discussion on Item 7.1 see Page 7)

Deputy Mayor Loncarevic resumed his place at the meeting.

Mayor Roberts excused himself from the meeting, and Deputy Mayor Loncarevic assumed the Chair.

7.3 REQUEST FOR ADDITIONAL FUNDING - COST SHARING ON DEBT CHARGES - COUNTY OF HALIFAX

By memorandum, the Chief Administrative Officer reviewed the details of a request for additional funding for the cost sharing of debt charges relating to the trunk sewer system. He noted that the original 1984 Budget indicated Bedford paying 35% of \$329,156, whereas Bedford should pay 35% of \$362,982. It was recommended that Town Council approve an additional allotment of \$11,839 to Account Number 24250 and that same be forwarded to the County of Halifax as the Town's remaining share of the 1984 net debt charges relating to the trunk system.

7.3 (Cont'd)

ON MOTION of Councillor Lugar and Councillor Roy it was moved that Town Council approve an additional allotment of \$11,839 to Account Number 24250 as the Town's remaining share of the 1984 net debt charges relating to the trunk system. Motion carried unanimously.

7.4 REQUEST FOR ADDITIONAL FUNDING - ENGINEERING DEPARTMENT
\$15,000

By memorandum, Mr. Rick Paynter, Director of Engineering & Works, provided an information report with respect to the merits of a regular street preventative maintenance program. He also noted that, in the preparation of future budgets, it will be his Department's approach to budget more in the Capital Budget for yearly street surfacing and curb replacement and, thus, eventually reduce the amount of street maintenance funds in the Operating Budget.

ON MOTION of Councillor Short and Councillor Roy, it was moved that Town Council approve an additional expenditure of \$15,000 under Account Number 23 230 for asphalt resurfacing of streets where required. Motion carried unanimously.

During the ensuing discussion, it was noted by the Chief Administrative Officer that he does not anticipate further tolerance in future years for such overexpenditures.

7.5 GLOBE & MAIL VENDING MACHINES

Copies of a staff memorandum were circulated to members of Council in which concern was expressed with regard to the recent placement of sixteen additional Globe & Mail vending machines on Town-owned property throughout the Town. It was noted that permission was not granted for the placement of these machines and that some complaints are being received with regard to the placement of machines on residential streets.

ON MOTION of Councillor Roy and Councillor Lugar, it was moved that representatives of the Globe and Mail be directed to remove all machines located on Town-owned property for which placement approval has not been received. Motion carried unanimously.

ON MOTION of Councillor Short and Councillor Doyle, it was moved that Town Staff study possible suitable locations for the future placement of newspaper vending machines. Motion carried. Mayor Roberts voted against the Motion.

During the ensuing discussion, it was agreed the Town should write a letter indicating that we do not wish newspaper vending machines placed in residential areas, but that we would be willing to consider other suitable locations.

7.6 APPEAL - J. TOLSON - MINOR VARIANCE ON BEDFORD HIGHWAY

By memorandum, Barry Zwicker, Director of Planning & Development advised Council that an application has been received from Mr. John Tolson, on behalf of John R. Tolson Sales Agencies Limited, for the relocation of an existing building on the property known as 1440 Bedford Highway. He noted that the relocation, as proposed, would require a reduction in the set back along the Bedford Highway from the thirty foot setback permitted under the Zoning Bylaw, to a set back of one foot. Mr. Zwicker further advised that, in his opinion, this was not a minor variance and, therefore, he felt he was not able to approve the application. Mr. Tolson was now appealing this decision before Town Council.

During discussion of this appeal, Mr. Zwicker, with the aid of maps and drawings, outlined, for the benefit of Council, further details of the application. Some concern was expressed by Council with regard to the absence of what, in its opinion, was required information from the Applicant.

In response to an invitation from Mayor Roberts, Mr. Jack Innes, Solicitor for the Applicant, spoke at length to Council in support of his client's appeal.

