

Dartmouth, N. S.

January 6/81.

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

Present - Mayor Brownlow

Ald. Sarto	Ibsen
Williams	Cunningham
Crawford	Brennan
Hart	<u>Greenwood</u>
Valardo	Withers
Hawley	<u>Greenough</u>
Ritchie	Fredericks
City Solicitor, S. Hood	
City Administrator, C. A. Moir	
City Clerk-Treasurer, B. Smith	

PUBLIC HEARING:  
ST. PAUL'S SCHOOL  
PROPERTY

This meeting of Council constituted a public hearing as required under Section 139 of the City Charter, in connection with the disposal of a school property, in this case, the sale of the St. Paul's School property to the Nova Scotia Housing Commission, in order to permit the construction of senior citizen housing units on the site. Resolution #81-1 was before Council to accomplish the sale and conveyance of the property to the Housing Commission. Ald. Valardo and Hart moved the adoption of the Resolution, a copy of which is attached.

There was no one in the public gallery wishing to speak either for or against the sale of the St. Paul's School property. The main area of concern among those members of Council who spoke during the debate on the motion, had to do with the relocation of the day care centre facility that is presently operating out of St. Paul's School. The Mayor noted that a report on this subject has been submitted by Mr. Moir and will come up for discussion at a later point in the meeting. Basically, it explains to Council the arrangements that have been made for a nine-month temporary relocation provision, after which time, a more permanent arrangement for the day care centre will have been completed. Assurance was again given that the property will not be conveyed to the Housing Commission for their use until the day care centre has been accommodated elsewhere, this being one of the conditions under which Council originally agreed to the disposal of the St. Paul's

property. Ald. Brennan felt that any relocation costs involved for the day care centre should have been covered in the selling price of the property, although it was pointed out that the \$66,000. figure mentioned in the Resolution was agreed to back in July when the property sale was negotiated. Mr. Moir said it is difficult at this point to estimate exactly what the total relocation costs will amount to, but the temporary move that has been arranged will not involve any major renovation expenses to be borne by the City. When the vote was taken, the motion to adopt Resolution #81-1 carried.

MINUTES

On motion of Ald. Williams and Hart, Council approved the minutes of meetings held on November 25th, 27th, December 2nd, 8th, 9th & 17th (1980), subject to the following corrections:

- 1) the Nov. 27th and Dec. 8th minutes should have recorded Ald. Greenwood as being present (instead of Ald. Greenough being recorded twice);
- 2) the minutes of December 9th should have recorded Ald. Brennan's intention that the motion of referral on page 5 was to all staff and the intent was applicable to all City park areas generally and legislation that would apply accordingly; at present, referral mentions only the Police & Recreation Departments.
- 3) the minutes of the December 17th meeting do not make reference to the next Police Commission meeting and the date on which it was to be held. Ald. Crawford noted that the press did not receive notice of the meeting, which took place on Dec. 29th. The Mayor asked Mr. Smith to make note of this oversight so that in future the press are duly notified of Police Commission meetings.

APPOINTMENTS:  
ATHLETIC COMMISSION

Council proceeded with the two remaining citizen-at-large appointments to the Athletic Commission, the other three appointments having already been made at the meeting of December 17/80. The names of Mr. Wm. Parsons and Dr. Ken Gladwin were put forward in nomination and were accepted by Council, on motion of Ald. Williams and Sarto.

APPOINTMENTS:  
NON-PROFIT  
HOUSING SOCIETY

As requested at the Dec. 17th meeting, names were presented for appointment to the Non-Profit Housing Society to be established in accordance with Resolution #80-45, approved at that meeting. The names put forward ~~for~~ consideration at this time by Council were: Mr. Bill Lydon, Mr. John Woods, and Mrs. Sandra Everett and Mr. Garvey

Sampson. Following a vote by secret ballot, the three names selected by Council for the citizen appointments were: Mr. Lydon, Mr. Sampson, and Mr. Woods.

Nominations were then presented for the Aldermanic representatives, with the following names being put forward: Ald. Fredericks, Hart, Sarto, Withers & Brennan. Following a second vote by secret ballot, Council approved the selection of Ald. Brennan, Sarto, Hart and Fredericks to serve as Council's representatives on the Society.

C.M. RESOLUTIONS

The members of Council have received copies of Resolutions passed at the 1980 conference of the Federation of Canadian Municipalities. Ald. Ibsen asked for clarification of the function of community service officers, as referred to in Resolution #7; he requested further information on the role of the officers so that their value in the community can be better assessed by Council.

