

Dartmouth, N. S.

January 4/77.

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

Present - Mayor Brownlow

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

At the beginning of the meeting, Ald. Irvine requested that a special Council meeting be called to deal only with the Steed & Evans quarry permit item. With the concurrence of Council, the Mayor agreed to hold a meeting for this purpose.

RESOLUTION #77-1 Resolution #77-1, authorizing the closure of a portion of Crichton Ave. owned by the City of Dartmouth, in accordance with a decision taken by Council approx. one year ago, was presented for approval, together with a report from the Solicitor's office, explaining why this resolution has been redrafted in compliance with stipulations from the Provincial Departments of Municipal Affairs and Highways. Ald. Fredericks and Crawford moved the adoption of the resolution, a copy of which is attached.

Ald. Valardo asked why closure of the street was advertised through the Dartmouth Free Press only and discussed this point further with Mr. Drury, suggesting that all such public notices would be more widely publicized if they were advertised in the Mail-Star as well. It was pointed out by Mr. Drury that in the case of this particular public hearing, only a technicality was involved since the street closure was previously advertised a year ago. The motion to adopt the resolution carried.

MINUTES

The minutes of the November 16th meeting were approved as circulated on motion of Ald. Irvine and Greenough. In answer to a question from Ald. Thompson as to the status of our temporary borrowing arrangements, the City Clerk advised that permission is being requested to invite proposals from both the Canadian and

American markets.

PETITION: PRINCE ANDREW STUDENTS A petition has been received from Prince Andrew High School

students living in the Southdale area, bringing the attention of Council to the dangerous conditions which exist for pedestrians on the new section of highway from Gaston Road to the Woodlawn Shopping Centre at the Portland Street/Circumferential interchange. No provision has been made for a sidewalk along this section of highway and the petition requests that appropriate measures be taken to provide for the safety of pedestrians who have to travel via this route. Ald. Ritchie and Smith moved that a study be undertaken by staff (Traffic Management Group) or the Dept. of Highways to determine some means of pedestrian access on the new section of highway referred to by the residents from the Southdale/Gaston Road area. Ald. Irvine asked that the study also include consideration of the Woodlawn/Caledonia Road and Main Street intersection, where safety precautions are required for pedestrians as well.

During the debate on the motion, it was pointed out by Mr. Moir that it is difficult to assess the section of Portland St. involved until all of the intersections there have been completed and properly constructed. Ald. Fredericks suggested that the proposed location for the new high school (the Hammerling property) should be taken into account when pedestrian access is being studied by the T. M. G. He felt that the item should come back to the second January Council meeting and there was general agreement with this opinion, in view of the need for some type of immediate action. A Prince Andrew student, Sandra Sanford, described the problems that students now have in getting across the Circumferential Highway through heavy traffic and the length of time required to reach Prince Andrew in time for classes.

Ald. Smith said that a school bus would be justified to transport these students in view of the distance they now have to travel. Ald. Brennan suggested that this idea and other

possible interim solutions should be considered by the Traffic Management Group, in addition to the long-term measures required. He moved in amendment, seconded by Ald. Greenough, that interim measures be given consideration when the situation is under study by the T. M. G. and that on-going negotiations for cost-sharing in sidewalk construction be pursued with the Province. Ald. Greenough stated that the project is only half completed unless sidewalk is extended all the way through from the Bruce Street area where it is being provided in conjunction with the widening of Portland Street to the City limits. (Cost-sharing was previously approved by the Province for sidewalk along the section from Bruce Street outward.) Ald. Hart asked that Provincial input be encouraged along with the study by our own staff and Ald. Fredericks felt that the School Board should be consulted if school bus service is being considered. The matter will be dealt with again at the second January meeting and on this basis, the amendment and the amended motion carried.

SNOWMOBILES:
SHUBIE PARK

Council considered a letter from Dr. R. A. Rosere, a resident who has expressed concern about the use of motorized vehicles (specifically motorcycles, trail bikes and snowmobiles) in the Shubie Park area. He suggests that notices be posted, prohibiting such vehicles from using the Park, and requests protection for residents from the noise nuisance which they create also. Ald. Hart asked about the status of City by-laws we may have for controlling such vehicles at present and it was pointed out by Mr. Drury that the proposed Snowmobile By-law did not receive final approval by Council, having been referred back to staff without further direction as to its disposition. He commented on the enforcement problems which occur in these situations when signs are erected and we have no by-law to establish trespassing as an offence. Ald. Hart and Valardo then moved that the Traffic Management Group be encouraged to erect signs indicating that motorized vehicles (snowmobiles, trail bikes and motorcycles) are

not permitted in the Shubie Park area. Ald. Irvine did not support the motion, suggesting that the Shubie Park is large enough for both snowmobiling and activities such as cross-country skiing. Ald. Smith said he was against the motion because we should first have an overall policy regarding the use of snowmobiles in the City generally before starting to restrict their use in certain specific areas.

Ald. Greenough said it would be advisable for the T.M.G. to give the entire subject this kind of in-depth study, an opinion shared by Ald. Brennan with regard to motorized vehicles in general. He moved in amendment, seconded by Ald. Smith, that the entire subject be taken up by the Recreation Advisory Board. The amendment carried and the amended motion carried.

Ald. Fredericks had proposed during the debate on the motion that the Provincial Dept. of Recreation and the N. S. Power Corp. be approached by the City Recreation Dept., with regard to the possibility of establishing a snowmobile trail and a cross-country ski trail along the Power Corp. right-of-way from Dartmouth (Albro Lake Road area) through to Onslow. He now introduced this proposal as a resolution, which was seconded by Ald. Ritchie; the motion carried.

MOTIONS:

ALD. BRENNAN

The following motions were presented at this time, notice having been duly given at the December Council meeting:

1) Ald. Brennan moved, seconded by Ald. Irvine, that Council approve a resolution to be sent to the Union of Nova Scotia 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. Speaking on his motion, Ald. Brennan explained why he felt that the Province should be involved in the RRAP program and made the point that more emphasis should be directed toward the rehabilitation of housing available in the urban core areas instead of continuing to promote growth outside the City boundaries, resulting in sprawl development and associated

problems. Ald. Crawford said he agreed that the Province should participate in RRAP and he commented on the present small percentage to which the Province shares in the NIP program as well. Ald. Fredericks later introduced a motion on this aspect of the subject before Council.

Ald. Hart said she could support the intent of the motion presented by Ald. Brennan, but said she would like to see a resolution drafted by our own Solicitor and approved by Council, incorporating the intent of the motion, for submission to the Union of Municipalities. She therefore moved in amendment that a resolution be prepared by staff and brought back to Council to be considered and approved. The Mayor said this would be a motion to refer and it was seconded by Ald. Greenough. Council generally felt that the motion presented by Ald. Brennan sets out the idea behind it adequately without further redrafting and the motion to refer was defeated. The original motion was put and carried with Ald. Hart voting against.

Ald. Fredericks then proceeded to move that we petition the Provincial Government directly, through the Minister and through the Union of N. S. Municipalities, to increase their rate of participation in the NIP funding programs to the levels of the other Atlantic Provinces (ie. 15%). Ald. Greenough seconded the motion and it carried.

ALD. IRVINE

2) Ald. Irvine moved, seconded by Ald. Greenough, 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. Speaking in support of the motion, Ald. Greenough said he hoped that the \$20,000. amount allocated in 1976 for cleaning up Red Bridge Pond and other sections of the lakes would be carried over for this purpose into 1977; he suggested that the Board comment on this aspect of the Red Bridge Pond situation in their report. Ald. Irvine agreed that the cleaning up of the Pond is intended to be included in the study. The motion carried.