In particular, Mr. Innes expressed the opinion that the first requirement of Council was to determine whether the application was for a minor or a major variance. He defended the point of view that the application in question does not violate the intent of the Land Use Bylaw and, therefore, should be considered a minor variance and, thus, could be accepted by Council. He agreed that if it was the opinion of Council that the variance requested in this case was indeed a major variance, then Council had no choice but to deny the appeal.

Mr. Innes also noted the advantages of the proposed relocation of the building in question and expressed the opinion that such relocation would be beneficial not only to his client but to the Town of Bedford.

In response to an invitation from Mayor Roberts, Mr. Robert Lindsay addressed Council, expressing his concern with regard to the proposed variance. Following a brief deliberation on the history of the development of the property, he expressed the opinion that the buildings presently being occupied on the property were originally placed as temporary buildings and, in actuality, were now being used illegally and should be removed.

In response to an inquiry from Council, Kenneth MacInnis, Legal Counsel, supported the opinion of Mr. Jack Innes, that Council should make a decision as to whether or not, in its opinion, the variance requested was a minor or major variance.

7.6 (Cont'd)

ON MOTION of Deputy Mayor Loncarevic and Councillor Short it was moved that the appeal be denied on the grounds that the application is for a major variance. Motion carried. Mayor Roberts voted against the Motion. Councillor Doyle abstained from voting.

EXTENSION OF TIME OF MEETING

ON MOTION of Councillor Roy and Councillor Lugar it was moved that the meeting be extended to 11:30 p.m. Motion carried unanimously.

7.1 CONTRACT DEVELOPMENT - BEDFORD PARK

(Previous Discussion - pages 3 & 4)

Deputy Mayor Bosko Loncarevic withdrew from the meeting.

Some further discussion took place between Council, the Director of Planning & Development and Legal Counsel with regard to the details of a desired clause to be included in the contract between the developers of Bedford Park and the Town of Bedford. It was agreed that Staff and Legal Counsel would consult with the developers in order to prepare a new clause in this contract, which would ensure a suitable warranty period insofar as the storm water drainage system is concerned.

ON MOTION of Councillor Roy and Councillor Lugar it was moved that further consideration of the motion be deferred pending the development of the final agreement by the Director of Planning & Development, the Town's Legal Counsel and the Developer. Motion carried unanimously.

8. MOTIONS OF RESCISSION

Nil

9. PUBLIC HEARINGS AND MOTIONS ARISING THEREFROM

Nil

10. PETITIONS, DELEGATIONS, CORRESPONDENCE10.1 PETITIONS

Nil

10.2 DELEGATIONS

Nil

10.3 CORRESPONDENCE10.3.1 JOSEPH T. FOY, CHAIRMAN, BEDFORD HERITAGE '80, RE BEDFORD TEACHERY AND OFFICIAL "BEDFORD HISTORIAN"

Copies of correspondence from Joseph T. Foy, Chairman, Bedford Heritage '80, were circulated to members of Council, in which Mr. Foy reviewed the activities of the Bedford Heritage '80 during the previous year. He enclosed with his correspondence, a report on the management of the Teachery for the 1983-84 year.

Mr. Foy also suggested that the Town of Bedford consider the appointment of Mrs. Elsie Tolson as the Official Historian of the Town of Bedford.

The correspondence was received for information and it was agreed that, in future, some consideration should be given to the appointment of an Official Historian for the Town of Bedford

10.3.2 MR. PETER DRAGE - RESIGNATION - BEDFORD EMERGENCY MEASURES ORGANIZATION PLANNING COORDINATOR

Copies of correspondence from Peter Drage, Coordinator, Bedford Emergency Measures Organization, were circulated to members of Council, in which Mr. Drage submitted his resignation as Coordinator of the Bedford Emergency Measures Organization, due to the fact that he will be moving to Saint John, New Brunswick.

ON MOTION of Councillor Short and Councillor Doyle it was moved that the resignation of Mr. Drage be received with regret, and that copies of this correspondence be forwarded to the Emergency Measures Organization. Motion carried unanimously.