Ald. Fredericks and Williams moved the referral of all Resolutions, with the exception of #12, 13 & 27, to the Police Commission for further consideration. The motion carried.

Resolutions #12 & 13 were referred to the City's EMO Officer (Mr. Fougere) for his attention and for report back to Committee-of-the-Whole, on motion of Ald. Valardo, seconded by Ald. Sarto. Ald. Ibsen made inquiries about Mr. Fougere's functions as the EMO Officer and the status of the City's EMO program; discussed with Mr. Moir.

Resolution #27 was referred to staff for comment, on motion of Ald. Greenough and Valardo.

MUTUAL AID AGREEMENTS:  
FIRE DEPARTMENTS

A report was considered from Mr. Moir on the subject of a means by which mutual aid agreements could be entered into between Fire Departments. The report proposes that if Council should desire City staff to proceed with the drafting of a mutual aid agreement for discussion with other municipalities, it is recommended that the City Solicitor's Dept. be asked to prepare the necessary legislation to amend the appropriate Provincial Act, this Resolution to be forwarded to the Union of N. S.

Municipalities and the appropriate Provincial department for their support. If the legislation were then adopted on a Provincial basis, any municipality would be in a position to cooperate with another municipality in rendering assistance.

Ald. Fredericks and Sarto moved the adoption of Mr. Moir's report and Council's response to it was favourable. Ald. Fredericks asked about the question of liability in mutual aid situations and again raised the point about the fighting of ship fires and the possibility of the City being reimbursed under these circumstances. He asked that both points be looked at in connection with the mutual aid item. The motion on the floor carried.

BY-LAW C-416

By-law C-416 has been prepared to correct By-law C-411 in its reference to the 1977 National Building Code; reference should be to the 1975 Building Code, which the City is currently using.

It was moved by Ald. Ibsen and Brennan and carried that leave be given to introduce the said By-law C-416 and that it now be read a first time.

It was moved by Ald. Greenough and Cunningham and carried that By-law C-416 be read a second time.

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

It was moved by Ald. Williams and Cunningham and carried that By-law C-416 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.

SALE OF LOTS 71A & 74:  
BURNSIDE PARK

Council considered a report from Mr. Moir on a proposed sale of Lots 71A and 74 in the Burnside Park to the Provincial Dept. of Government Services for the total purchase price of \$542,153.; the properties would be used by the Department for the establishment of a Provincial Central Stores area. The proposal involves an exchange of land owned by the Department in the Portland/Bruce/Settle Street area, whereby the City would acquire the said property as part of the purchase

price (assessed at \$410,000.) and the Province would pay the difference between the two sites, in the amount of \$123,153. The Portland Street property would be used by the City Works Dept. for a 'satellite' salt storage area and for the storage of out-of-season equipment, thereby permitting the removal of storage from the old Main Street Motors building at the intersection of Lakecrest Drive and Main Street; that building could, in turn, be removed from the site. The Works Dept. would be charged an annual rental for the use of the Portland Street property equal to a return of the purchase price, plus a return on investment over a period of years, in order that the Burnside Industrial Park fund can recoup the \$410,000. amount allowed for in the property exchange. Ultimately, the City will recoup the full price of Lots 71A and 74 (\$542,153.) and at the same time, acquire the Portland Street property for the use of the Works Dept., making it possible to demolish the building at Lakecrest and Main Street where Works Dept. equipment is now being stored. Approval of the property transaction has been recommended by Mr. Moir, the City Engineer, Mr. Bayer, and the Industrial Commission, which dealt with this item at their December meeting.

Ald. Valardo and Williams moved the adoption of Mr. Moir's report and the recommendations set out in the report and itemized on page two of it. Questions from Ald. Hawley about the transfer of storage from Main St. to the Portland Street building, were discussed with Mr. Fougere. Ald. Ibsen and Crawford questioned the financial advantage to the City from such a transaction, and tended to feel that the Dept. of Government Services should have paid outright the full price of the lots in the Burnside Park, instead of negotiating the property exchange that is being recommended. They both maintained that the acquisition of the Portland Street property will cost the taxpayers money, although it was pointed out by Mr. Moir that essentially, a book-keeping entry is involved

and the Burnside Park account will not be reduced by the \$410,000. figure represented in order for the City to acquire the Portland Street property. Also, the actual purchase price of the Burnside Park properties is being received from the Dept. of Government Services, but it is being received through a property exchange and the payment by the Department of the difference between the total cost (\$542,153.) and the value of the Portland Street property (assessed at \$410,000.). Other members of Council were in favour of the transaction and the motion to accept Mr. Moir's report carried.

