

Dartmouth, N. S.

December 7/76.

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

Present - Mayor Brownlow

Ald. Thompson	Kavanaugh
Smith	Williams
Crawford	Brennan
Cote	Hart
Ritchie	Backewich
Irvine	Fredericks
Greenough	
City Solicitor, S. Drury	
City Administrator, C. A. Moir	

MINUTES

Council approved the minutes of the meetings held on October 26, 27, and November 2nd, on motion of Ald. Ritchie and Hart. Ald. Fredericks asked if a further approach is to be made to have the ammunition removed from waters in Wrights Cove, a question raised by him during the November 2nd inquiry period. The Mayor suggested that this item does not relate to approval of the minutes and the vote on the motion was then taken.

SECOND APPROVAL: On motion of Ald. Irvine and Brennan, Council gave second approval to an over-expenditure of \$21,000. to cover the cost of catchbasin repairs which are required at several locations throughout the City.

REZONING: By-law C-302 was before Council for third reading, having been given first and second readings at the Nov. 16th meeting. **MARVIN PROPERTY** The by-law rezones land known as the Marvin property from R-2 Zone to P Zone. It was moved by Ald. Fredericks and Irvine and carried that By-law C-302 be read a third time and that the Mayor and the City Clerk be authorized to sign and seal the said by-law on behalf of the City (Ald. Brennan voting against).

REPORT: Ald. Kavanaugh and Irvine moved that an information report **CITY-OWNED LANDS** from the Planning Dept. on City-owned lands be received and filed; copies of the map prepared in this connection were previously circulated. Ald. Fredericks was in favour of having the Planner explain details of the map at this time but the motion to receive and file carried (Ald. Fredericks voting against).

PETITION
RE BROOK

A petition has been received from residents living on Tobin Drive, Bellevista Drive and Kimberly Crescent, asking that something be done by the City about the brook which runs through this area, eroding properties adjacent to it and constituting a danger to children when it rises during heavy rains. Ald. Thompson spoke on behalf of the residents concerned, indicating that he would request a study and cost estimate as to the best means of resolving the problem so that provision can be made in the budget to allocate funds required. On motion of Ald. Fredericks and Hart, the petition was referred to the P.D.O. Committee and to staff for a cost estimate.

The Mayor acknowledged receipt of a submission from a group of Ward 6 residents opposed to renewal of the Steed & Evans quarrying permit; copies of the petition were circulated to all members of Council.

GRANT REQUEST: A grant request has been received from the Grace Maternity
GRACE MATERNITY HSP:

Hospital in connection with their construction programme being undertaken, and the City of Dartmouth is asked to make a total contribution of \$64,800. in four annual payments of \$16,200., beginning in 1977. Ald. Irvine and Ritchie moved that the City allot \$16,200. per year over a four-year period, commencing in 1977, as requested, for a total contribution to the Grace Maternity Hospital in the amount of \$64,800. Ald. Hart, Kavanaugh and Fredericks said they would prefer to have the request dealt with at committee first, following the procedure adopted in considering other grants at budget time.

Admiral W. M. Landymore, Chairman of the Board of Management for the Hospital, was heard by Council at this point in the debate. He outlined the expansion programme planned in order to provide new and better facilities at the Grace, the costs involved, and the fund-raising approach being made to communities throughout the Province to help raise the \$250,000. required as the Hospital's share in the total cost, which is just over a million dollars. Ald. Greenough and several other Council members

felt it would be advisable for the Finance Committee to make a recommendation on the request and a motion to refer for a report at budget time was moved by Ald. Kavanaugh, seconded by Ald. Smith. The motion to refer carried with Ald. Irvine voting against.

MOTIONS:

ALD. IRVINE

The following motions were presented, notice of motion having been previously given by the Alderman concerned:

1) Ald. Irvine moved, seconded by Ald. Greenough, that the Works Dept. complete the steps from Helene to Mountain Ave. to tie in with the existing walkway system. Speaking in support of the motion, both Aldermen stressed the need to have this walkway completed because of the hazardous condition of the unfinished section which children have to cross on their way to and from school. In view of the fact that no cost estimate could be given for the project at this time by the Engineering Dept., Ald. Fredericks and Smith favoured referral to the P.D.O. Committee for consideration with this information available. Mr. Purdy said he would have a cost estimate prepared in time for the meeting and on motion of Ald. Smith and Fredericks, the item was referred to P.D.O. as suggested.

ALD. GREENOUGH

2) Ald. Greenough moved, seconded by Ald. Irvine, that Council authorize the City Administrator to consider the 1977 allocation for the installation of sidewalk, curb, gutters and paving as a priority program, and that the amount to be budgeted shall not be less than one million dollars. Ald. Greenough referred to the many streets in Wards 6 and 1 that are still without paving and the arguments presented by him in support of his motion generally received a favourable reaction from Council. Other members commented on street construction required in their own wards and there was general agreement that if possible, provision for capital spending should be increased in this area. Ald. Smith said he would want to know what projects are to be undertaken before he could support the motion.

Ald. Crawford and Irvine were two of the members speaking in favour, and Ald. Brennan said that while he would vote for the motion now, it might be necessary to reconsider this decision at budget time in the light of our total capital requirements. When the vote was taken, the motion carried with Ald. Smith and Williams voting against.

ALD. KAVANAUGH 3) Ald. Kavanaugh moved, seconded by Ald. Fredericks, that Council direct the Finance & Social Services Committee to review the terms of reference of the various advisory boards as to the length of appointments, in order to insure continuity. At Ald. Hart's suggestion, the motion was revised to include provision for notifying the Boards concerned so that their members can have some input when the Committee deals with the item. With this additional notation, the motion carried.

ALD. COTE 4) Before introducing his motion, Ald. Cote inquired of the Mayor what action has been taken by MAPC with regard to the Albro Lake Radio Station lands. The Mayor advised that these lands have been designated for inclusion in the Regional Park Study and ultimately, they could become part of the Regional Park system if MAPC so decided. It was noted that the results of the DPW study are expected by the middle of January when a Council meeting will be held to consider their report. Having received this information, Ald. Cote proceeded to move that Council commence proceedings to rezone the Albro Lake Radio Station lands from their present zoning (G Zone) to Park & Institutional (P Zone), setting January 18th as the date for public hearing; Ald. Ritchie seconded the motion.

The Solicitor noted that there are some legal ramifications involved in rezoning lands such as this to Park & Institutional and thereby reducing the market value substantially. He compared the situation to the current litigation involving the Ashburn Golf Club lands. Several members considered Ald. Cote's motion to be premature when the outcome of the DPW study is not yet

known and in view of the MAPC study being undertaken. Ald. Hart also noted that the Mayor and MLA for Dartmouth North will be discussing the lands with representatives in Ottawa in the near future. Ald. Kavanaugh and Smith moved that the matter be tabled until approx. two weeks after Council has received the DPW report on the Albro Lake lands. Ald. Cote opposed and voted against the motion, which carried. Ald. Hart suggested that a public information session with citizens in general (ie. as opposed to those living mainly in the immediate area) could still be held in the Council Chamber and people could be encouraged to attend from all areas of the City through our advertisements in the local papers.

RESOLUTION #76-40 On motion of Ald. Fredericks and Hart, Council approved Resolution #76-40, appointing Special Constables as listed; a copy of the resolution is attached.

RESOLUTION #76-41 Council also adopted the attached Resolution #76-41, on motion of Ald. Kavanaugh and Brennan. This resolution authorizes the agreement between the City and W. Eric Wheby Ltd. in connection with lands conveyed and exchanged as described, in the Lake Charles area.

TEMPORARY
BORROWING
RESOLUTIONS

The following Temporary Borrowing Resolutions were approved, on motion of Ald. Kavanaugh and Williams:

\$15,000 - Fire Station #1
60,000 - Street Drainage
30,000 - Sewer
375,000 - Streets

Copies of these resolutions are attached.

ISSUING
RESOLUTION

An Issuing Resolution in the amount of \$4,217,000. for General Purposes was approved on motion of Ald. Greenough and Brennan, together with a recommendation from the City Clerk-Treasurer that Council authorize a proposal call to market debentures in the U.S. market, based on the procedure outlined in his report.

REPORTS

Ald. Hart and Irvine moved the adoption of the following

monthly reports:

Building Inspector
Minimum Standards of Use & Maintenance
Police Chief
Fire Chief
Social Services
V.O.N.