11. STANDING COMMITTEE REPORTS11.1 BEDFORD PLANNING ADVISORY COMMITTEE11.1(a) CONTRACT DEVELOPMENT AGREEMENT - UNION STREET

Copies of a memorandum and a staff report were circulated to members of Council from Mr. Barry Zwicker, Director of Planning & Development, concerning an application for a Contract Development Agreement at the property known as civic number 26 Union Street.

It was noted by Mr. Zwicker that, at a meeting of the Bedford Planning Advisory Committee held on September 5, 1984, a Motion was passed that BPAC recommend to Council the acceptance

11.1(a) (Cont'd)

of the recommendation as contained in the staff report with regard to the holding of a Public Hearing, subject to the following provisions:

That the development will not interfere with the extension of Centre Street, and that a staff study be undertaken to determine the traffic impact of the proposed development and, in particular, the need for sidewalks and the financial aspect thereof;

Also, the feasibility of constructing a walkway between Union Street and Centre Street.

It was also recommended that the results of such a study should be circulated ten days in advance of the Public Hearing on the Union Street Development.

ON MOTION of Councillor Roy and Councillor Lugar, it was moved that the Chief Administrative Officer be authorized to set a date for a Public Hearing and to place the necessary advertising indicating Council's consideration to enter into a Contract Development Agreement for the development of the property known as 26 Union Street. Motion carried unanimously.

11.1(b) LOCKE STREET EXTENSION

Copies of a memorandum were circulated to members of Council from Mr. Barry Zwicker, Director of Planning & Development, in which Mr. Zwicker advised that at a meeting of the Bedford Planning Advisory Committee held on September 5, 1984, a Motion was passed, that the Committee recommend to Council the deferral, for an indefinite period of time, of discussion on the Locke Street Extension.

ON MOTION of Deputy Mayor Loncarevic and Councillor Roy it was moved that any further discussion with regard to the sale of land known as the Locke Street Extension be deferred for an indefinite period of time. Motion carried unanimously.

12. OTHER REPORTS

12.1 FIRE CHIEF'S MONTHLY REPORT - JULY 1984

12.2 BUILDING INSPECTOR'S MONTHLY REPORT - JULY, 1984

12.3 TAX COLLECTION REPORT TO AUGUST 31, 1984

ON MOTION of Councillor Lugar and Councillor Doyle it was moved that the Fire Chief's Monthly Report for July, 1984, the Building Inspector's Monthly Report for July, 1984, and the Tax Collection Report to August 31, 1984 be received for information. Motion carried unanimously.

13. MOTIONS

Nil

14. NEW BUSINESS14.1 TENDERS - WINTER SNOW PLOWING OPERATIONS

By memorandum, Mr. Rick Paynter, Director of Engineering & Works, advised Council of the results of Tender 84-06 and Tender 84-07, both for the rental of equipment to be used during the 1984-85 snow removal season.

Tenders were received from two companies and it was recommended by Mr. Paynter that Council authorize staff to negotiate a contract with both G & R Kelly Enterprises and G.M. Kelly Contracting & Landscaping Limited, for the equipment which, in the opinion of the Engineering Department, is required, and at the rates as quoted in the tenders. He further advised that a contract would be brought back to Council for consideration and approval on September 24, 1984.

ON MOTION of Councillor Short and Councillor Lugar it was moved that Town Council authorize members of the Engineering Department to negotiate contracts with G & R Kelly Enterprises Limited, and G.M. Kelly Contracting & Landscaping Limited for the equipment listed and at the rates in the tender bids.

During the ensuing discussion, some concern was expressed by Council with regard to the number of units which the Engineering Department is requesting for the handling of snow during the coming year, and it was agreed that the Department should provide a report concerning the increase in units and the cost of same compared to previous years.

ON MOTION of Councillor Lugar and Councillor Roy it was moved that further discussion of this motion BE DEFERRED pending the provision of the requested information by staff. Motion carried unanimously.