ALD. CRAWFORD 3) Ald. Crawford moved, seconded by Ald. Fredericks, that Council consider his resolution calling for 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. Copies of a brief prepared by Ald. Crawford in connection with his resolution were circulated and he proceeded to speak on the main points brought out in the brief concerning a) the present need for additional pool facilities in Dartmouth; b) the importance of a swimming program as part of the school curriculum, in order that students can learn to protect themselves against drowning.

Among the statistics quoted from his submission, Ald. Crawford noted that at present only 30% of the total City school population are good swimmers; many students are turned away from the swim programs being offered because of a lack of available pool time for them.

Ald. Ritchie and Valardo indicated that they would not be in favour of locating a pool on the old rink site, while Ald. Fredericks suggested that this type of facility might be considered for inclusion in the waterfront development section of the City. In this way, financing might also be secured from the other government levels. On motion of Ald. Fredericks, seconded by Ald. Greenough, Council decided to refer the proposal to the Recreation Dept., the Recreation Advisory Board, the School Board and the Finance Committee for report back to Council; in particular, the Recreation Dept. would be asked to look into the site and funding aspects. The motion to refer carried.

ALD. RITCHIE 4) Ald. Ritchie moved, seconded by Ald. Fredericks, that a study be undertaken by staff to determine if there is some way to alleviate curb and gutter costs to senior citizens and citizens on fixed incomes. During the debate, the possibility of incorporating this kind of relief provision in the tax deferral

by-law was suggested, along with another proposal to the effect that staff should determine how many homes would be involved, thereby determining the approx. cost to the City if assistance were made available as recommended in Ald. Ritchie's motion. Ald. Greenough said he felt that the staff report should go to the P.D.O. Committee for consideration first before coming on to Council. The motion carried.

RESOLUTION #77-2 On motion of Ald. Hart and Fredericks, Council adopted attached Resolution #77-2, appointing Special Constables as listed.

REPORTS

Ald. Greenough and Ritchie moved the adoption of the following six monthly reports:

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

Questions from the members concerned:

- 1) The condition of #12 Everette St. (Ald. Fredericks); Mr. Moir said that a memo on this property was sent to the Building Inspector.
- 2) Unsightly premises at 57 Myrtle St. (Ald. Smith); asked to have the property looked at by the Inspection Dept.
- 3) Both Ald. Crawford and Valardo wished to be provided with a more informative Police report than the one prepared for Statistics Canada which Council presently receives. Ald. Valardo also raised a point regarding what he considers to be a suppression of information on crimes occurring in the City. His opinion was that such information should be publicized and released to the newspapers so that citizens are made aware of these incidents when they happen.

Ald. Brennan made the suggestion that all of the reports received by Council should come under review with the idea of presenting them in a more informative format. He also asked to have the Inspection Dept. look at 55 Rose Street.

- 4) Ald. Greenough requested a follow-up to be initiated on the situation at 14 Locks Road (Minimum Standards of Use & Maintenance report).

The motion on the floor carried.

RECOMMENDATIONS
FROM COMMITTEE:

Council proceeded to deal with recommendations from the December P.D.O. Committee meeting as follows:

SHUBIE PARK

1) Shubie Park: Having discussed again the issues raised by Mr. Weldon Dignan in connection with the Shubie Park operation, the Committee recommends to Council that all of the reports on this item be received and filed and that it be indicated to staff that the points raised by Mr. Dignan are to be seriously looked at in future and attempts made to correct the problems accordingly. Council adopted this recommendation on motion of Ald. Hart and Irvine.

STEPS: HELENE
TO MOUNTAIN AVE.

2) Steps, Helene to Mountain Ave.: The Committee has considered a cost estimate for completion of the steps located between Helene and Mountain Ave. and recommends that an item in the amount of \$5,300. be included for this project in the 1977 Capital Budget. The recommendation was approved on motion of Ald. Irvine and Fredericks.

DIRECTOR'S
REPORT

3) Planning Director's Report: The Planning Director's report for October and November was adopted as recommended by Committee, on motion of Ald. Greenough and Brennan. Prior to the vote being taken, Ald. Brennan asked if renovations to the siltation pond at Russell Lake have been completed; the City Engineer said that Mr. Rix has followed up on this and it was his understanding that renovations were carried out as planned.

PERMIT TO BUILD:
378 WINDMILL RD.

4) Permit to build, 378 Windmill Road: Ald. Greenough and Thompson moved that an application for permit to build be approved for a three-storey apartment building at 378 Windmill Road, subject to compliance with departmental requirements, as set out in the staff report of Dec. 14/76; approval has been recommended on this basis by the P.D.O. Committee. Ald. Crawford outlined for the information of Council, some of the problems caused by this developer when he constructed an apartment building on Rose Street, and he expressed concern that he is again being permitted to proceed with development elsewhere in the City. Mr. Drury explained why he is entitled to receive a building permit if he complies with all of the necessary City regulations, regardless

of past action he may have taken in another situation, and a discussion followed as to the course of action which Council could initiate in attempting to have our by-laws strengthened and thereby prevent the type of problems noted by Ald. Crawford and Ald. Valardo. Ald. Valardo suggested perhaps our drainage and landscaping requirements need to be reviewed by the Engineering Dept. Ald. Greenough said that maybe a closer inspection is needed throughout the entire construction project to insure that all of our standards are being maintained through to completion of the building.

Ald. Ritchie and Hart also agreed that not enough protection is being provided for properties and residences next to development projects, while Ald. Backewich proposed that this particular building permit be held up until the Engineering Dept. is completely satisfied there will be no run-off or drainage problems arise in future as a result of this development. Ald. Hart and Valardo subsequently moved in amendment that no building permit be issued until such time as the storm drainage and servicing plans have been received and approved by Council. There was no opposition to this stipulation placed on the application by Council and the amendment carried; the amended motion carried.

GRANT APPLICATION: CNIB

On motion of Ald. Greenough and Ritchie, Council adopted a recommendation from the City Administrator, referring to the Finance Committee, a grant application from the CNIB, for consideration in conjunction with other similar applications prior to the 1977 tax rate being set.

REQUEST: KINSMEN CLUB RE ADVERTISING

Mr. Moir has reported to Council on a request from the Kinsmen Club of Dartmouth for permission to place advertising signs on the bench side of the Kinsmen Community Rink, the revenue derived to be used by the Club for community projects. Approval is recommended and Council proceeded to adopt this recommendation, on motion of Ald. Irvine and Greenough.

PURCHASE OF BUS SHELTERS

Council has been advised in a report from the Deputy City Clerk that financial assistance is not available from DREE or the

Dept. of Municipal Affairs for the purchase of bus shelters, the cost of which was previously discussed at the November P.D.O. meeting; letters to this effect from the Provincial Ministers responsible have been circulated with Mr. Brady's report. On motion of Ald. Kavanaugh and Greenough, this item was referred by Council for consideration at capital budget time.

PERMIT TO BUILD: On motion of Ald. Fredericks and Greenough, Council approved 49 J. ZATZMAN DR.

the granting of an application for permit to build a one-storey building (construction equipment distribution centre) at 49 Joseph Zatzman Drive, subject to the conditions set out in the staff report of Dec. 21/76.

PETITION: SOUTH WOODSIDE SCHOOL The School Board has received a petition signed by 450 South Woodside residents, in support of proceeding with the addition

to the South Woodside School which has been postponed as a result of the Provincial moratorium on school construction. It is the Board's recommendation that Council place the wishes of the citizens before the Provincial Education Assistance Committee in support of our 1977 application to have this school building project approved. Council adopted the Board's recommendation on motion of Ald. Fredericks and Irvine. A copy of the report to Council will accompany the petition when it is forwarded to the Province.