Questions from the members of Council, relating to the reports, were as follows:

- 1) Ald. Kavanaugh on the Building Inspection report - This report would be more meaningful with the annual comparison line requested previously.
- 2) Ald. Brennan, concerning the cost of prosecutions under the Minimum Standards By-law - Mr. Moir referred to a bill received for legal fees in this connection and Ald. Cote later requested further information when these fees have been detailed.
- 3) Ald. Fredericks asked to have the property 12 Everette St. inspected. He also questioned the number of Police escorts for money, suggesting there should be some other way of having these services provided other than through the Police Dept. Another question he raised had to do with the number of false alarms received by the Fire Dept. and subsequent action against people who commit this offense.
- 4) Ald. Backewich on the Social Services report - Inquired as to the follow-up in attempting to secure support from the husbands of deserted and separated wives. Mr. Moir said that every effort is made to locate them and there is a complete follow-up in each case.
- 5) Ald. Ritchie asked about the continuing prosecutions against 29 Chadwick Street and the cost to the City.
- 6) Ald. Crawford on the Police Chief's report - Referred to the request from both he and Ald. Brennan for a further breakdown in the information provided on Police Dept. investigations and prosecutions. Mr. Moir said he has communicated this request to the Police Chief.

The motion to adopt the reports was put and carried.

TRAFFIC SIGNALS The Traffic Management Group has considered the need for traffic signal installation at three intersections, namely, 1) Main Street and Hartlen; 2) Boland and Wyse Road; and 3) Albro Lake and Wyse Road. Their recommendation is that Council authorize funds to proceed with the design and tender calls for new traffic signals at these intersections and Council adopted this recommendation on motion of Ald. Irvine and Cote.

DATA PROCESSING
EQUIPMENT

Proposals have been received for the installation of a new in house data processing system at City Hall and a staff report has been prepared, recommending the acquisition of equipment from Digital Equipment of Canada Ltd., based on the analysis of proposals received. Ald. Irvine and Greenough moved the adoption of the recommendation and after the City Clerk had answered questions from several members of Council, the motion was put and carried.

DATA CENTRE
LOCATION

The next item on the agenda pertained to the choice of a location for the Data Processing Centre and a report from Mr. Moir was before Council in connection with a proposal for relocating the Social Services Dept. in the recently-acquired O'Brien building, thereby making room for the Data Centre in that part of City Hall now occupied by the Department. Renovations to the building (Metropolitan Store) are estimated to cost \$50,000. and the recommendation to Council is that details of the renovating work continue to be studied and that renovations to the extent of \$50,000. be authorized so that relocation of the Department can be carried out as soon as possible. Council approved Mr. Moir's report and recommendation, on motion of Ald. Kavanaugh and Smith.

SIGN APPLICATION

Council considered a report from Mr. Moir on a sign permit application submitted by Ad-Board Sign Co. Mtms. for the Woodlawn Mall; reports from the Planning Director, the Chief of Police and the Building Inspector have been included as well. Ald. Irvine and Smith moved the adoption of Mr. Moir's recommendation in favour of granting the permit, but Ald. Hart and Kavanaugh were opposed to the application. When the motion was put, it was defeated.

TOURIST
INFORMATION
CENTRE

On motion of Ald. Irvine and Kavanaugh, Council adopted a report from the City Administrator, recommending that a letter from the Provincial Dept. of Tourism re the staffing of the new Tourist Information Centre, be forwarded to the Dartmouth

Tourist Commission for consideration and input, with a reply requested as quickly as possible.

TUFTS COVE
NIP GROUP

The City Administrator has reported to Council on a request from the Tufts Cove NIP Group that the City act as leasee for a portion of land owned by the L. E. Shaw Co. on Windmill Road, which is to be developed as a neighbourhood recreational park. The recommendation is that Council approve the request, as submitted by Mr. J. Keating, Chairman of the Tufts Cove NIP Group. The recommendation was adopted on motion of Ald. Hart and Greenough.

TENDERS: WORKS
DEPT. EQUIPMENT

Tenders, as per the attached report, have been received by the Purchasing Agent for equipment to be used by the Works Dept., funds for this equipment having been included in the 1976 Capital Budget. Mr. Moir recommends acceptance of the report and recommendations from the Purchasing Agent. The tenders were awarded by Council as recommended, on motion of Ald. Ritchie and Greenough.

STORM DRAIN:
VIRGINIA AVE/
LOUISBURG LANE

On motion of Ald. Kavanaugh and Backewich, Council approved a report from Mr. Moir on a new storm drainage installation required in the Louisburg Lane/Virginia Ave. area, estimated to cost \$18,000. These funds will come out of the 1976 budget for small drainage problems.

OFFICERS: LAB

A report from Mr. Moir on the annual appointment of Lakes Advisory Board officers was before Council and on motion of Ald. Kavanaugh and Brennan, it was referred to the Finance & Social Services Committee for consideration in conjunction with the item already referred on the terms of appointments to advisory boards.

TENDERS: VEHICLES
WORKS & WATER DEPTS.

Tenders, as attached, have been received for vehicles to be used in the Works and Water Departments. Mr. Moir recommends acceptance of the low tender in each category and Council approved this recommendation on motion of Ald. Kavanaugh and Ritchie.

DARTMOUTH PARK

As requested by Council, Mr. Moir has discussed with Mr. Dillman the possible renaming of the Dartmouth Park in his honour, but he has indicated a preference for a more tangible type of action on the part of City Council by providing facilities such as a new storage building, a hothouse, etc. In summary, it is recommended that the name of the Park remain unchanged and that at budget time, consideration be given to providing sufficient funds to construct a new works building in the Park; also, in future years, Council look at the possibility of providing some of the other amenities Mr. Dillman wishes to see provided in the Park. Council approved this recommendation on motion of Ald. Greenough and Smith.

BRIDGE TOLLS

On motion of Ald. Greenough and Hart, Council approved a recommendation from the Finance & Social Services Committee on the submission from the Urban Transportation & Development Committee, Ecology Action Centre, concerning bridge tolls. Based on the recommendation, Council endorses the ideas proposed in the submission in principle and refers it to the Bridge Commission, the Traffic Management Group and MAPC for an in-depth study, as recommended by Committee.

CAMPAIGN BUDGETS

The Finance & Social Services Committee has recommended that Council receive and file a motion put forward by Ald. Brennan, proposing a disclosure of campaign contributions in excess of \$100 toward candidates for the office of Mayor, together with a submission to Council of their campaign budgets for public record. Ald. Irvine and Kavanaugh moved the adoption of the Committee's recommendation. Ald. Brennan opposed the motion, explaining to Council why he felt that legislation of the type he proposes is required to reduce or eliminate any direct or indirect influence on elected representatives. He suggested a study of legislation he has been able to obtain from other Provinces and moved referral to a sub-committee consisting of the City Clerk, the Solicitor and two members of Council for

a review of existing legislation, the selection of a model and adaptation of that model to the local situation; Ald. Fredericks seconded the motion to refer. Ald. Kavanaugh said he was not convinced that such legislation is required in Dartmouth and Ald. Williams also spoke against the idea on the basis that it would be impractical and impossible to police. The motion to refer was defeated with Ald. Brennan and Fredericks voting in favour. The original motion on the floor carried.

**TAX EXEMPTION:
YM/YWCA REQUEST**

Requests from the Dartmouth YM/YWCA for tax exemption covering the years 1975, 1976 and from 1977 onward, under the provisions of the new Assessment Act, have been dealt with by the Finance Committee, with the result that the following recommendations have been made to Council:

- 1) that a grant be paid to the Y equal to the outstanding taxes plus interest for 1975.
- 2) that sufficient funds be provided in the 1977 estimates to cover a grant in lieu of taxes plus interest for 1976.
- 3) that for 1977 and subsequent years, the Y be exempted from taxes under the provisions of the Assessment Act.

Ald. Cote and Irvine moved the adoption of the recommendations from Committee. Speaking on the motion, Ald. Williams suggested that the Recreation Advisory Board could be instrumental in resolving any duplication there may be between the programs offered by the Y and those of the City Recreation Dept. Ald. Backewich was not in favour of granting a permanent exemption to the Y, particularly with the discontinuation of pool time for the City on the part of the Y, and he moved in amendment, seconded by Ald. Crawford, that recommendation #3 be deleted from the motion. Ald. Fredericks, Cote and Greenough did not support the amendment; Ald. Greenough noted that the Recreation Advisory Board is already trying to eliminate any overlapping of programs, as suggested by Ald. Williams. Ald. Kavanaugh was also opposed to the amendment and his questions concerned the pool facilities

which the Recreation Dept. will use when City programs are phased out at the Y. When the amendment was put, it was defeated with Ald. Crawford and Backewich voting in favour.