14.2 PROPOSED 1985 BUDGET PREPARATION SCHEDULE

By memorandum the Chief Administrative Officer circulated a proposed schedule relating to the preparation of the 1985 Operating and Capital Budgets and requested approval of the schedule along with the appointment of a committee of Council and Staff to prepare a set of Budget Guidelines. It was further recommended by the Chief Administrative Officer that such a report be submitted to Town Council at the next meeting to be held September 24, 1984.

ON MOTION of Councillor Lugar and Councillor Doyle it was moved that the proposed 1985 Budget Preparation Schedule be adopted. Motion carried unanimously.

14.2 (Cont'd)

ON MOTION of Councillor Roy and Councillor Doyle it was moved that Mayor Roberts, Deputy Mayor Loncarevic, and the Chief Administrative Officer be appointed as a Committee of three, to prepare a set of Budget Guidelines which should be submitted to Town Council at the Session scheduled for September 24, 1984 for consideration and approval. Motion carried unanimously.

15. QUESTIONS

15.1 ACTION SHEET

The Chief Administrative Officer initiated a review of some of the items currently appearing on the action sheet with a view to determining whether or not they could be eliminated. It was the opinion of Council that all items should remain on the action sheet.

16. NOTICES OF MOTION

Nil

17. ADDED ITEMS

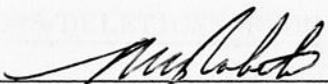
Nil

18. OTHER

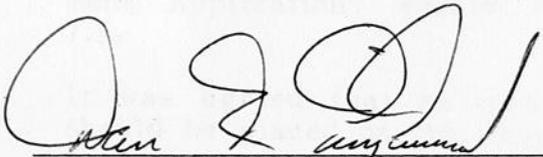
Nil

19. ADJOURNMENT

ON MOTION of Councillor Roy and Councillor Short it was moved that the meeting adjourn at approximately 11:45 p.m. Motion carried unanimously.



MAYOR



CHIEF ADMINISTRATIVE OFFICER

MINUTES OF THE TWENTY-SECOND SESSION OF THE SECOND
YEAR'S MEETINGS OF THE SECOND COUNCIL OF THE MUNICIPALITY
OF THE TOWN OF BEDFORD

A Regular Session of the Town Council of the Town of Bedford was held on Monday, September 24, 1984, at 7:30 p.m. in the Council Chambers Suite 400, Bedford Tower, Bedford, nova Scotia, Mayor Keith Roberts presiding.

1. LORD'S PRAYER

Mayor Roberts opened the Session by the leading of the Lord's Prayer.

2. ATTENDANCE

Deputy Mayor Bosko Loncarevic and Councillors Phyllis Doyle, David Lugar, William Roy, Robert Short and John Tolson were in attendance at the commencement of the Session.

Staff members attending the Session included Dan R. English, Chief Administrative Officer; Barry Zwicker, Director of Planning & Development; Rick Paynter, Director of Engineering; Micheel Towner, Mainstreet Coordinator; Joan Pryde, Deputy Clerk; H.A. MacKenzie, Chief of Police; Robert Nauss, Director of Recreation; John Malcolm, Planner; Kenneth MacInnis, Legal Counsel.

3. APPROVAL OF MINUTES

3.1 REGULAR SESSION - SEPTEMBER 10, 1984

ON MOTION of Councillor Roy and Councillor Doyle, it was moved that the Minutes of the Regular Session of September 10, 1984, be approved. Motion carried unanimously.

4. ADDITIONS/DELETIONS FROM ORDER OF BUSINESS

It was agreed that an item, "Union Street - Contract Development Application" should be placed on the Agenda as item 7.5.

It was agreed that an item "Declaration - Conflict of Interest" should be placed on the Agenda as item 7.6.

5. APPROVAL - ORDER OF BUSINESS

ON MOTION of Councillor Tolson and Councillor Short it was moved that the Order of Business, as amended, be approved. Motion carried unanimously.