**DREDGING:
LAKE BANOOK**

On motion of Ald. Fredericks and Smith, Council adopted a report from the City Engineer, requesting the referral of plans for dredging portions of Lake Banook (for the 1977 Canadian Canoe Championships) to the Lakes Advisory Board for comment; the item will then come back to the Feb. 1st Council meeting.

**SET DATE FOR
PUBLIC HEARING**

On motion of Ald. Smith and Greenough, Feb. 15th was set by Council as the date for public hearing in connection with proposed amendments to the Zoning By-law, as set out in By-law G-310, recommended by the Planning Director.

**INQUIRIES:
ALD. KAVANAUGH**

Ald. Kavanaugh requested a review of the present policy of issuing building permits, with the idea of establishing a

uniform policy which would protect the rights of citizens residing next to new construction.

He asked to have the Traffic Management Group consider the feasibility of having some of the traffic lights in Dartmouth changed to flashing lights only during night-time hours and on weekends. He also wanted to know the costs involved.

Ald. Kavanaugh questioned the status of the report forwarded to the Lakes Advisory Board for comment on a staff proposal for alleviating certain problems around Bell Lake.

He asked if it would not be a good idea to consider changing our fiscal year to coincide with that of the Provincial Government; Mr. Moir said this is likely to be legislated before long.

ALD. SMITH

Ald. Smith requested that a white line be painted over at the Portland St. interchange where it is no longer required to divert traffic and is now causing a danger to cars directed by it into oncoming traffic.

He asked if anything is being done about the parking on the brow of Sinclair Street, off Hawthorne.

ALD. BRENNAN

Ald. Brennan inquired when budget discussions will begin and suggested that more time should be spent on the capital budget than last year. Mr. Moir said it is hoped to have the budgets out by the middle of January.

ALD. VALARDO

Ald. Valardo's inquiry concerned the present policy with regard to information given out by the Police Dept. on crimes committed in the City. He indicated that he will give notice of motion later on this subject.

ALD. HART

Ald. Hart asked Mr. Moir to contact the Dog Pound about dogs running at large in the area of Nivens Ave., Springhill and Parkstone Road, Leaman Drive and Middle St.

She asked that consideration be given to an orientation session for Council when parliamentary procedures would be reviewed and the Department heads would be present to discuss their priorities, etc.

She requested that the Traffic Management Group expedite the No Parking signs on Springhill Road.

ALD. THOMPSON Ald. Thompson's inquiry pertained to the extension of Dorothea Drive to the Bel Ayr School and he later gave notice of motion in order to have the item brought before Council.

ALD. WILLIAMS Ald. Williams requested information on the number of people referred to Social Services and placed on welfare while awaiting unemployment insurance. He asked if any attempt is made to recover this cost to the City and if not, why not.

ALD. CRAWFORD Ald. Crawford wanted to know if various police departments are having high explosives detonated in the City (at the quarry site) and, if so, who gave permission for this to take place; also, what precaution is being taken to escort the explosives through the City to the quarry site. Mr. Moir said he would report to the Alderman on this.

ALD. BACKEWICH Ald. Backewich again brought up the condition of the roadway on the west side of the railroad track, going into the Murray MacKay Bridge (between the rink and Windmill Rd.), requesting that something be done to improve it.

ALD. FREDERICKS Ald. Fredericks referred to his previous request for a meeting at which Council would be brought up-to-date on industrial development in the Burnside Park and asked when such a meeting is to be arranged. The Mayor suggested that the Industrial Park might be discussed at the orientation meeting proposed by Ald. Hart.

The second inquiry made by Ald. Fredericks concerned the handbook being prepared for Aldermen and staff through the Union of Municipalities; Mr. Cohoon said it is due for release in March or April of this year.

Ald. Fredericks noted that items introduced by him at the October meeting have been deleted from the Continuing Agenda and there have been no interim staff reports on the subjects either. He discussed the energy-saving item further with Mr.

Moir and suggested that we should have an interim report ready in the event that funding becomes available through the Province for conservation measures.

He also requested that copies of all Council minutes for two years back be kept in the Alderman's room, along with copies of by-laws and other pertinent information, so that the members have this source of reference available to them. Further to the last Council meeting with the auditors, when a motion on grants in lieu of taxes was adopted, Ald. Fredericks discussed the motion further with the City Clerk and felt that a report should be received and discussed by Council.

NOTICES OF MOTION: The following notices of motion were given for the next regular Council meeting:

ALD. VALARDO

- 1) Ald. Valardo: (a) re establishing a procedure for a sitting Alderman to run for the office of Mayor and simultaneously allow for filling that Alderman's seat, without the necessity of a by-election.
- (b) that a week be set aside yearly for Crime Prevention Week.
- (c) motion to exempt from additional assessment, improvements to the principle residences owned and occupied by Dartmouth citizens whose homes are five years old or better, for a period of three years from implementation of the improvements.

ALD. THOMPSON

- 2) Ald. Thompson: motion re the completion of Dorothea Drive to the Bel Air elementary school.

BY-LAW C-309

Proposed By-law C-309, which would establish a Board of Police Commissioners for the City of Dartmouth, was before Council, together with copies of a draft by-law forwarded by the Chairman of the N. S. Police Commission as a suggested form which local by-laws should take.

Ald. Kavanaugh and Fredericks moved that leave be given to introduce the said By-law C-309 and that it now be read a first time; the motion for first reading carried.

Ald. Greenough and Ritchie moved that By-law C-309 be read a second time. Mr. Drury compared the section of the two by-laws relating to the authority of the Chief of Police and discussed

with Ald. Hart her comments on Section 10 of By-law C-309, whereby Board members are precluded from communicating directly with the Police Chief on matters over which the Board has jurisdiction. The motion for second reading was then put and carried. Unanimous consent was not given by Council for third reading of the by-law.

(On motion of Ald. Backewich and Ritchie, Council decided to continue meeting beyond the hour of 11:00 p.m. to complete the agenda.)

PASS BILLS

All bills were passed for payment on motion of Ald. Fredericks and Backewich.

Council adjourned to meet in camera on motion of Ald. Hart and Irvine; after dealing with the in camera item, the members reconvened in open Council and ratified the action taken on motion of Ald. Fredericks and Greenough.

Meeting adjourned.

N. C. Cohoon,
City Clerk.

Copy to C. A. Meier
Nov. 9/77
with attachments.



Province of Nova Scotia

Department of Municipal Affairs

P.O. Box 216, Halifax, Nova Scotia B3J 2M4

ADMINISTRATION DIVISION

November 8, 1977

Mr. Neil C. Cohoon,
City Clerk-Treasurer,
City of Dartmouth,
P.O. Box 817,
Dartmouth, Nova Scotia,
B2Y 3Z3.

Dear Mr. Cohoon:

Re: Resolutions 77-1 - Closing a Portion of Crichton Avenue .
77-24 - Exchange of Lands with MacCulloch
and Company Limited

These Resolutions, concerning the closing of a portion of Crichton Avenue and the exchange of certain lands with MacCulloch and Company Limited in the MicMac Subdivision, were given final reading at meetings of City Council held on January 4th and July 11, 1977 respectively. I return two copies of Resolution #77-1 bearing the approvals of the Minister of Highways and the Minister of Municipal Affairs. I return two copies of Resolution #77-24 bearing the approval of the Minister of Municipal Affairs dated November 8, 1977.

Under separate cover, I have written to Mr. Drury, the City Solicitor, concerning one of the Statutory Declarations which was submitted with these documents. I did not hold the documents up, but would appreciate it if you could see that I receive a copy of the Statutory Declaration in a completed form.

Yours very truly,

F. Robertson (Mrs.)
Departmental Solicitor.

Encls.