Mr. Mike Driscoll was heard by Council on behalf of the Board of Directors for the Y; he responded to statements made during the debate by Ald. Crawford on the termination of Recreation Dept. swim programs at the Y pool, advising that members of the Y staff did not give instructions to the children involved to the effect that they can no longer use the pool after January 1st. Ald. Hart asked if it is the intention of the Y to apply for any other grants once they have received the tax exemption. Mrs. Havey stated that at this time, the Y does not plan to approach the City for further grants in 1977. At the conclusion of the debate, the motion on the floor was put and carried unanimously.

DEMOLITION: On motion of Ald. Kavanaugh and Thompson, Council approved
CITY PROPERTIES a report from the Properties Committee, recommending the demolition of buildings located on City-owned properties at 70 Crichton Ave., 124 Prince Albert Road and 63 Alderney Drive.

ENDORSEMENT: On motion of Ald. Kavanaugh and Irvine, Council adopted
WATER ACT a recommendation from the Lakes Advisory Board that endorsement
PROVISIONS be given a letter from the Development Control Inspector to the Dept. of the Environment re provisions of the Provincial Water Act and their enforcement. At this time, Ald. Fredericks questioned the authority of the Quarry Committee to call a public meeting, scheduled for December 15th to hear representations on the Steed & Evans quarry permit renewal. Mr. Drury advised that the meeting is in order and the Committee has a right to proceed with it.

PROPOSAL: SPECIAL The Special Care Homes Committee has considered two
CARE HOME proposals received for a special care facility in Dartmouth and recommends acceptance of the Dartmouth Hospital Commission proposal presented at the meeting held on November 30th.

Ald. Ritchie and Smith moved the adoption of the Committee's recommendation and that the Hospital Commission be encouraged to proceed with construction of a nursing home, consisting of approx. 150 beds, on the site proposed.

Ald. Irvine suggested that a major item of this importance should be dealt with at a separate meeting of Council where the two proposals could be presented and considered by all of the Council members. He moved this in amendment, seconded by Ald. Kavanaugh. Council then agreed to hear Mr. Dietrich, Solicitor representing Wilin Construction, whose main argument on behalf of his client was that the Hospital Commission does not have the authority to construct and operate a nursing home under the terms of the statute establishing the Commission. He referred to the objectives of the Commission, as set out in Section 10 of the Act, taking the position that participation in such a venture would contravene those objectives. Mr. Preston, Executive Director of the Dartmouth General Hospital, pointed out that a separate corporation would be formed to manage the nursing home and he noted that a precedent has already been set in the Province for initiating the construction of a nursing home by a Hospital Board. Ald. Cote, Crawford and Irvine supported the amendment, while Ald. Greenough, Smith, Ritchie and Brennan spoke against it and in favour of accepting the recommendation from the Special Committee appointed. (During the debate, Council agreed to continue meeting beyond 11:00 p.m. to deal with this item, on motion of Ald. Irvine and Greenough.)

Before the vote was taken on the amendment, Mr. Dietrich again spoke to Council, requesting that his client have an opportunity to present his proposal so that it can be judged on its own merit by all of the members. Ald. Fredericks took exception to some of the statements made by Mr. Dietrich and expressed his opposition to the amendment, which was defeated with Ald. Hart, Irvine, Cote and Crawford voting in favour.

The motion carried with the original word 'authorized' having been changed to read 'encouraged' (ie. that the Hospital Commission be 'encouraged' to proceed . . .) (Ald. Cote and Crawford voting against the motion.)

Meeting adjourned.

N. G. Cohoon,
City Clerk.

City of Dartmouth 73-5
Temporary Borrowing Resolution

\$15,000

for Fire Station #1

WHEREAS the Municipal Affairs Act provides that the City of Dartmouth may, subject to the approval of the Minister of Municipal Affairs, borrow for the purpose of erecting, acquiring, purchasing, altering, adding to, improving, furnishing or equipping buildings for Fire Station #1;

AND WHEREAS clause 8 (1) (b) of the Municipal Affairs Act provides that no money shall be so borrowed until the City Council has obtained the approval of the ratepayers to the proposed borrowing at a public meeting, and by Chapter 64 of the Acts of 1961, the City of Dartmouth Act, it is enacted that the said provision shall not apply to a borrowing unless the Minister of Municipal Affairs so requires;

AND WHEREAS the Minister of Municipal Affairs has not required that the approval of the ratepayers be obtained;

BE IT THEREFORE RESOLVED

THAT under the authority of the Municipal Affairs Act the City of Dartmouth borrow a sum not exceeding Fifteen Thousand Dollars (\$15,000) for the purpose set out above, subject to the approval of the Minister of Municipal Affairs;

THAT this sum be borrowed by the issue and sale of debentures of the City to such an amount as the City Council deems necessary;

THAT the issue of the debentures be postponed pursuant to Section 236 of the Dartmouth City Charter and that the City Council authorized the City Treasurer to borrow from time to time on behalf of the City a sum not exceeding Fifteen Thousand Dollars (\$15,000) from the Royal Bank of Commerce at Dartmouth;

THAT the sum be borrowed from the Bank for a period not exceeding twelve months from the date of the approval of the Minister of Municipal Affairs of this resolution;

THAT the interest payable on the borrowing be paid to the Bank at a rate to be agreed upon; and

THAT the amount borrowed be repaid to the Bank from the proceeds of the debentures when sold.

APPROVED
AS TO AMOUNT

APPROVED
AS TO FORM

DEPARTMENT OF MUNICIPAL AFFAIRS	
Recommended for approval of the Minister	
<i>[Signature]</i>	
Deputy Minister	
APPROVED this 21 st day	of 1976
<i>[Signature]</i>	
Minister of Municipal Affairs	

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution duly passed at a duly called meeting of the Council of the City of Dartmouth held on the 7 day of Dec, 1976.

GIVEN under the hands of the Mayor and Clerk and under the seal of the City this 9th day of Dec, 1976.

[Signature]
MAYOR
[Signature]
CLERK

City of Dartmouth 73-10
Temporary Borrowing Resolution

\$30,000

for 1973 Sewer

WHEREAS the Municipal Affairs Act provides that the City of Dartmouth may, subject to the approval of the Minister of Municipal Affairs, borrow for the purpose of constructing, altering, extending and improving public sewers or drains for the City and acquiring or purchasing materials, machinery, implements or plant deemed requisite or advisable therefor, or for maintaining such public sewers or drains;

AND WHEREAS clause 8 (1) (b) of the Municipal Affairs Act provides that no money shall be so borrowed until the City Council has obtained the approval of the ratepayers to the proposed borrowing at a public meeting, and by Chapter 64 of the Acts of 1961, the City of Dartmouth Act, it is enacted that the said provision shall not apply to a borrowing unless the Minister of Municipal Affairs so requires;

AND WHEREAS the Minister of Municipal Affairs has not required that the approval of the ratepayers be obtained;

BE IT THEREFORE RESOLVED

THAT under the authority of the Municipal Affairs Act the City of Dartmouth borrow a sum not exceeding Thirty Thousand Dollars (\$30,000) for the purpose set out above, subject to the approval of the Minister of Municipal Affairs;

THAT this sum be borrowed by the issue and sale of debentures of the City to such an amount as the City Council deems necessary;

THAT the issue of the debentures be postponed pursuant to Section 236 of the Dartmouth City Charter and that the City Council authorized the City Treasurer to borrow from time to time on behalf of the City a sum not exceeding Thirty Thousand Dollars (\$30,000) from the Royal Bank of Canada at Dartmouth;

THAT the sum be borrowed from the Bank for a period not exceeding twelve months from the date of the approval of the Minister of Municipal Affairs of this resolution;

THAT the interest payable on the borrowing be paid to the Bank at a rate to be agreed upon; and

THAT the amount borrowed be repaid to the Bank from the proceeds of the debentures when sold.

APPROVED
AS TO AMOUNT

[Signature]

APPROVED

[Signature]

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GIVEN under the hands of the Mayor and Clerk and under the seal of the City this 9 day of Dec, 1976.