TRANSIT GRANTS

Correspondence and reports have been circulated in connection with the next item, involving transit grants to the City for bus service into County areas (Routes 9: Colby Village & 10: Eastern Passage), covering the years 1978, 1979 and 1980. In Mr. Moir's report to Council on this subject, it is recommended that the City accept the amount of \$30,000. offered for the year 1978; \$49,000. offered for the year 1979; and whatever grant is paid to the County for the year 1980 per capita grant. Ald. Hart and Sarto moved the adoption of this recommendation, but Ald. Hawley was strongly opposed to it and maintained throughout the debate that the City is not receiving anywhere near the reimbursement we should for the cost of providing service on Routes 9 & 10. Other members noted that the City has been trying for some time now to secure any reimbursement for the two routes whatsoever, and considered that nothing of any advantage would be served in pursuing the matter further with the County. In other words, they were in favour of accepting the grants that have been offered, even though they do not cover the cost of providing service. When the vote was taken, the motion carried with Ald. Hawley voting against.

RELOCATION: VICTORIA  
ROAD DAY CARE CENTRE

Mr. Moir's report on the proposed relocation of the Victoria Road day care centre was the next item under consideration. The report recommends a temporary relocation for a nine-month period to the building

at 52 Alderney Drive, during which time a permanent location in the Notting Park School will be recommended to the Board of School Commissioners; if the recommendation is accepted, arrangements will proceed for the permanent use of space in Notting Park School, as proposed. Details of the move to the City-owned building at 52 Alderney Drive, on a temporary basis, are set out in the report to Council, which was adopted as presented, on motion of Ald. Greenough, seconded by Ald. Sarto.

APPOINTMENT:  
TOURIST COMMISSION

On motion of Ald. Valardo and Sarto, Council approved the two-year <sup>re-</sup>appointment of Mrs. Carol MacDonald to the Tourist Commission, representing the Dartmouth Museum Society, as recommended by the Deputy City Clerk.

SIDEWALKS: BRAEMAR  
DR. & WAVERLEY RD.

As requested at the December 9th meeting of Council, the City Engineer has provided information on the cost of providing sidewalk on Braemar Drive & Waverley Road, in a phased program that could begin in 1981. Ald. Greenough and Sarto moved the approval of Phase 1 of the program for 1981, estimated to cost \$200,000. for the sidewalk section between Maple Drive to Red Bridge Pond. Council referred the item to the Capital Budget, on motion of Ald. Fredericks, seconded by Ald. Crawford.

ALDERNEY DRIVE  
HIGHRISE

On motion of Ald. Crawford and Valardo, Council referred the proposal call for the proposed Alderney Drive highrise development to the Downtown Revitalization Committee for comment prior to the public proposal call, as requested by the Committee chairman, Mr. Jake Creighton.

GRANT REQUEST:  
ITALO-CANADIAN  
CULTURAL ASSN.

In a letter to Council, Mayor Brownlow has responded to a request from the Italo-Canadian Cultural Assn. for a contribution to the Italian earthquake fund, by recommending a grant in the amount of \$5,000. from the City. Ald. Valardo and Greenough moved that the City make a contribution to the fund in the amount recommended, but an amendment was subsequently introduced by Ald. Crawford and Williams, to approve a contribution in the amount of \$1,000. to the fund.



Several speakers who supported the amendment pointed out that citizens have already contributed to the earthquake fund through the assistance given by the Federal Government. It was also suggested that this request for assistance should go the Grants Committee to be assessed with others that are received for equally worthwhile causes. The amendment was opposed by Ald. Valardo and Sarto, who favoured the amount recommended in the Mayor's letter to Council. When the vote was taken on the amendment, it carried with Ald. Greenough, Valardo, Sarto, and Ritchie voting against. The amended motion carried.

MOTIONS:  
ALD. CUNNINGHAM

In accordance with notices of motion previously given, the following motions were presented and debated at this point in the agenda:

1) Ald. Cunningham moved, seconded by Ald. Valardo, that:

WHEREAS it is the expressed intention of this Council to raise funds by means other than by property taxation, it is moved that the monthly parking rates on City-owned parking lots be increased from \$15. to \$20., to be effective as of March 1/81.

Ald. Cunningham considered this to be a modest increase in the parking rates and well within what is being charged in privately-owned parking lots and garages, both in Halifax and Dartmouth. He noted that the increase proposed would provide the City with additional revenue of over \$21,000. this year, and as a policy decision, the increase would be in keeping with the '20% or . . . ' report which placed an emphasis on seeking other sources of revenue for the City other than through taxation increases and based on the user-pay theory. Other members who spoke on the motion, such as Ald. Sarto and Brennan, felt that the increase is justifiable and not out-of-line with what people are paying to leave their cars in other lots. Ald. Brennan referred to the severe parking problems that are starting to be experienced in the downtown area during the daytime hours, and said that this problem will have to be addressed seriously. The motion was adopted when the vote was taken.