FR/gml

January 1977

RESOLUTION NO. 77-1

WHEREAS Dartmouth City Council has given public notice of its intention to close that part of Crichton Avenue in the City of Dartmouth more particularly described in Schedule "A" hereto and outlined in red on the plan attached hereto as Schedule "B", and has inserted an advertisement of this intention in The Dartmouth Free Press once a week for two consecutive weeks;

AND WHEREAS at the time and place set out in the advertisement in The Dartmouth Free Press Council has met and heard all persons desiring to be heard in respect of the proposed closing of a portion of Crichton Avenue,

BE IT THEREFORE RESOLVED that that portion of Crichton Avenue in the City of Dartmouth more particularly described in Schedule "A" hereto and outlined in red on the plan attached hereto as Schedule "B" be and is hereby closed to public use.

DEPARTMENT OF MUNICIPAL AFFAIRS	
Recommended for approval of the Minister	
<i>F. Roberts</i> Departmental Solicitor	
APPROVED this <i>8th</i> day	
of <i>November</i> 19 <i>77</i>	
<i>[Signature]</i> Minister of Municipal Affairs	

[Signature]

[Signature]

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 #77-1, of the City of Dartmouth, which was duly passed at a Council meeting regularly called and held on January 4, 1977.

[Signature]
N. C. Cohoon
City Clerk-Treasurer

Approved this *8th* day of November, 1977, except where Resolution 77-1 relates to that portion of Crichton Avenue that intersects Micmac Boulevard.

[Signature]
Minister of Highways

SCHEDULE "A" to Resolution No. 77-1
of the City of Dartmouth

ALL that certain lot, piece or parcel of land being the portion of Crichton Avenue within MicMac Village as shown on a plan of boundaries of a portion of MicMac Village dated April 9, 1976, certified by Granville Leopold N.S.L.S., approved May 14, 1976 by the Development Officer for the City of Dartmouth being in the City of Dartmouth, County of Halifax, Province of Nova Scotia, the said portion of Crichton Avenue being more particularly described as follows:

BEGINNING at a point on the southeastern boundary of Woodland Avenue, the said point being 133.56 feet northeast of the most northerly corner of lands of the Maritime Telegraph & Telephone Company Limited;

THENCE S $08^{\circ} 58' 30''$ E, 498.67 feet to a point;

THENCE S $15^{\circ} 29' 25''$ E. 657.0 feet to a point;

THENCE S $19^{\circ} 08' E$, 119.35 feet to the northeastern boundary of lands of the City of Dartmouth;

THENCE S $50^{\circ} 40' 30'' E$, 126.16 feet to a point;

THENCE N $19^{\circ} 08' W$, 224.77 feet to a point;

THENCE N $15^{\circ} 29' 25'' W$, 651.15 feet to a point;

THENCE N $08^{\circ} 58' 30'' W$, 549.55 feet to the southeastern boundary of Woodland Avenue;

THENCE S $41^{\circ} 24' 24'' W$, 85.68 feet to the point of beginning.

CONTAINING an area of 89,116 square feet

SAVING and excepting the 12 foot wide pole line easement over the most southerly portion of the above described portion of Crichton Avenue.

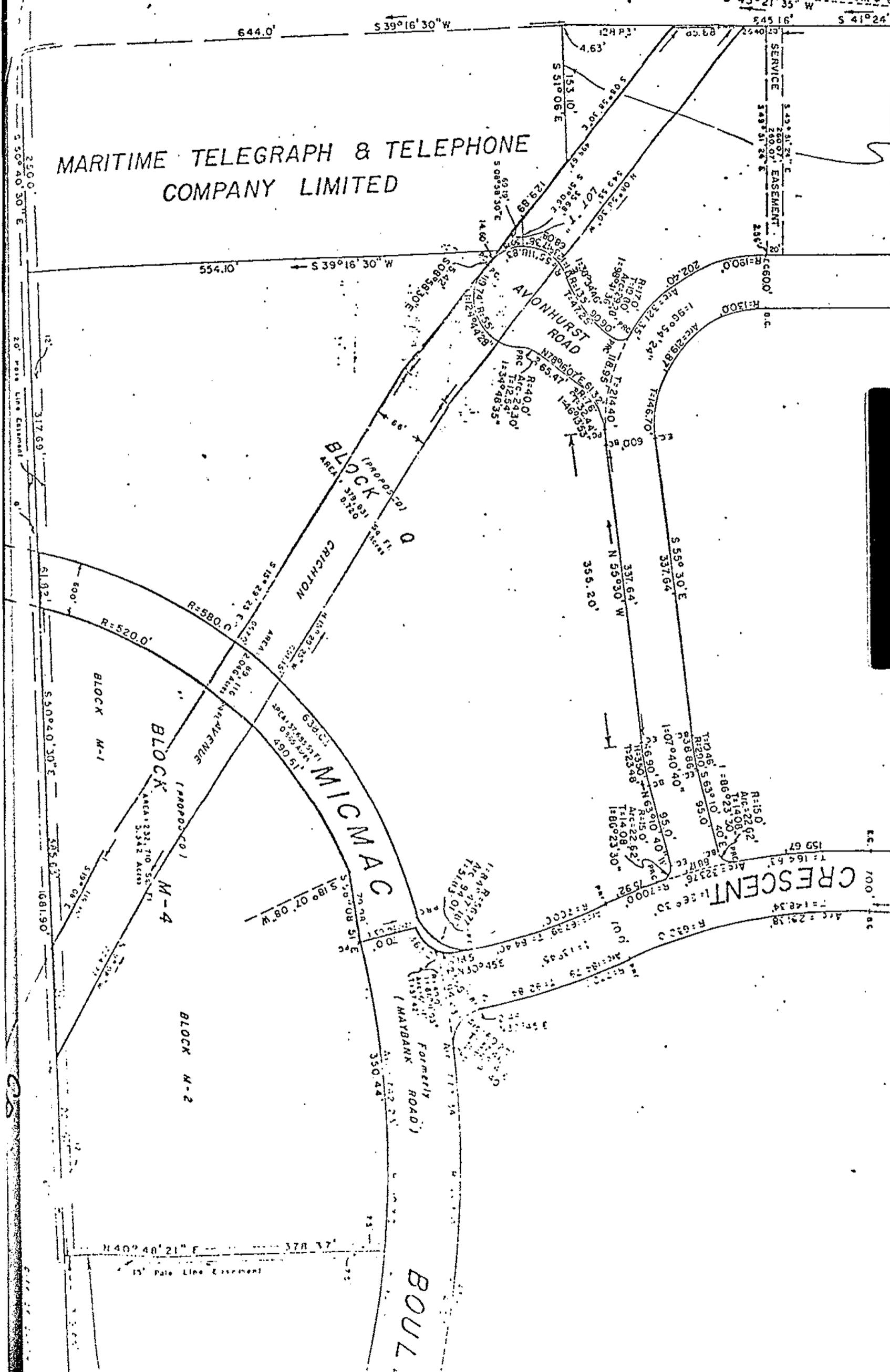
ALL bearings being 3° Modified Transverse Mercator Grid Bearings, Central Meridian $64^{\circ} 30'$ West Longitude.



WOODLAND

AVENUE

MARITIME TELEGRAPH & TELEPHONE COMPANY LIMITED



N 16,238,824.04
 E 1,241,454.61
 To Nova Scotia Control Monument # 6
 $S 43^{\circ} 21' 35'' W$
 $S 41^{\circ} 24' E$

2500.0
 $S 50^{\circ} 40' 30'' E$
 20' Wide Line Easement
 317.69'

500.0
 $S 50^{\circ} 40' 30'' E$
 1681.90'

$N 40^{\circ} 40' 21'' E$
 378.37'
 15' Wide Line Easement

January, 1977

RESOLUTION #76-2

RESOLVED that the following be and hereby appointed
SPECIAL CONSTABLES in and for the City of Dartmouth
to hold office until January 30, 1978.