6. MOTIONS OF RECONSIDERATION

Nil

7. DEFERRED BUSINESS / BUSINESS ARISING FROM THE MINUTES7.1 MAINSTREET PROGRAM - DESIGN OF SURFACE IMPROVEMENTS
AREA OF CHICKENBURGER RESTAURANT

By memorandum, J.M. Towner, Mainstreet Coordinator, reviewed the details of a revised proposal for the installation of sidewalks and driveway openings in the area of the Chickenburger Restaurant. He noted that the most recent proposal (Drawing No. 3) has been studied by both the Town's Planning Department and Engineering Department, and, while some concern focused on the width of the driveway openings, it was concluded that this present proposal adequately addressed storm drainage, street lighting, and clearly improves pedestrian safety over the existing conditions.

ON MOTION of Councillor Tolson and Councillor Roy, it was moved that Town Council accept, in principle, the surface improvement design as amended on Print File 84-39-6, by Beasy Nicoll Engineering Limited, in association with Underwood MacLellan Limited, dated August 7, 1984, such design to supersede the previous plan of April, 1984, and approved by Town Council on June 25, 1984.

During the ensuing discussion, Mr. Towner outlined the details of the sidewalk which would continue across the traffic islands at the Dartmouth Road intersection.

ON MOTION of Deputy Mayor Loncarevic and Councillor Lugar, it was moved that the Motion be amended by the addition of the following clause: "subject to the purchase of any private lands encroached."

The amendment was put to the meeting and carried. Councillor Short abstained from voting.

The Amended Motion was put to the meeting and carried. Councillor Short voted against the Motion.

7.3 TENDERS - WINTER SNOW PLOWING OPERATIONS

By memorandum, Mr. Rick Paynter, Director of Engineering and Works submitted additional information respecting the tenders for the rental equipment proposed for the winter season, and as recommended by his Department at the Council Session held on September 10, 1984.

It was his recommendation that the Total pieces of equipment to be contracted for the 1984/85 winter season be reduced from seven major pieces of equipment to six pieces of equipment, plus the four by fours as previously requested on an "as required" hourly basis.

7.3 TENDERS - WINTER SNOW PLOWING OPERATIONS (Cont'd)

ON MOTION of Councillor Roy and Councillor Doyle it was moved that the Mayor and the Chief Administrative Officer be authorized to enter into a contract with G & R Kelly Limited and G.M. Kelly Limited for the rental of equipment for winter snow plowing operations for 1984/85 as recommended by the Director of Engineering & Works, and at costs not to exceed those submitted by the above named contractors in response to Tender No. 84-06 and No. 84-07 resulting in a combined total monthly retainer fee of \$5050. Motion carried. Deputy Mayor Loncarevic voted against the Motion.

7.4 POLICE BUILDING RENOVATIONS - ADDITIONAL FACADE WORK

By memorandum, the Chief Administrative Officer reviewed the text of a Motion which was tabled on August 20, 1984 and deferred for further consideration at a future meeting as follows:

"THAT Town Council accept the recommendation of the Bedford Board of Police Commissioners that the sum of \$27,000 be approved for additional work to be carried out on the Police Building, with the understanding that 60 percent cost sharing will be received from the Nova Scotia Department of Development under the Mainstreet Program.

Further, that Council authorize the Board to call bids and recommend the awarding of a contract to the successful bidder, once the final determination is made as to the type of material which will be utilized on the exterior facade."

The Chief Administrative Officer then requested further consideration from Council as to whether or not the Council agrees that some additional work should be carried out at the Bedford Police Station in order to improve the exterior aesthetics of the building.

He also advised that, if Council accepts the recommendation of the Bedford Board of Police Commissioners, the Board would appreciate meeting with Council in a Joint Session in order to determine the exact nature and extent of the additional facade work.