David F. Grosvenor
MAYOR

[Signature]
CLERK

DEPARTMENT OF MUNICIPAL AFFAIRS

Recommended for approval of the Minister

[Signature]
Deputy Minister

APPROVED this 21st day of December 1976

[Signature]
Minister of Municipal Affairs

City of Dartmouth 74-8
Temporary Borrowing Resolution

\$375,000

for 1974 - Streets

WHEREAS the Municipal Affairs Act provides that the City of Dartmouth may, subject to the approval of the Minister of Municipal Affairs, borrow for the purpose of constructing curb and gutter, paving with permanent the streets or sidewalks and rebuilding bridges or culverts in the City;

AND WHEREAS clause 8 (1) (b) of the Municipal Affairs Act provides that no money shall be so borrowed until the City Council has obtained the approval of the ratepayers to the proposed borrowing at a public meeting, and by Chapter 64 of the Acts of 1961, the City of Dartmouth Act, it is enacted that the said provision shall not apply to a borrowing unless the Minister of Municipal Affairs so requires;

AND WHEREAS the Minister of Municipal Affairs has not required that the approval of the ratepayers be obtained;

BE IT THEREFORE RESOLVED

THAT under the authority of the Municipal Affairs Act the City of Dartmouth borrow a sum not exceeding Three Hundred Seventy-five Thousand Dollars (\$375,000) for the purpose set out above, subject to the approval of the Minister of Municipal Affairs;

THAT this sum be borrowed by the issue and sale of debentures of the City to such an amount as the City Council deems necessary;

THAT the issue of the debentures be postponed pursuant to Section 236 of the Dartmouth City Charter and that the City Council authorized the City Treasurer to borrow from time to time on behalf of the City a sum not exceeding Three Hundred Seventy-five Thousand Dollars (\$375,000) from the Toronto-Dominion Bank at Dartmouth;

THAT the sum be borrowed from the Bank for a period not exceeding twelve months from the date of the approval of the Minister of Municipal Affairs of this resolution;

THAT the interest payable on the borrowing be paid to the Bank at a rate to be agreed upon; and

THAT the amount borrowed be repaid to the Bank from the proceeds of the debentures when sold.

APPROVED
AS TO AMOUNT

[Signature]
.....

APPROVED
AS TO FORM

[Signature]
.....
SOLICITOR

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution duly passed at a duly called meeting of the Council of the City of Dartmouth held on the 7 day of Dec, 1976

GIVEN under the hands of the Mayor and Clerk and under the seal of the City this 9 day of Dec, 1976.

[Signature]
.....

MAYOR

[Signature]
.....

CLERK

DEPARTMENT OF MUNICIPAL AFFAIRS

Recommended for approval of the Minister

[Signature]
.....
Deputy Minister

APPROVED this 21st day of December 1976

[Signature]
.....
Minister of Municipal Affairs

City of Dartmouth 74-13
Temporary Borrowing Resolution

\$60,000

for 1974 Street Drainage

WHEREAS the Municipal Affairs Act provides that the City of Dartmouth may, subject to the approval of the Minister of Municipal Affairs, borrow for the purpose of constructing, altering, extending and improving public sewers or drains for the City and acquiring or purchasing materials, machinery, implements or plant deemed requisite or advisable therefor, or for maintaining such public sewers or drains;

AND WHEREAS clause 8 (1) (b) of the Municipal Affairs Act provides that no money shall be so borrowed until the City Council has obtained the approval of the ratepayers to the proposed borrowing at a public meeting, and by Chapter 64 of the Acts of 1961, the City of Dartmouth Act, it is enacted that the said provision shall not apply to a borrowing unless the Minister of Municipal Affairs so requires;

AND WHEREAS the Minister of Municipal Affairs has not required that the approval of the ratepayers be obtained;

BE IT THEREFORE RESOLVED

THAT under the authority of the Municipal Affairs Act the City of Dartmouth borrow a sum not exceeding Sixty Thousand Dollars (\$60,000) for the purpose set out above, subject to the approval of the Minister of Municipal Affairs;

THAT this sum be borrowed by the issue and sale of debentures of the City to such an amount as the City Council deems necessary;

THAT the issue of the debentures be postponed pursuant to Section 236 of the Dartmouth City Charter and that the City Council authorized the City Treasurer to borrow from time to time on behalf of the City a sum not exceeding Sixty Thousand Dollars (\$60,000) from the Royal Bank of Canada at Dartmouth;

THAT the sum be borrowed from the Bank for a period not exceeding twelve months from the date of the approval of the Minister of Municipal Affairs of this resolution;

THAT the interest payable on the borrowing be paid to the Bank at a rate to be agreed upon; and

THAT the amount borrowed be repaid to the Bank from the proceeds of the debentures when sold.

APPROVED
AS TO AMOUNT

[Signature]

APPROVED
AS TO FORM

[Signature]

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[Signature]
MAYOR

[Signature]
CLERK

DEPARTMENT OF MUNICIPAL AFFAIRS

Recommended for approval of the Minister

[Signature]
Deputy Minister

APPROVED this 7th day of December 1976

[Signature]
Minister of Municipal Affairs

RESOLUTION #76-40

RESOLVED that the following be and hereby appointed SPECIAL CONSTABLES
in and for the City of Dartmouth to hold office until January 30, 1977.

Hanaford, Rex H.

Jardine, Harold J.

Johnson, Bryan W.

Warren, George S.

Chawner, James

December, 1976

RESOLUTION No. 76-41

WHEREAS the Council of the City of Dartmouth adopted a recommendation of the City Administrator at the meeting of City Council held on the 21st day of September, 1976 whereby the City of Dartmouth agreed to purchase from W. Eric Whebby Limited and Hugh F. Greene that portion of land bounded by Provincial Highway 118, the Waverley Road, City of Dartmouth property and Lake Charles containing approximately forty-three acres for a cash amount plus a conveyance by the City to W. Eric Whebby and Marguerite Whebby of a point of land containing approximately 9000 square feet on Lake Charles with a right-of-way at the northern end of Lake Charles.

AND WHEREAS the cash portion of the aforementioned purchase price was agreed by Council to be paid by way of a cash payment and a mortgage for the balance payable in five annual instalments at 8% interest per annum.

BE IT THEREFORE RESOLVED that the Mayor and the City Clerk be and are hereby authorized to execute on behalf of the City a mortgage in the form of Schedule "A" attached hereto and to affix to it the seal of the City of Dartmouth.

This Indenture

made this _____ day of _____
 Nine Hundred and Sixtyx Seventy-Six.

in the year of Our Lord One Thousand

BETWEEN:

CITY OF DARTMOUTH, a
 body corporate

hereinafter called the "Mortgagor"
 of the One Part

and

W. ERIC WHEBBY LIMITED, a body
 corporate, having its head office
 at Dartmouth, in the County of
 Halifax, Province of Nova Scotia,
 and HUGH F. GREENE, of Dartmouth,
 aforesaid

hereinafter called the "Mortgagee"
 of the Other Part

Witnesseth that the said Mortgagor for and in consideration of the sum of -----

Twenty-Six Thousand Dollars (\$26,000.00) -----

of lawful money of Canada, to the said Mortgagor in hand well and truly paid by the said Mortgagee at or before the sealing and delivery of THESE PRESENTS, (the receipt whereof is hereby acknowledged) hath granted, bargained, sold, aliened, enfeoffed, released, remised, conveyed and confirmed and by These Presents doth grant, bargain, sell, alien, enfeoff, release, remise, convey and confirm unto the said Mortgages, their successors and assigns.