Weldon Arnold
Bob Barkhouse
Ralph McCarthy
Allison Gordon

Dartmouth, N. S.

January 5/77.

Regularly called meeting of City Council held this date
at 5:30 p.m.

Present - Mayor Brownlow

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

INTERIM PROPOSAL: Council met to deal with three specific items at this
WATERFRONT DEVELOPMENT time, the first being the interim use development concept
proposed for the Halifax and Dartmouth waterfronts, as prepared
by the firm of McFawn and Rogers for the Waterfront Development
Corp.

Mr. Rogers made the presentation on behalf of his firm, indicating details of the plan for a walkway system along both waterfronts, providing people with complete access to these areas and tying in with plans for new ferry terminal buildings on both sides of the harbour (the latter plans forming part of a second presentation later in the meeting). The boardwalk along the waterfront would incorporate landscaped areas, a system of signs (directional and educational), rescue stations, scenic look-outs and generally, features designed to attract people to the area, once they have been made aware of the facilities available. Large sections of the plan have been left for parking purposes and one of the main areas of concern expressed by Council had to do with this large allocation of land for parking when it could be used to better advantage either as park space or for the development of facilities such as a maritime museum, an aquarium or a community pool, some of the ideas put forward by Ald. Greenough and supported by other members.

It was pointed out by Mr. Rogers that the interim use plan before Council does not preclude the use of these major sections

surrounded by the walkway for other purposes at a later date. Although some parking is required in connection with the ferry operation, all of the land shown need not be designated for this use if Council wants to see something else done with it.

Another of the main arguments raised by several Council members concerned what they considered to be an unfair distribution of the DREE funds being made available for waterfront development in Dartmouth and Halifax. Both Mr. Thomas, the Executive Director of the Waterfront Development Corp., and Mr. John Young, one of the Directors, were asked for details of the financial allocation and while they undertook to explain how funds are to be used for land acquisition and related development costs, Council felt that basically the City of Dartmouth will receive only about two million of the 36.5 million dollars DREE is putting into the project. The point was made that Dartmouth should not be penalized financially because we are in the position of owning most of our waterfront lands, whereas major land acquisition costs will be incurred on the Halifax side of the harbour, requiring a much larger proportion of the funds available.

Ald. Brennan did not feel that there has been enough public involvement in coming up with the design concept and suggested that consideration should have been given to the potential for a market place in conjunction with the waterfront development, also to the relocation of government office space from Halifax to Dartmouth and to a tie-in with the NIP area to the north (Harbourview) and the Dartmouth Park. Both he and Ald. Hart asked about the Bogg Street buildings being acquired by the Waterfront Corp. and their ultimate disposition. Mr. Thomas provided information on the efforts to obtain funding for possible development of this section through Heritage Canada. Ald. Hart suggested the idea of relocating the City museum if some of the Bogg Street buildings could be restored sufficiently

for the purpose. In response to her question about pressing for an aquarium as part of the waterfront development in Dartmouth, Mr. Young stated that the Corp. does not have the funding or the approval for an aquarium at this time. He noted that a facility of this kind would cost somewhere around seven million dollars.

Ald. Fredericks said that while there are things which Council can act on in the meantime, we should now authorize the first phase of the waterfront development and proceed with the cribbing, dredging, landscaping and boardwalk plans as they have been presented. He introduced a motion to this effect, adding to the initial phase, provision for another parking level south of City Hall which would replace some of the parking space allocated in the south-end lot and thereby make it available for other purposes; the motion was seconded by Ald. Backewich.

During the debate on the motion, Mr. Young indicated that the plan before Council would have to be completely reconsidered if the additional parking level were incorporated at this stage and having received this information, Ald. Kavanaugh and Irvine subsequently moved in amendment that reference to a tiered parking facility south of City Hall be deleted from the motion. Mr. Sperry, who later made a presentation in connection with the ferry and ferry terminal proposal, outlined various parking options which could be considered in order to eliminate some of the ground-level parking designated to serve ferry customers.

Ald. Cote referred to the potential for private development in conjunction with the waterfront plan and Ald. Greenough agreed that we must attract commercial and other additional facilities besides those shown in the interim use plan if the waterfront development is to be successful. Ald. Valardo asked what the feasibility would be of incorporating a convention facility in the development plans.

Mr. Lukan was asked to comment and stated that the Planning Dept. agrees that a start should be made on the waterfront development in accordance with the first phase proposed under the interim use plan presented. When the amendment was put, it carried and the amended motion carried.

DARTMOUTH
FERRY STUDY

Mr. Robertson, representing a consortium of four companies, introduced the presentation which followed in connection with the Dartmouth Ferry Study, the next item on the agenda for this meeting. He referred to the ferry system as a crucial link in the overall metropolitan transportation system, informing Council that the present service is nearing the end of its useful life and in terms of costs, is running at a deficit of 15 to 20 cents per passenger.

He proceeded to give a summary of the various recommendations associated with the study, based on the categories under which they have been prepared. Under the heading of Operations, it is recommended:

- 1) That there be two 400-passenger ferries operating on the existing run and that a second service not be further considered from Woodside.
- 2) That the schedule be changed from the present fifteen-minute service to ten-minute service during peak periods, with half-hour service for the rest of the day; the weekend schedule would remain unchanged.
- 3) that 30¢ fares be implemented.

Under the heading of Docks, the recommendations are:

- 1) That the Halifax docks be dismantled.
- 2) That the existing dock at Dartmouth be retained.
- 3) That the new dock system be end berthing/side loading.

Ferries:

- 1) That they be side-loading and employ a Voith Schneider propulsion system.
- 2) That they be capable of providing at least seven-minute crossing time and loading time in three minutes or less.
- 3) That they be equipped to carry bicycles and baby carriages.

Terminals:

- 1) That the existing terminals be demolished.
- 2) That the new terminals be land-based, with three main general areas (as described in the submission prepared).
- 3) That the boarding lounge concept be used.
- 4) That restaurant/commercial/office space be seriously considered for the terminal buildings on both sides (upper floors).
- 5) That the terminal in Halifax tie in with Chebucto Square, as detailed in the submission.

Mr. Sperry of Sperry Associates Ltd. outlined plans for the terminals and a representative from the firm of Evans, Yeatman & Endal (Associates) Ltd. was available to answer questions from the members on the design of the ferries themselves. Ald. Williams in particular questioned the design concept being recommended, as compared with our present conventional berthing system, and safety factors were discussed also. Ald. Fredericks suggested that the feasibility of equipping at least one of the ferries for excursion purposes should be considered, and Ald. Brennan felt that more people would want to use the ferries if there were canteen facilities available. Some of the problems associated with incorporating canteen and restroom facilities in the ferry design and plans were discussed with Council by the representative for Evans, Yeatman & Endal. Ald. Brennan was not in favour of increasing fares beyond 25¢, but the other Council members did not express opposition to this recommendation. On motion of Ald. Irvine and Williams, Council approved the Dartmouth Ferry Study as presented by Development Planning Associates Ltd., requesting that the Provincial Dept. of Development proceed with and finance phases two and three.

WATER RATE
STUDY

The water rate study carried out by H. R. Doane & Co. has been completed and copies of their report were circulated to the Council members. Mr. Bill Haywood made the presentation on behalf of H. R. Doane, providing details of the financial

situation facing the City Water Utility and reasons for recommending that application be made to the Board of Public Utilities for a water rate increase. The recommendation is for a 70% increase in residential rates, a 40% increase in the commercial/industrial rate, and a fire protection rate increase of 80%. Council's authorization is required to proceed with the request for a rate increase, based on the submission which H. R. Doane will make to the Board on behalf of the City. The Water Utility will have an accumulated deficit of 1.8 million dollars as of the end of 1976 and based on the water rate increase proposed, a portion of this amount could be recovered over the next two-year period; the remainder of the deficit would probably have to be recovered through the general tax rate.