During the ensuing discussion, strong concern was expressed by some members of Council that no additional Capital Expenditures to the Police Building should be considered prior to consideration of the 1985 Capital Budget. Some concern was also expressed with regard to the details of the current proposal.

THE DEFERRED MOTION was put to the meeting and was defeated unanimously.

7.4 POLICE BUILDING RENOVATIONS - ADDITIONAL FACADE WORK (Cont'd)

In response to an inquiry from Council as to why any consideration was being given to a Capital Project which had not been included in the Capital Budget for 1984, Council was advised that funding for cost sharing by the Provincial Government was currently available under the Mainstreet Program, which may not be available in future years.

ON MOTION of Councillor Lugar and Deputy Mayor Loncarevic it was moved that Town Council recommend to the Bedford Board of Police Commissioners that consideration be given to a brick veneer cladding on the extension to the existing bulding, with a raised roof; Further, that the cost for same be obtained by the Board and forwarded to Council for consideration, to be included in the 1985 Capital Budget.

MOTION carried. Councillor Tolson, Councillor Doyle, and Mayor Roberts voted against the Motion.

7.2 CONTRACT DEVELOPMENT AGREEMENT - BEDFORD PARK

By memorandum, Barry Zwicker, Director of Planning and Development advised Council that he and the Town Solicitor have reviewed the concerns which have arisen during previous Council Meetings, regarding the proposed stormwater drainage system in the Bedford Park Development. He further circulated proposed changes to the contract which had been prepared in draft form and which addressed the concerns regarding maintenance and possible liability from this system.

In speaking to the matter, Mr. Zwicker reviewed the details of the proposed clauses, noting that clauses 10(a), 10(b), 11(a)(1) and 11(a)(2) address the question of ongoing maintenance while the other clauses, namely 11(b), (c), (d), (e), (f), and clause 12 address the question of future liability of the Town.

ON MOTION of Councillor Short and Councillor Roy it was moved that Town Council accept the Contract Development Agreement with Bedford Park Development Limited, as amended by the inclusion of clauses 10(a), 10(b), 11(a)(1), 11(a)(2), 11(b), 11(c), 11(d), 11(e), 11(f), and clause 12.

In response to an invitation from Mayor Roberts, Mr. Allan Duffus spoke to Council at length, on behalf of the developers, He advised that the developers would be willing to agree to the inclusion of those clauses concerning the extension of the maintenance bond from a one year period to a two year period, but did not feel they were able to accept the inclusion of the additional clauses concerning liability. He further noted that it was the opinion of the

7.2 CONTRACT DEVELOPMENT AGREEMENT - BEDFORD PARK

(Cont'd)

Developers that, insofar as the liability is concerned, the normal coverage held by the professionals involved and the Town of Bedford was adequate for anything that might happen in the foreseeable future. He also expressed the opinion, that if the Town insisted on such clauses with regard to extensive liability coverage, it would be treating this development in a different manner from any other development in the past.

ON MOTION of Councillor Roy and Councillor Lugar, it was moved that the Motion be amended whereby the addition of clauses 11(c), 11(d), 11(e), 11(f) and 12 would be deleted.

During discussion of the amendment, Councillor Tolson expressed the opinion that he should not be expected to vote on the Motion or the amendment at the current session due to the fact that he has not had an opportunity to thoroughly review and understand the additional material circulated at the meeting.

The amendment was put to the meeting and carried. Councillor Tolson voted against the amendment.

The Amended Motion was put to the meeting and carried unanimously.

7.5 UNION STREET - CONTRACT DEVELOPMENT APPLICATION

Deputy Mayor Loncarevic expressed to Council his opinion that the proposed public meeting to consider the Contract Development Application for 26 Union Street was invalid due to the fact that the initial advertisement did not contain the civic address of the property involved. Mr. Kenneth MacInnis, Legal Counsel, expressed concurrence with the opinion of the Deputy Mayor.