ALL that certain Block of Land situate, lying and being Block "WG-1" on the eastern side of Lakeview Drive, Trunk 118, as shown on a plan of lands of W. Eric Whebby Ltd. and Hugh F. Greene, dated November 13, 1976, certified by John C. MacInnis, N.S.L.S., being near Portobello, County of Halifax, Province of Nova Scotia, the said Block being more particularly described as follows:

BEGINNING on the eastern boundary of Lakeview Drive, Trunk 118, at the intersection of the northwestern boundary of lands of the City of Dartmouth, the said point being S30°30'34"W, 997.75 feet of Nova Scotia Control Monument Number 6124;

THENCE N72°52'26"E, 1343 feet more or less along the northwestern boundary of lands of the City of Dartmouth to the shore of Lake Charles;

THENCE northerly and northwesterly following the various courses of the shores of Lake Charles and the Old Shubenacadie Canal 3800 feet more or less to the southeastern boundary of lands now or formerly of the Estate of Samuel Chittick;

THENCE S61°51'00"W, 36 feet more or less along the southeastern boundary of lands now or formerly of the Estate of Samuel Chittick to the southeastern boundary of Lakeview Drive, Trunk 118, being the northeastern corner of Parcel "WG-2", the said point being S22°55'57"W, 417.45 feet of Nova Scotia Control Monument Number 218;

THENCE S23°57'03"W, 431.38 feet along a portion of the southeastern boundary of Parcel "WG-2" to an angle therein;

THENCE S17°31'03"W, 241.32 feet along a portion of the eastern boundary of Parcel "WG-2" to the beginning of a curve;

THENCE southerly, following the arc of a curve to the left of radius 2764.86 feet, 690.86 feet along a portion of the eastern boundary of Parcel "WG-2" to the end of said curve;

THENCE S03°12'03"W, 687.93 feet along a portion of the eastern boundary of Parcel "WG-2" to the northwestern boundary of lands of the City of Dartmouth, the point of beginning.

CONTAINING an area of 40.61 acres more or less.

ALL bearings being 3° Modified Transverse Mercator Grid Bearings, Central Meridian 64°30' West Longitude.

SUBJECT to a Nova Scotia Power Corporation Right-of-Way 132 feet in width, as shown on aforementioned plan.

AND ALSO:

ALL that certain lot situate, lying and being Lot "WG-4" on the southwestern side of Waverley Road, Trunk 18, near Portobello, as shown on a Plan of Lands of W. Eric Wheby Ltd. and Hugh F. Greene dated November 13, 1976, certified by John C. MacInnis, N.S.L.S., being in the City of Dartmouth, County of Halifax, Province of Nova Scotia, the said lot being more particularly described as follows:

BEGINNING on the southwestern boundary of Waverley Road at the northeasterly prolongation of the northwestern boundary of lands of Robert J. and Shirley Conover, the said point being N39°49'13"W, 428.47 feet of Nova Scotia Control Monument Number 6076;

THENCE S50°17'54"W, 242 feet more or less along the prolongation of the northwestern boundary of lands of Robert J. and Shirley Conover and the northwestern boundary of lands of Robert J. and Shirley Conover to the shore of the Old Shubenacadie Canal;

THENCE northwesterly, 470 feet more or less, following the various courses of the Old Shubenacadie Canal to the southeastern boundary of Lot "E2", lands of the Nova Scotia Power Corporation;

THENCE N50°33'20"E, 152 feet more or less along the southeastern boundary of Lot "E2" to the southwestern boundary of the Waverley Road, the said point being S03°34'36"E, 140.92 feet of Nova Scotia Control Monument Number 6123;

THENCE S39°11'40"E, 443.36 feet along the southwestern boundary of the Waverley Road to the point of beginning.

CONTAINING an area of 81,000 square feet (1.86 acres) more or less.

ALL bearings being 3° Modified Transverse Mercator Grid Bearings, Central Meridian 64°30' West Longitude.

Together with the buildings, easements, tenements, hereditaments and appurtenances to the same belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim, property and demand, both at law and in equity of the said Mortgagee, in, to or out of the same.

To Have And To Hold the said above granted and described lands and premises, with the appurtenances, and every part thereof, unto and to the use of the said Mortgagee

And it is hereby agreed and declared that the word "Mortgagor" and the word "Mortgagee", wherever used herein, shall, unless the context otherwise requires, be deemed to and shall include the heirs, executors, administrators, successors and assigns of each of them, and, if there is more than one Mortgagor or Mortgagee named, shall be deemed to and shall include each of such Mortgagors or Mortgagees as the case may be, their several heirs, executors, administrators, successors and assigns, severally as well as jointly, and any Mortgagee, his executors, administrators, successors or assigns may exercise any of the powers herein conferred upon the Mortgagee. The said words, and all words depending thereon or relating thereto, shall also be deemed to and shall include the feminine and neuter as well as the masculine gender.

The amount of principal money advanced on this mortgage is the sum paid to the said Mortgagor as aforesaid and the rate of interest chargeable thereon is Eight (8) per centum per annum calculated annually not in advance.

Provided Always that if the said Mortgagor do well and truly pay unto the said Mortgagee the full amount of principal money advanced as aforesaid in lawful money of Canada with interest thereon at the rate aforesaid as well after as before maturity and calculated annually not in advance as follows:

1. \$5,200.00 on the 2nd day of January, 1978 plus interest on the principal outstanding from the date hereof to the 2nd day of January, 1978.
2. \$5,200.00 on the 2nd day of January, 1979 plus interest on the principal outstanding from the 2nd day of January, 1978 to the 2nd day of January, 1979.
3. \$5,200.00 on the 2nd day of January, 1980 plus interest on the principal outstanding from the 2nd day of January, 1979 to the 2nd day of January, 1980.
4. \$5,200.00 on the 2nd day of January, 1981 plus interest on the principal outstanding from the 2nd day of January, 1980 to the 2nd day of January, 1981.
5. \$5,200.00 on the 2nd day of January, 1982 plus interest on the principal outstanding from the 2nd day of January, 1981 to the 2nd day of January, 1982.

THEN THESE PRESENTS SHALL BE VOID.

And the said Mortgagor hereby covenants, promises, and agrees to and with the said Mortgagee as follows:—

(1) That the said Mortgagor shall and will well and truly pay unto the said Mortgagee the full amount of the principal money advanced as aforesaid in lawful money of Canada with interest thereon in the manner after the rate and at the times mentioned in the foregoing proviso;

(2) That the said Mortgagor shall and will pay the said Mortgagee interest at the rate aforesaid on any instalment of interest in arrears from the date that the said instalment shall become due to the date of the payment thereof, the said interest to be compounded on every date when interest is payable hereunder;

(3) That after breach of the foregoing proviso, or in case of the breach or non-performance of any of the covenants or agreements herein contained on the part of the said Mortgagor to be observed or performed, it shall be lawful for the said Mortgagee peacefully and quietly to enter into, hold and enjoy the said granted land and premises, without hindrance or disturbance of, from or by any person or persons lawfully claiming the same or any part thereof;

(4) That the said Mortgagor hath a good, sure, perfect and indefeasible estate of inheritance in fee simple in the said land and premises, and hath good right, full power and lawful authority to grant and convey the same in manner and form aforesaid, according to the true intent and meaning thereof; and will at any time execute or cause to be executed such further and other acts, conveyances and assurances in the law for the better assuring to the said Mortgagee of the lands and premises above described, in manner as above conveyed or mentioned and intended so to be;

(5) That the said Mortgagor the said land and premises unto the said Mortgagee against the lawful claims and demands of all persons, whatsoever, shall and will by These Presents Warrant and Forever Defend;

(6) That until payment shall be made to the said Mortgagee of the principal sum and interest hereby secured the said Mortgagor will keep without intermission insured against casualties by fire the buildings on the said granted lands and premises for a sum not less than the total amount of principal money advanced on this and any other mortgage or mortgages in some good fire insurance office to be selected by and in the name and for the benefit of the said Mortgagee and will deposit with the said Mortgagee all policies and receipts for renewal premiums of such insurance; and that the said Mortgagee may require any insurance on the said buildings to be cancelled and new insurance effected in a company to be approved by "the Mortgagee"; and that in default thereof the said Mortgagee shall and may effect renew and continue such insurance and charge all payments made for or in respect thereof with interest after the rate aforesaid upon the said mortgaged lands and premises or at the said Mortgagee's option may either add all sums of money paid by the said Mortgagee on account thereof to the principal money hereby secured with interest after the rate aforesaid from the time or times when said sums of money are respectively paid, or sue and recover the same from time to time from the said Mortgagor;

(7) That if there shall be any loss by fire, either before or after default shall have been made in payment of the moneys hereby secured or in the doing or keeping or non-observance of any of the covenants or agreements herein contained the said Mortgagee may, at the Mortgagee's option, apply the insurance moneys either towards rebuilding or repairing the property destroyed or in or towards payment of the moneys hereby secured or partly the one and partly the other.