Following Mr. Haywood's presentation, discussion with him centered mainly on the percentage increase allocation between the residential and commercial rates, Council generally tending to favour a 50/50 split in the return on rate base, in preference to the percentages recommended by H. R. Doane. The difference between base charge and consumption charge was explained by Mr. Haywood in relation to the company's recommendation, but he noted that the 50/50 percentage was used previously and may be accepted again by the Public Utilities Board.

Ald. Fredericks asked if consideration has ever been given to installing water meters on the outside of houses and Mr. Moir said that this is being done in the case of new homes. Ald. Fredericks asked for a report on the cost involved to do a certain number of homes per year with outside meters. Another idea suggested by Ald. Fredericks had to do with the reading of meters through a central telephone system location. Ald. Greenough and Cote moved that the P.U.B. be petitioned as per the proposal submitted by H. R. Doane & Co., with an adjustment to the 50/50 split of the return on rate base for commercial

and residential users. Ald. Valardo and Williams opposed and voted against the motion, which carried.

Meeting adjourned.

N. C. Cohoon,
City Clerk.

Dartmouth, N. S.

January 18/77.

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

Present - Mayor Brownlow

Ald. Thompson	Kavanaugh
Smith	Williams
Brennan	Crawford
Cote	Valardo
Hart	Backewich
Irvine	Greenough
Ritchie	Fredericks
City Solicitor, S. Drury	
City Clerk-Treasurer, N. C. Cohoon	

QUARRY PERMIT:
STEED & EVANS

Reports and correspondence relating to the Steed & Evans application for renewal of their quarry permit, were before Council, this meeting having been called to give interested parties an opportunity for further input over and above that which was provided at the public meeting held by the Quarry Committee on December 15/76. Ald. Irvine proceeded to move that Council set a policy for phasing out the Steed & Evans quarry over a three-year period, terminating Dec. 31, 1979; the motion was seconded by Ald. Cote. Ald. Kavanaugh said he would be opposed to the motion, favouring a yearly permit renewal - particularly until Council has received the staff report requested on the long-term effects of the quarry operation. He suggested the imposition of a per-ton royalty fee which would be paid by the company to cover the cost of staff time spent in making sure that the terms of the quarry permit are complied with and for the purpose of having the blast monitoring procedures carried out by consultants engaged by the City. Ald. Fredericks felt that if a termination date were to be set for the quarry operation, it should not be until at least 1981, the year when the lease on the quarry lands expires. An amendment to this effect was later introduced by Ald. Cote.

Ald. Hart, Greenough and Irvine all spoke in support of the motion, based on the environmental considerations involved and the concern expressed by some Port Wallis residents who wish to see the quarry operation terminated in

its present location for the various reasons stated in their representations on the subject. Ald. Brennan said he felt that Council has to weigh the economic impact vs. the environmental and community impact of keeping the quarry in operation. He went on to explain why he has placed a higher value judgment on the economic impact in this instance, and both he and other Council members referred to the environmental control measures imposed upon Steed & Evans and their continuing efforts to comply with these. Generally, the debate centered around the points raised by Ald. Brennan, with Ald. Cote suggesting that too much emphasis is being placed on the economic considerations rather than giving priority to a protected environment for our citizens. He did not agree that Steed & Evans would leave the area if their permit were terminated, but would simply relocate the quarry operation on another site where people employed by the company could continue to work. Dr. Josenhans expressed a similar point of view during his presentation later in the meeting. Ald. Cote's amendment, seconded by Ald. Hart, proposed that the quarry operation be phased out by the year 1981.

After the amendment had been placed on the floor, Council agreed to hear from members of the public present for this item, the first being Mr. Rod Williams of 14 Garshan Road. Mr. Williams described damage sustained by his house, alleged to have been caused by clasting at the Steed & Evans quarry site. He questioned the accuracy of the blast monitoring procedures being carried out by the consultants to the quarry operator and he responded to questions from individual Council members concerning the type of damage to his house, the insurance settlement of his claim for damages and other related information. Dr. Josenhans of 30 Boutilier Lane gave a brief verbal presentation, in addition to his written submissions of Dec. 15/76 and Jan. 5/77, circulating aerial photographs of the Steed & Evans quarry site, taken in October of 1975. He favoured a termination of the quarry

permit within five years time and stressed that conditions set out for issuance of the permit must be checked to insure their effectiveness (ie. seeded areas should be successfully seeded and trees which are planted should be growing).

Mr. Tom McFarlane of Mountbatten Ave. said that not all Port Wallis residents are opposed to the Steed & Evans quarry in its present location; he didn't think Council should consider terminating any business in our present economic climate. Ald. Backewich commented on a random survey he had made in the area which seemed to concur with the opinion expressed by Mr. McFarlane that only a minority of the people in Port Wallis are being affected by the operation. Mr. Gerald Mossman stated that the quarry operation has never interfered with his beach and camping facility, located directly across the lake.

Council also heard Mr. Robert Covey of Boutilier Grove and Mr. Peter Mettam, one of the citizens who lives in the section of Port Wallis opposite to the rock face where blasting is taking place at the quarry site. Not only has there been damage to his house as a result of the blasting, but other problems such as the noise and dust from the quarry have also affected the quality of the environment in this particular area. He suggested that it would be no great hardship to Steed & Evans if they were to quarry another portion of the Whebby property, up next to the Burnside Industrial Park and facing away from all residential development across the lake. He favoured a one-year license with notice to the company to relocate as suggested. Mr. Castell, a resident living in the same neighbourhood as Mr. Mettam, said he has no complaints about the quarrying and at a later point in the meeting, he provided Council with information on the water quality of Lake MicMac, based on a sampling program he has been taking part in for some time. Ald. Kavanaugh referred to comments from the Lakes Advisory Board in connection with the question of siltation entering the lake from the quarry runoff and

tests conducted to determine the turbidity of the water.

The next person heard by Council was Mr. Steed, representing the company. His presentation dealt in general terms with the type of operation being carried on by Steed & Evans at their present quarry site in Dartmouth and he made reference to the company's efforts to comply with all of the terms of their quarrying permit and to co-operate fully in doing so with the Lakes Advisory Board and the Quarry Committee. He felt that his company has made a contribution to the community in terms of development and from a financial point of view, in addition to creating job opportunities which benefit employees who are Dartmouth residents. Responding to a question raised by Ald. Valardo concerning claims for damages against Steed & Evans, Mr. Steed said that to date, not one claim has been processed against the company. He noted that any resident wishing to submit a claim should do so through his or her own insurance company in the procedure followed by Mr. Williams. Questions from Ald. Cote to Mr. Steed pertained to the firm engaged to monitor blasting and the procedures followed in doing this. The cost involved was also questioned and Mr. Steed advised that it had cost \$4,000. to monitor the 27 blasts set off last year. Ald. Kavanaugh asked about the cost of relocating the quarry in another area of the Whebby holding; Mr. Steed said it would cost somewhere around three-quarters-of-a-million dollars.

Mr. Steed had indicated during his presentation that he would like to have a five-year permit, thereby minimizing the yearly controversy when his permit comes up for renewal. Ald. Brennan asked if a longer-term permit would involve a land development plan for the area being quarried, along with more extensive control measures than those already in effect. He discussed this point further with Mr. Steed.