ON MOTION of Deputy Mayor Loncarevic and Councillor Roy it was moved that the Chief Administrative Officer be authorized to reschedule the date for a public hearing and to place the necessary advertising indicating Council's consideration to enter into a Contract Development Agreement for the development of the property known as 26 Union Street. Motion carried. Councillor Tolson abstained from voting.

7.6 DECLARATION - CONFLICT OF INTEREST

Councillor John Tolson declared a conflict of interest with regard to two items which were considered on the Agenda of the previous Council Session of September 10, 1984, namely:

1. Appeal - J. Tolson - Minor Variance on Bedford Highway
2. Contract Development Agreement - Union Street

He noted that he had not been in attendance at the Council Session of September 10, 1984, and, therefore, was unable to declare a conflict of interest at that time.

Councillor Tolson excused himself from the meeting at approximately 9:30 p.m.

SUSPENSION OF RULES OF ORDER

ON MOTION of Councillor Roy and Councillor Doyle it was moved that the Rules of Order be suspended in order to consider Item 14.4 as the next item on the Agenda. Motion carried unanimously.

14.4 INDUSTRIAL COMMISSION - PROMOTIONAL AGENCY AGREEMENT

By memorandum, Barry Zwicker, Secretary of the Bedford Industrial Commission circulated and reviewed copies of a revised agreement between the Town of Bedford and the Bedford Industrial Commission outlining the conditions upon which the Town would support the concept of a private promotional agency.

ON MOTION of Councillor Roy and Councillor Lugar it was moved that the Town Council authorize the Mayor and the Chief Administrative Officer to enter into the revised agreement, with the Bedford Industrial Commission.

THE MOTION was put to the meeting and passed unanimously.

10. PETITIONS, DELEGATIONS, CORRESPONDENCE

10.1 PETITIONS

Nil

10.2 DELEGATIONS

Nil

10.3 CORRESPONDENCE

10.3.1 EAGLEWOOD RESIDENTS ASSOCIATION - C.A. CARTMILL RE

Copies of correspondence from C.A. Cartmill, on behalf of the Eaglewood Residents Association, were circulated to Members of Council. Mr. Cartmill advised of the formation of a residents association in the Eaglewood Subdivision.

EAGLEWOOD RESIDENTS ASSOCIATION - C.A. CARTMILL RE
COMMUNICATION WITH COUNCIL

(Cont'd)

The correspondence was received for information and it was agreed by Council that the new Association should be commended for its initiative. It was also suggested that members should be advised of the Town's Policy re Residents Groups, i.e. they are welcome to attend Council Sessions at any time, that the Chief Administrative Officer acts as a liaison between the groups and Council, and that periodic meetings are arranged between representatives of the groups and Town Council.

10.3.2 WIETSKE GRADSTEIN - RE TRANSIT ADVISORY COMMITTEE

Copies of correspondence from Mrs. Wietskie Gradstein were circulated to members of Council in which Mrs. Gradstein offered her services as a member of the Town of Bedford Transit Advisory Committee.

ON MOTION of Councillor Doyle and Councillor Roy it was moved that Mrs. Wietske Gradstein be appointed to the Bedford Transit Advisory Committee. Motion carried unanimously.

10.3.3 ADVERTISING - VACANCIES - TOWN COMMITTEES

It was agreed that, in the very near future, staff should arrange to place advertising in the local newspapers advising residents of upcoming vacancies on various Town Committees, Commissions, etc.

11. STANDING COMMITTEE REPORTS

11.1 RECREATION COMMISSION - TEACHERY/TENNIS COURT PROPERTY
IMPROVEMENTS

By memorandum, Mr. Robert Nauss, Recreation Director, requested the consideration of Council to planned Capital Program Expenditures for improvements to the Tennis Court/Teachery Property area. He noted that the total project cost estimates amount to \$14,000; which would leave \$6,000 in the budgeted amount of \$20,000 for Teachery and area landscaping now being considered by Bedford Heritage '80.

Following a brief discussion it was suggested that further consultation should take place with the District School Board regarding work on the playground, prior to commencement of same.