(8) That the said Mortgagor shall and will well and truly pay all taxes, rates, levies, liens, duties, charges, assessments and impositions of every kind and nature whatsoever, which during the continuance of this Mortgage shall at any time be rated, taxed, assessed or imposed on or in respect of the said lands and premises or any part thereof, at the times and in the manner required for the payment of such taxes, rates, levies, liens, duties, charges, assessments and impositions; and produce to the said Mortgagee the receipt for the payment of the same and that in default thereof the said Mortgagee may pay and discharge the same or any of them and charge all payments made in respect thereof with interest after the rate aforesaid upon the said mortgaged lands and premises, or at the Mortgagee's option may either add all sum or sums of money paid by the Mortgagee on account thereof to the principal money hereby secured with interest at the rate aforesaid from the time or times the said sum and sums of money are respectively paid, or sue and recover the same from the said Mortgagor.

(9) That the taking of a judgment or judgments on any of the covenants herein contained shall not operate as a merger of the said covenants or affect the right of the said Mortgagee to interest at the rate and times herein provided.

(10) That in case the said Mortgagee shall satisfy any charge or encumbrance on the said lands and premises, the amount paid shall be payable forthwith with interest at the rate aforesaid and become a lien and charge on the said lands and premises and be added to the principal sum due under this Mortgage, and in default of payment the principal sum hereby secured shall immediately become payable; and in the event of the money hereby advanced, or any part thereof, being applied to the payment of any charge or encumbrance the said Mortgagee shall stand in the possession of and be entitled to all the equities and securities of the person or persons so paid.

(11) That in default of payment of any portion of the money hereby secured or the interest thereon at the times and in the manner set forth, or in default of payment of any taxes, liens or charges that may be charged upon the said property, or in case the buildings herein comprised are not kept in good tenantable condition, or in case any waste is permitted on the said lands and premises, or in case the said Mortgagor makes any default hereunder at any time in any of the covenants or agreements herein contained, the whole principal money and interest hereby secured shall at the option of the said Mortgagee immediately become due and payable.

(12) That the amount of principal money advanced on this Mortgage together with any outstanding interest thereon may be repaid by the said Mortgagor at any time after the expiration of one year from the date hereof without notice and without bonus.

IN WITNESS WHEREOF the said Mortgagor has duly executed These presents the day and year first above written.

SIGNED, SEALED AND DELIVERED
in the presence of

CITY OF DARTMOUTH

Per _____

Per _____

CITY OF DARTMOUTH

C.A. MOIR
CITY ADMINISTRATOR

P.O. BOX ^{XXX} 817
DARTMOUTH, NOVA SCOTIA
B2Y 3Z3

Date: December 2, 1976
To: His Worship the Mayor and
Members of City Council
From: C. A. Moir, City Administrator
Re: Tenders, Vehicles - Works & Water Dept.

Tenders were received and opened for the supply of vehicles for use in the Works and Water Departments as follows:

	<u>Harbour Motors Limited</u>	<u>Forbes Chev- Olds. Ltd.</u>	<u>Fairley & Stevens Ltd.</u>	<u>Scotia Pontiac</u>
1 only 1/2 ton van	\$4,330.00	\$4,100.08	\$4,205.20	\$4,571.52
5 only 1/2 ton trucks long wheel base	19,800.00	19,954.50	19,946.50	18,774.14
1 only 3/4 ton 4-wheel drive truck	6,711.93	6,323.96	6,293.00	6,576.22
2 only 3/4 ton crew cab trucks	11,671.60	10,871.36	11,585.80	11,937.11

The prices listed are less trade-in on the same number of vehicles, in the cases of the 1/2 ton van, 1/2 ton trucks, and 3/4 ton crew cab trucks.

The tenders have been checked by the Engineering Department and it is recommended that the low tender be accepted in each category.

The total of the tenders amounts to

(over)



CITY OF DARTMOUTH



C. A. MOIR
CITY ADMINISTRATOR

2.

Mayor & Members of Council,
Dartmouth, N. S.

December 2, 1976

\$40,038.58 and this amount is covered in the 1976 Works
Department Capital Budget.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "C. A. Moir".

C. A. Moir,
City Administrator

CAM:mgm

CITY OF DARTMOUTH

C.A. MOIR
CITY ADMINISTRATOR

P.O. BOX 549x 817
DARTMOUTH, NOVA SCOTIA

B2Y 3Z3

Date: November 19, 1976

To: His Worship the Mayor and
Members of City Council

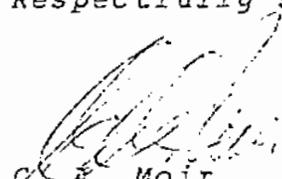
From: C. A. Moir, City Administrator

Re: Tenders for equipment - Works Department

I attach hereto copy of Memorandum addressed to me from W. M. Whitman, Purchasing Agent, dealing with Tenders received for the supply of equipment for use by the Works Department.

The funds to purchase these pieces of equipment is included in the 1976 Capital Budget. I concur in the recommendations of the Purchasing Agent and recommend them to City Council for their approval.

Respectfully submitted,


C. A. Moir
City Administrator

CAM/ki
attach.



MEMO

DATE: November 8, 1976
TO: Mr. C.A. Moir, City Administrator
FROM: W.M. Whitman, Purchasing Agent
SUBJECT: Works Department Equipment Tender

Tenders have been received and opened for the supply of equipment for the Works Department. This tender was advertised in the local papers and copies of the tender were also mailed to companies on our mailing list.

The following items are included in the tender:

1. One only vacuum type street sweeper similar to the type we are already using.
2. One only 30 H.P. four wheel drive loader-backhoe. We presently have one which we are using as a trade-in. This machine is very useful for small jobs in close quarters and also comes with a 12" post hole auger.
3. Two only 3" diaphragm pumps. These pumps are used for general purpose pumping work and are also capable of pumping sludge and mud.
4. Two only 4" centrifugal trash pumps. These pumps are also used for general purpose pumping operations and will pump mud and small objects.
5. One only 10 cubic yard salt spreader body for use in our salt spreading operations. We are trading in an older spreader against this item.
6. One only 7 ton truck crane. This crane will be installed on our 5 ton truck and the price includes installation. It will be used when it is necessary to move pipe and other heavy items around the city.

The spread sheet attached to this report lists the companies who tendered on this equipment and their prices. Items 2 and 5 are net prices with the trade-ins deducted.

This tender was reviewed with members of the Engineering Department staff and it is recommended the tender be awarded as follows:

Item #1 to Baxter Equipment Limited for \$51,143.00. Baxter have quoted on a Vacu-Sweep similar to the machine now in use in the Works Dept. except for a number of changes and improvements such as dual steering, sweepers on both sides of the machine, etc. Our present machine has performed satisfactorily. Delivery on the new machine would be 6 weeks.

Item #2 to the low bidder W.N. White & Company who are quoting on a Mustang for \$10,990.00. Delivery is from stock.

Item #3 Two only 3" diaphragm pumps from the low bidder W.N. White & Company who are quoting on Monarch at \$579.00 each for a total of \$1,158.00. Delivery is six weeks.

Item #4 Two only 4" centrifugal trash pumps from the low bidder W.N. White & Company who are quoting on Monarch at a price of \$2,596.00 each for a total of \$5,192.00. Delivery is six weeks.

Item #5 One 10 cubic yard salt spreader body from Lahave Equipment Limited who are quoting on King Seagrave at a price of \$7,700.00. We are presently using a number of these King Seagrave spreaders and find them very satisfactory. Delivery is four weeks.

Item #6 7 ton truck crane. It is recommended we purchase the Pitman truck crane from Wajax Equipment Limited for \$18,214.00 installed. On comparing the specifications of the Pitman and the Scott we found the Pitman has a longer boom, the hoist linepull is 7,400 lbs. and the Scott 4,850 lbs. The Scott has a slighter faster linepull but we consider a greater linepull to be more advantageous. The Pitman has a 41 gallon hydraulic tank compared to a 32 gallon tank for the Scott, the Pitman has 3" diameter outrigger pistons compared to 2½" for the Scott and we also consider the control features on the Pitman as superior to the Scott. Wajax also offer complete parts and service from their location in Dartmouth. Delivery is from stock.

The total of this tender amounts to \$94,397.00 and this expenditure is covered in the Works Department capitol budget.

A handwritten signature in black ink, consisting of a large, stylized initial 'W' followed by a horizontal line extending to the right.

W.W./mam

Encl.