Council heard another citizen, Mr. Lloyd Dickey,

who emphasized the importance of protecting the environment and our lakes, which represent the City's most valuable asset. Mr. Leo Casavechia of 24 Garshan Road asked if pre-blast surveys could not be arranged in the case of houses directly across from the blasting face (ie. in the Garshan Road/Boutilliers Lane section), if the permit is to be approved. Ald. Hart made the suggestion that the potential harmful effects of silicone dust should be looked at, while Ald. Cote said he would like Council to consider the possibility of retaining a consulting firm for the purpose of carrying out a complete environmental study with respect to the effects of the quarry operation, not only in the immediate areas concerned but throughout the entire City.

When the amendment was put, it was defeated with Ald. Fredericks, Cote, Irvine, Greenough and Thompson voting in favour. The main motion was also defeated (Ald. Hart, Irvine, Greenough and Cote voting in favour). Ald. Kavanaugh then attempted to introduce a resolution which would have approved the quarry permit for 1977, in addition to imposing a per-ton fee on the operator to cover the costs associated with a monitoring of blasting at the quarry and City staff time involved in overseeing compliance with the terms of the permit being issued. The Solicitor pointed out that we do not have legislation at present which would permit the imposition of a fee charge as proposed by Ald. Kavanaugh. After the legal implications involved were discussed further with Mr. Drury, Ald. Cote and Kavanaugh moved deferral of the issuance of a quarry permit until the Solicitor has had an opportunity to determine whether or not we have authority to levy a per-ton fee (ie. as one of the conditional terms in granting the permit). This motion was defeated by a vote of 8 to 6.

After the motion to defer had been defeated, it was moved by Ald. Smith, seconded by Ald. Crawford, that the

quarry permit be issued to Steed & Evans for one year, subject to the recommendations contained in the City Engineer's report which incorporate those received from the Lakes Advisory Board and the Quarry Committee. A total of seventeen conditions (recommendations) have been set out in Mr. Fougere's report, along with some additional comments included at the end, and Council proceeded to deal with the individual conditions as follows:

#6 (hours for quarrying operations): Ald. Hart and Irvine moved in amendment that the hours of operation be changed from those presently recommended to 8:00 a.m. and 7:00 p.m., a two-hour reduction each day. The amendment was defeated.

#10 (approval to work more than five acres of land): An amendment introduced by Ald. Kavanaugh and Fredericks was adopted, requiring the approval of Council rather than the City Engineer as recommended (Ald. Williams voting against).

#11 (monitoring of noise levels associated with blasting): A revised wording of this condition was moved in amendment by Ald. Greenough, seconded by Ald. Irvine; it would then have read:

'The monitoring of ground shock and noise levels associated with blasting operations is to be continued by consultants hired by the City, the cost of said consultants to be borne by the operator . . .'. This amendment was defeated.

#12 (measures to decrease the intensity of blasting): The words 'subject to the order of the Fire Chief' were added as an amendment to this condition, on motion of Ald. Brennan and Kavanaugh.

#18 - an additional condition which reads:

'All blasts should be carried out at a regular time (eg. noon hour)'.
Approved by Council as an amendment introduced by Ald. Hart and Greenough.

Another condition proposed by Ald. Hart as an addition to those recommended by Mr. Fougere, had to do with provision for carrying out pre-blast surveys in the case of a number of homes located in the Garshan Road/ Boutiliers Lane area, as directed by the City Engineer and to be arranged for by the quarry operator. Her amendment to this effect, seconded by Ald. Greenough, was defeated.

The amended motion on the floor was put and carried.

RESOLUTION #77-3

Before adjourning, Council approved the attached Resolution #77-3, on motion of Ald. Fredericks and Kavanaugh, authorizing expropriation of lands known

as the Hammerling property, the site for the new high school.

Meeting adjourned.



G. D. Brady,
Deputy City Clerk.

Jan 18

January 18, 1977

WHEREAS the Council of the City of Dartmouth desires to acquire the land described and outlined in red in the plan and description attached hereto.

AND WHEREAS the City has negotiated with the owner for the acquisition of the land and is unable to obtain a clear title to the land at a fair price by agreement.

AND WHEREAS the City Clerk has caused a plan and a description of the land and a list of the owners thereof according to the last revised assessment roll to be prepared.

BE IT THEREFORE RESOLVED that the City now expropriates the land described in Schedule "A" hereto and shown on the plan attached hereto as Schedule "B"

The owner of the land according to the last revised assessment roll is Anne Linder Hammerling of Halifax in the Province of Nova Scotia.

The interest intended to be expropriated is the fee simple and such interest is not to be subject to any existing interest in the land.

The land is being expropriated for school, park and recreational purposes.

SCHEDULE "A" to Resolution #77-3 of
Dartmouth City Council

ALL that certain lot, piece or parcel of land situate, lying and being on the southern side of Portland Street in Dartmouth, Nova Scotia, said lot being designated as Block "H" and shown as lands of Anne Linder Hammerling on a plan entitled "Plan of Lands of Anne Linder Hammerling" prepared by John A. McElmon & Associates Limited and certified by John A. McElmon, N.S.L.S., and dated November 2, 1976, revised to November 18, 1976, said lot being more particularly described as follows:

BEGINNING on the northeastern boundary of Chestnut Realty Subdivision at a point distant one hundred twenty-nine and twenty-nine hundredths feet (129.29') from the southeastern boundary of Portland Street on a bearing of S 40° 23' 10" E from an iron bar found marking the northeastern corner of Lot 97 of the Chestnut Realty Subdivision;

THENCE S 40° 23' 10" E along the northeastern boundary of Chestnut Realty Subdivision six hundred eighty-four and seventy-two hundredths feet (684.72') to an angle in said boundary;

THENCE S 40° 12' 56" E and continuing along the northeastern boundary of Chestnut Realty Subdivision three hundred thirty-eight and six hundredths feet (338.06') to the southeastern angle thereof;

THENCE S 64° 04' 58" W along the southeastern boundary of Chestnut Realty Subdivision one foot (1.0') as shown on the insert of the aforementioned plan, to the northeastern angle of Marilyn Park Subdivision;

THENCE S 39° 59' 21.6" E along the northeastern boundary of Marilyn Park Subdivision one thousand one hundred eighteen and eighty-six hundredths feet (1,118.86') to the northwestern boundary of land of Terra Nova Enterprises Limited;

THENCE N 56° 15' 51.1" E along the northwestern boundary of said lands of Terra Nova Enterprises Limited and John C. Rankin, four hundred forty-one and seventy-five hundredths feet (441.75') to the southwestern boundary of lands being expropriated by the Department of Highways for construction of the Portland Street-Circumferential Highway interchange;

THENCE in a general northwesterly direction along the various courses of land being expropriated by or owned by the Department of Highways, to the northeastern boundary of land now or formerly of C.A. Love, said courses being as follows:

N 21° 11' 28.9" W one hundred three and thirty-nine hundredths feet (103.39');

S 67° 35' 50.5" W twenty-four and sixty-four hundredths feet (24.64');

N 21° 44' 50.9" W six hundred eighty-six and fifty-eight hundredths feet (685.58');

N 35° 40' 13.2" W two hundred forty-one and forty-six hundredths feet (241.46');

S 66° 24' 42" W one hundred forty and eighty-three hundredths feet (140.83');

SCHEDULE "A"

N 68° 25' 42.5" W two hundred forty-nine and forty-seven hundredths feet (249.47');

N 60° 24' 22" W one hundred thirty-two and twenty-five hundredths feet (132.25');

N 37° 07' 55.8" W one hundred fifty-seven and eighty-seven hundredths feet (157.87');

N 14° 17' 43.4" W two hundred forty-three and sixty-nine hundredths feet (243.69');

S 89° 40' 26" W one hundred fifty-nine feet (159.0');

S 48° 38' 07" W one hundred thirty-six and ninety-eight hundredths feet (136.98');

N 46° 25' 22" W one hundred fifty-nine and seventy-two hundredths feet (159.72') and;

S 89° 40' 26" W one hundred eighty-three and fifty-five hundredths feet (183.55');

THENCE S 35° 11' 48" E along the northeastern boundary of said land of C.E. Lowe, ten and four tenths feet (10.4') to the southeastern angle thereof;

THENCE S 43° 35' 17" W along the southeastern boundary of said land of C.E. Lowe, one hundred fifty and twenty-five hundredths feet (150.25'), more or less, to the point of beginning, all bearings being astronomic (grid) referenced to Meridian 64° 30' W being the central meridian for Zone 5 of the 3° transverse mercator projection, the herein described Block "H" containing an area of 1,127,928 square feet (25.8936 Acres) more or less.



Dartmouth, N. S.

January 24/77.

Special meeting of City Council held this date
at 5:30 p.m.

Present - Mayor Brownlow

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

Council met to complete the January 18th agenda.

BY-LAW C-309:
THIRD READING

By-law C-309, establishing a Board of Police Commissioners for the City of Dartmouth, was before Council for third reading, having received first and second readings at the earlier January meeting.

It was moved by Ald. Valardo and Smith that By-law C-309 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. Fredericks felt that there should be provision in Section 6 of the by-law for the holding of meetings oftener than every three months, if necessary, and he moved in amendment, seconded by Ald. Ritchie, that three members of the Board may approach the Chairman or the Secretary to request a meeting; the amendment carried.

With reference to Section 10, which spells out the line of communication by Board members with the Chief of Police, Ald. Fredericks expressed concern that as members of the Board, individual Aldermen will no longer be able to contact the Police Chief as they have been doing in the past to request action in situations where it is required. He discussed this point further with the Solicitor and Mr. Moir who suggested that the newly-formed Board can deal with this area of concern at their first meeting. Ald. Fredericks requested that notation be made of the item for inclusion in the Board's first agenda.

In connection with Section 14, Ald. Fredericks was in favour of having either the Police Chief or the Deputy Chief present for Board meetings and he later seconded an amendment put forward by Ald. Cote to the effect that the Police Chief or the Deputy Chief shall attend all Board meetings except on those occasions when the Board shall decide against it. This amendment was defeated by a vote of 7 to 6.

Ald. Cote was also concerned about Section 10 and the loss of authority to communicate directly with the Police Chief, although there appeared to be some question as to whether Aldermen have that right at the present time. Mr. Moir said he did not feel there will be any real change from the situation the members of Council are in now with respect to contact with the Chief of Police, and it was pointed out by the Solicitor that the first half of Section 10 is taken directly from the Provincial regulation which we are unable to change. Ald. Cote asked why the additional provision has been included in our own by-law (ie. 'no individual member of the Board shall communicate directly with the Chief of Police on matters over which the Board has jurisdiction'). Mr. Drury explained that this is in keeping with our fundamental principle of operation under a city managerial system where the line of communication is from Council through the City Administrator to City department heads. With this in mind, the City Administrator has also been designated as Secretary of the Board.

Ald. Cote maintained that the Board should have an alternate means of communication other than through the City Administrator (Secretary), and he moved in amendment that Section 10 be changed by adding the words 'other than the Chairman of the Board' for insertion after '. . . no individual member'. The amendment was seconded by Ald.

Hart and it was defeated. Another amendment proposed by Ald. Cote and again seconded by Ald. Hart, would have deleted the second half of Section 10 from the word 'force' to the end. Ald. Kavanaugh and Greenough spoke against the amendment and when it was put, it was defeated.

Mr. Drury suggested that in view of the concern expressed over this particular section, Council might wish to consider adding the words 'except for purposes of inquiry', to be inserted after the words '. . . member of the Board'. An amendment to this effect, moved by Ald. Greenough and Valardo, carried. The motion for third reading, as amended, carried.

BAKER PROPERTY:
ALPHA SUBDIVISION

A follow-up report on the proposed acquisition of the Baker property on Caledonia Road, as compared with the cost of developing City-owned lands known as the Alpha Subdivision lands, for recreation purposes, has been submitted by the Planning Dept., but before the report was dealt with by Council, Ald. Brennan indicated that he wished to have additional information provided on a third possible site involving a portion of the watershed lands in this area. Mr. Zwicker proceeded to outline the watershed site being suggested, after which Ald. Greenough and Irvine moved deferral of the item until the Planning Dept. can come in with further information based on a study of the third parcel of land. Ald. Hart suggested that the Lakes Advisory Board should be consulted since watershed lands are involved. The motion to defer carried.

REQUEST: DART.
COMMUNITY CONTACT

On motion of Ald. Fredericks and Irvine, Council approved a request from the Dartmouth Community Contact Assn. for an advance payment of \$6,000. from the City on the grant which the Association will be requesting for 1977. This advance payment will cover the period January 31st to March 31st and permit the continuation of service to clients by the Association.

EXEMPTIONS &
TAX DEFERRALS

A report from the City Clerk was before Council on the subject of tax exemptions and deferrals, recommending in summary, that Council abolish all forms of tax exemptions and/or reductions and in their place, institute a program whereby those requiring assistance in the payment of their taxes be required to make application to a social assistance officer who could be located in the taxation office for a period of time so that the procedure involved in qualifying for the assistance will be similar to that now required to qualify for tax assistance. By-law C-312, with respect to tax exemptions on real property, accompanied Mr. Cohoon's report and Council proceeded to give the by-law first and second reading at this time.

It was moved by Ald. Fredericks and Kavanaugh and carried that leave be given to introduce the said By-law C-312 and that it now be read a first time.

It was moved by Ald. Greenough and Irvine that By-law C-312 be read a second time. The City Clerk explained why it is not recommended that Council opt for the alternatives available under the Provincial Assessment Act for exemption, but instead establish a procedure whereby citizens requiring assistance would apply through a social assistance officer as described in his report. Ald. Smith spoke in support of the recommendation, but some confusion was expressed as to whether Council should proceed further with By-law C-312 or adopt Mr. Cohoon's recommendation which is contrary to the provisions of the by-law. A motion to refer to the Finance & Social Services Committee, moved by Ald. Fredericks and Brennan, was defeated, and on motion of Ald. Kavanaugh and Ritchie, Council decided to defer the matter to the Feb. 1st Council meeting for further clarification.

Meeting adjourned.

N. C. Cohoon,
City Clerk.

Dartmouth, N. S.

January 27/77.

Regularly called meeting of City Council held this date at 5:00 p.m.

Present - Mayor Brownlow

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

CONSIDER PROPOSALS:
U.S. BOND ISSUE

Council met to consider proposals received for the placement of a U.S. pay debenture issue in the amount of \$4,217,000.; proposals were submitted by the following firms:

Nesbitt, Thompson & Co. Ltd.
A. E. Ames & Co. Ltd.
Bell, Couinlock & Co. Ltd.
McLeod, Young, Weir & Co. Ltd.
White, Weld of Canada Ltd.

The lowest proposal received was from Nesbitt, Thompson & Co. Ltd., the cost of money expressed in U. S. Dollars being 9.06%. In a report to Council, the City Clerk has indicated that based on the proposals received, there is no clear-cut advantage in selling on the U. S. market, and it is therefore recommended that Council sell its debentures in the Canadian market. Council adopted this recommendation on motion of Ald. Greenough and Ritchie.

The attached resolution, authorizing the issuance of bonds on the Canadian market, was also adopted, as moved by Ald. Greenough, seconded by Ald. Kavanaugh.

Meeting adjourned.

N. C. Cohoon,
City Clerk.