	W.N. WHITE & COMPANY	BAXTER EQUIPMENT	DIVERSIFIED ENGINEERED EQUIPMENT	SUNTRACT RENTALS	RENTZ EQUIPMENT
1. ONE VACUM TYPE STREET SWEEPER		VACU-SWEEP \$51,143.00			
2. ONE 30 H.P. 4 WHEEL DRIVE LOADER - BACKHOE	MUSTANG \$10,990.00 STOCK	BOBCAT \$16,567.00			THOMAS \$14,997.00
3. TWO 3" DIAPHRAGM PUMPS	MONARCH \$ 579.00 EA. \$1,158.00 (6 WEEKS)		MARLOW \$1,062.00 EA. \$2,124.00	GORMAN- RUFF \$ 724.90 EA. \$1,449.80	BARNES \$ 730.00 EA. \$1,460.00
4. TWO 4" CENTRIFUGAL TRASH PUMPS	MONARCH \$2,596.00 EA. \$5,192.00 (6 WEEKS)		MARLOW \$4,293.00 EA. \$8,586.00	GORMAN- RUFF \$4,293.00 EA. \$8,543.62	MONARCH \$2,884.00 EA. \$5,768.00
5. ONE 10 CUBIC YARD SALT SPREADER BODY					
6. 7 TON TRUCK CRANE					

	ATLANTIC PURIFICATION SYSTEMS	SAUNDERS EQUIPMENT LTD.	EASTERN FLUID DYNAMICS LTD.	TATTON EQUIPMENT LTD.	SANSOM EQUIPMENT LTD.
1. ONE VACUM TYPE STREET SWEEPER					
2. ONE 30 H.P. 4 WHEEL DRIVE LOADER - BACKHOE					
3. TWO 3" DIAPHRAGM PUMPS	MONARCH \$ 615.00 EA. \$1,230.00	BARNES \$ 849.00 EA. \$ 1,698.00	CROWN \$1,080.00 EA. \$2,160.00	C.H. & E. \$ 610.00 EA. \$1220.00	GORMAN-RUFF \$ 740.00 EA. \$1,480.00
4. TWO 4" CENTRIFUGAL TRASH PUMPS	MONARCH \$4,915.00 EA. \$9,830.00	BARNES \$ 5,459.00 EA. \$10,918.00	CROWN \$ 5,222.00 EA. \$10,444.00	C.H. & E. \$4675.00 EA. \$9350.00	GORMAN-RUFF \$4,604.00 EA. \$9,208.00
5. ONE 10 CUBIC YARD SALT SPREADER BODY					
6. 7 TON TRUCK CRANE					

	WILSON EQUIPMENT LIMITED	LAHAVE EQUIPMENT LIMITED	WAJAX EQUIPMENT LIMITED
1. ONE VACUM TYPE STREET SWEEPER			
2. ONE 30 H.P. 4 WHEEL DRIVE LOADER - BACKHOE	CASE \$13,600.00		
3. TWO 3" DIAPHRAGM PUMPS	GORMAN- RUFF \$ 714.00 EA. \$ 1,428.00		
4. TWO 4" CENTRIFUGAL TRASH PUMPS	GORMAN- RUFF \$ 4,729.00 EA. \$ 9,458.00		
5. ONE 10 CUBIC YARD SALT SPREADER BODY		KING SEAGRAVE \$ 7,700.00	
6. 7 TON TRUCK CRANE	SCOTT \$16,771.50		PITMAN \$18,214.00

Dartmouth, N. S.

December 10/76.

Regularly called meeting of City Council held this date at 5:15 p.m.

Present - Mayor Brownlow

Ald. Thompson	Kavanaugh
Smith	Williams
Brennan	Crawford
Hart	Backewich
Irvine	Greenough
Ritchie	Fredericks
City Solicitor, S. Drury	
City Administrator, C. A. Moir	

Council met to complete the December 7th agenda.

SCHOOL CROSSING: On motion of Ald. Greenough and Ritchie, Council approved VICTORIA RD.

a report with four recommendations made jointly by Ald. Hart and the City Engineer for the control of pedestrian traffic on Victoria Road at the overhead walkway, Farrell Street and at Albro Lake Road. Over and above this, the recommendation is made to Council that an amount of \$15,000. be considered for inclusion in the 1977 budget to cover the cost involved.

NIP FUNDING PROGRAM: 1976

A Planning Dept. report has been prepared in connection with the proposed NIP funding program for 1976, with the recommendation that Council (a) approve the selection of Tuft's Cove and South Woodside for the planning phase under the 1976 Neighbourhood Improvement Program, and (b) approve Resolution #76-37, authorizing the City Administrator to make application on behalf of the City to the Nova Scotia Housing Commission and Central Mortgage & Housing Corp. Ald. Fredericks and Backewich moved the adoption of the recommendation, including the approval of Resolution #76-37, a copy of which is attached.

Following a slide presentation given by Ald. Hart to show some of the sections of Tuft's Cove which will benefit from the program, Council proceeded to debate the motion on the floor. Ald. Smith requested information on the cost to the City of the programs already underway in designated and approved NIP areas, together with an indication of the cost to proceed with the two new programs. He referred to other sections of the City requiring attention but unable to qualify for assistance under

NIP, and suggested that when the budget is being considered, Council should not lose sight of the funds already allocated for work in certain wards through NIP funding. Ald. Kavanaugh also expressed concern about making decisions on capital expenditures on what he called a piece-meal basis, rather than all together at budget time. Ald. Ritchie, Greenough and Fredericks spoke in support of the motion, while other members of Council questioned Mr. Bayer on various aspects of NIP and of the RRAP program as well. He pointed out that only NIP areas qualify for the RRAP assistance, an important aspect to be considered because of the improvements which residents are able to carry out to their own dwellings under RRAP. Ald. Brennan felt that a resolution forwarded to the Union of N. S. Municipalities would be in order in attempting to have RRAP programs applicable to an entire municipality rather than to designated NIP areas only. At the Mayor's suggestion, he later gave notice of motion to this effect. At the conclusion of the debate, the motion carried.

Before leaving the subject, Ald. Fredericks suggested that this would be an opportune time to seek an increase in Provincial (N. S. Housing Commission) sharing, from 5% to 10%. The Mayor agreed to circulate information relating to Ald. Fredericks' suggestion and what other Provinces are doing, after which a motion could be introduced at the next meeting.

ESTABLISHMENT
OF POLICE
COMMISSION

The members of Council have been circulated with copies of the new Police Act, providing for the establishment of Police Commissions in the Province. In an accompanying report, Mayor Brownlow recommends as an interim measure that all members of City Council be named as members of the Dartmouth City Police Commission; in addition, the Commission will have an appointee of the Attorney-General serving as a member. Ald. Greenough and Thompson moved the adoption of the Mayor's recommendation. Ald. Irvine said he would be willing to support the motion if it is clearly understood that this is only for an interim period.

Mr. Drury pointed out that any Council member can call for a review of the composition of the Commission at any time and having received this information, Council concurred with the motion and it carried.

INQUIRIES: Ald. Kavanaugh asked who has policing authority on the
ALD. KAVANAUGH harbour bridges and was advised by the Mayor that both the Dartmouth and Halifax Police Departments have authority (in addition to the Bridge Patrol).

ALD. SMITH Ald. Smith asked if any study has been given the need for a sidewalk on one side of Curley Drive, where children are walking to and from school. Mr. Moir said he would ask the Engineering Dept. to prepare one.

Ald. Smith asked that attention be given to unsightly premises at 341 Portland Street, 27 Myrtle Street and the house on Prince Albert Road located two buildings up from the store on the corner.

ALD. BRENNAN Ald. Brennan inquired about the maintenance of Mount Hermon Cemetery and asked if there is any possibility of having the wall fixed up on Green Road; he felt that there should be a direct responsibility for the upkeep of the cemetery.

ALD. HART Ald. Hart asked about the status of the water rate study discussed at the Sept. 9th meeting; Mr. Moir said this study has been completed and will be coming to Council shortly.

Her second inquiry concerned the necessity to recirculate reports from meeting to meeting when the agenda remains unchanged; Mr. Moir agreed that in these situations, it should not be necessary to duplicate the same material a second time for the same items.

Other questions from Ald. Hart concerned:

- 1) the Gray Rink property and the need to keep it cleaned up and in better condition than at present.
- 2) the issuing of a sign permit for the Green Gables store at the corner of Leaman and Crystal Drive. Mr. Moir said he would check to see if a permit was granted.

- 3) prohibiting stores from remaining open until 1:00 a.m., as Green Gable stores now do." The Solicitor explained the problems inherent in attempting to regulate store hours, noting that legislation submitted by the City was refused by the Province in this connection.

ALD. GREENOUGH Ald. Greenough asked about the Highways Dept. report on improvements proposed for Main Street, including the section from the Rotary up around to the Shell Station, and was advised by Mr. Moir that this report is expected early in the new year.

ALD. THOMPSON Ald. Thompson's inquiry concerned the debenture issue to be marketed and the City Clerk advised that proposals will be invited after the beginning of the new year.

ALD. WILLIAMS Mr. Moir agreed to check into an inquiry from Ald. Williams concerning complaints he has received about a taxi operating on Joffre Street after 3:00 in the afternoon.

Ald. Williams asked if any thought has been given to a crosswalk and crossing guard on #7 Highway (Main St.), where children are walking back and forth to school from the Ward 2 area.

His third question pertained to changes which would be required in the City Charter to permit the enforcement of store closing regulations on Remembrance Day. Mr. Drury again explained the attempt made previously by the City to secure such legislation and agreed to include this section a second time with the rest of our legislation when it comes to Council for consideration.

ALD. BACKEWICH Ald. Backewich asked to have something done about the patch of ice on Pinewood Drive where water is leaking out and freezing on the street.

He also asked if consideration could be given to acquiring the piece of property at the end of Parkstone Road for street widening at this point.

ALD. IRVINE Ald. Irvine requested that the Traffic Management Group consider putting a permanent crosswalk guard at the intersection of Waverley and Locks Road, on the south side.

He asked to have a pothole in the pavement patched on

Kincardine Drive, opposite #24.

ALD. FREDERICKS Inquiries from Ald. Fredericks were as follows:

- 1) Regarding a location for the Atlantic Winter Fair and the feasibility of attempting to provide facilities in Dartmouth; the Mayor agreed to update the information on this subject and have it brought to Council.
- 2) On the financial problems faced by the VON; Mr. Moir noted that their request for funds will be placed before the Finance Committee when grants are considered.
- 3) The Mayor said he would check on the inquiry from Ald. Fredericks on the subject of a request for increased grants in lieu of taxes from the Federal and Provincial Governments on their properties located in Dartmouth, a motion to this effect having been passed at the meeting with our Auditors.
- 4) He expressed concern that there is no pedestrian walkway or sidewalk planned for the section of Portland Street between Gaston Road and the Penhorn Mall, and asked if something could not be negotiated with the Highways Dept. to have an asphalt strip for pedestrians on one side of the new section.
- 5) Ald. Fredericks referred to three items missing from the Continuing Agenda, brought forward by him in October; he asked what has happened to these items.

NOTICES OF MOTION: Notices of motion were given as follows for the next regular Council meeting:

- ALD. BRENNAN 1) Ald. Brennan: That Council approve a resolution to be sent to the Union of N. S. Municipalities and to all other municipal units, requesting their support, to the effect that the Union solicits CMHC and the Provincial Government to have RRAP made available to residents outside of approved NIP areas.
- ALD. IRVINE 2) Ald. Irvine: That the Lakes Advisory Board be requested to make a study of the present situation at Red Bridge Pond in terms of possible environmental damage.
- ALD. CRAWFORD 3) Ald. Crawford: Will place a motion before Council for the construction of an olympic-size swimming pool, with moveable bulkhead, within the City, preferably on the Memorial Rink site grounds, for use by our educational facilities as part of the educational curriculum and by the private sector of the City of Dartmouth.
- ALD. RITCHIE 4) Ald. Ritchie: That some way be determined to alleviate curb and gutter costs in the case of senior citizens and people on fixed income.

Y-LAW C-307

By-law C-307 has been prepared as the amendment to the Zoning By-law, which permits a minor adjustment in the zoning

boundary in the area of Medway Court and Collins Grove; this adjustment was approved at the Nov. 16th meeting of Council.

It was moved by Ald. Irvine and Hart and carried that leave be given to introduce the said By-law C-307 and that it now be read a first time.

It was moved by Ald. Kavanaugh and Irvine and carried that By-law C-307 be read a second time. Unanimous consent was given by Council for third reading of the by-law.

It was moved by Ald. Hart and Brennan and carried that By-law C-307 be read a third time and that the Mayor and the City Clerk be authorized to sign and seal the said by-law on behalf of the City.

BY-LAW C-308

By-law C-308, exempting charitable organizations from taxation under the provisions of the Assessment Act, as recommended by the Finance & Social Services Committee, was before Council for approval. Organizations eligible at this time for exemption include the Rotary Club of Dartmouth, the Dartmouth Boys & Girls Club, the YM/YWCA and the Bide-A-While Shelter Society.

It was moved by Ald. Irvine and Fredericks and carried that leave be given to introduce the said By-law C-308 and that it now be read a first time.

It was moved by Ald. Kavanaugh and Irvine that By-law C-308 be read a second time. Ald. Thompson advised that the Dartmouth Lions Club has not yet received their income tax number and Mr. Moir pointed out that they will not be eligible if they are not able to get it by the end of the year. The motion for second reading carried.

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

It was moved by Ald. Kavanaugh and Fredericks and carried that By-law C-308 be read a third time and that the Mayor and the City Clerk be authorized to sign and seal the said by-law

on behalf of the City of Dartmouth.

PASS BILLS

Bills were passed by Council on motion of Ald. Fredericks and Kavanaugh.

Council adjourned to meet in camera to deal with three additional items of business, on motion of Ald. Fredericks and Hart. After reconvening in open meeting, the action taken in camera was ratified on motion of Ald. Hart and Greenough.

Meeting adjourned.

N. C. Cohoon,
City Clerk.

RESOLUTION No. 76-37

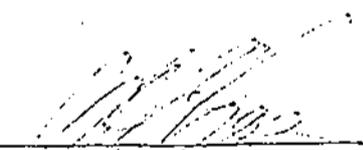
WHEREAS under amendments to the National Housing Act and pursuant to the Housing Development Act, financial assistance by way of loans and grants may be made to municipalities for the purposes of improving selected neighbourhoods in those municipalities.

AND WHEREAS the City of Dartmouth wishes to continue its participation in the Neighbourhood Improvement Program established pursuant to an agreement entered into between Central Mortgage and Housing Corporation and the Province of Nova Scotia dated the 16th day of July, 1976.

BE IT THEREFORE RESOLVED by the Council of the City of Dartmouth as follows:

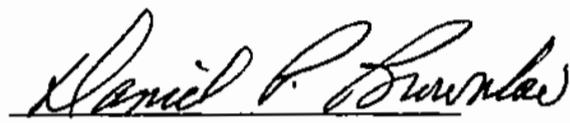
1. that the City Administrator, on behalf of the City of Dartmouth, be and is hereby authorized to make applications to Central Mortgage and Housing Corporation for grants to assist in the planning of a neighbourhood or neighbourhoods in the municipality;
2. that the City Administrator, on behalf of the City of Dartmouth, be and is hereby authorized to make applications to the Nova Scotia Housing Commission for grants for the purpose of planning a neighbourhood or neighbourhoods in the municipality.

I, N. C. Cohoon, City Clerk-Treasurer of the City of Dartmouth do hereby certify that the foregoing is a true and correct copy of Resolution #76-37 of the City of Dartmouth passed by Dartmouth City Council on
December 10, 1976


N. C. COHOON
CITY CLERK-TREASURER

I, Hereby certify that I, this day, administered the Oath
of Allegiance and the Oath of Office as Alderman of the
City of Dartmouth to:

Donald Valardo



Mayor

D A T E D at Dartmouth, Nova Scotia, this 23rd day of
December, A.D., 1976.

I, DONALD VALARDO, Alderman-elect for Ward Four, City of Dartmouth, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth II, Her Heirs and Successors, according to law.

SO HELP ME GOD.

Sworn to before me this 23rd day of December, A.D., 1976 At Dartmouth, Nova Scotia.

Daniel P. Bourke

Don L. Valardo

Mayor

I, DONALD VALARDO, Do swear that I am duly qualified as required by law for the office of Alderman of the City of Dartmouth and that I will faithfully perform the duties of Alderman while I hold office to the best of my ability.

SO HELP ME GOD.

Sworn to before me this 23rd day of December, A.D., 1976 at Dartmouth, Nova Scotia.

Daniel P. Bourke

Don L. Valardo

Mayor