D. CRAWFORD

2) Prior to the introduction of Ald. Crawford's motion on the issuing of Building Permits, the Solicitor was asked by the Mayor to explain the legal implications of what is being proposed. The Solicitor began by explaining the authority that is given Council to pass by-laws with respect to building and zoning regulations, and in this way, to exercise the discretionary powers that are permitted for control purposes. However, when Council then goes on to inject a further element of discretion, over and above those regulations that have been established through our by-laws, it is considered to be discriminatory in a legal sense and therefore outside the jurisdictional limits of government, including Provincial and Federal Governments.. For this reason, the motion proposed by Ald. Crawford presents some difficulty in that it is contrary to what the law would allow, not only in the case of municipal councils, but also in the case of Provincial and Federal jurisdictions as well.

Ald. Crawford went on to introduce his motion, which reads as follows:

That application be made to the Legislature to amend the Dartmouth City Charter, to give Dartmouth City Council the authority of discretion in issuing building permits, with said permits to be issued only on a majority vote of Council.

Ald. Williams seconded the motion and the debate proceeded. Ald. Crawford said he objected to the fact that Council is basically nothing but a rubber stamp where building permits are concerned, and even if they are not in the best interests of citizen groups affected, Council has to give approval if they comply with all of our City requirements. There do not seem to be any areas open for objection or for the rejecting of a building permit and he expressed frustration at being placed in a position of having to grant a permit when citizens are obviously opposed to it. and will be detrimentally affected by it. Other members did not feel that Council is a rubber stamp in these situations, even though there are controversial decisions involved. Ald. Greenough and others who spoke on the motion, did not want to see permits granted other than on

the present basis, because of the political implications that would be involved and the pressures that would be placed on members of Council if such decisions were being made in a political forum. Ald. Ibsen suggested that if members wish to see changes made in our regulations, the best way is to approach them directly and to anticipate problems that can be forestalled when we are enacting the by-laws and drafting the regulations. While there was some sympathy for the intent of Ald. Crawford's motion, Council was not willing to disregard the legal assessment given by the Solicitor or to have decisions on individual building permits assigned to a political forum where they would be subject to pressure groups and undue influence from various sectors of the population. The motion was therefore defeated, with Ald. Crawford voting in favour.

ALD. WITHERS

3) Ald. Withers moved, seconded by Ald. Fredericks, that:

The Traffic Management Group be instructed to conduct a traffic study in the Woodland Ave., Pinehill Road, and Frederick Street area, and report to this Council its findings and recommendations for improvements to deal with the high volume of traffic in that area.

Speaking on his motion, Ald. Withers explained details of the traffic situation he is seeking to have studied so that it can be alleviated and further accidents avoided at what has become a hazardous intersection (s). Ald. Valardo said he would support the motion, particularly since it has been re-worded from the original notice of motion presented, which suggested the feasibility of installing traffic lights, a move that some area residents are opposed to at present. The motion was put and carried.

NOTICES OF MOTION:

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

ALD. WILLIAMS

- 1) Ald. Williams: notice of motion requesting staff to study the ways, means, cost, etc. to implement a system for issuing a business occupancy permit in the City of Dartmouth, charging a suitable fee.

ALD. SARTO

- 2) Ald. Sarto: that City Council authorize City staff to carry out a study of the cost factors as they relate to the piping of the open brook section adjacent only to Clifford Drive, located in Study Area 18 of the Parks & Recreation Department's Master Plan, namely, Landrace Neighbourhood Recreation Area.

ALD. WITHERS

- 3) Ald. Withers : that staff be instructed to implement the recommendations contained in the Review of Little Albro Lake Water Quality Problems, conducted by Dr. D. C. Gordon Jr. and compiled for the D.L.A.B. in April, 1979, and any other recommendations from the D.L.A.B. which resulted from the public meeting held by that body on June 27th, 1979.

ALD. HAWLEY:

- 4) Ald. Hawley: WHEREAS the City of Dartmouth does by agreement provide a bus service to the County of Halifax,

AND WHEREAS costs incurred in the provision of this service have proved to be difficult to recover in a reasonable time;

BE IT RESOLVED that the Council of the City of Dartmouth empower the City Administrator to immediately negotiate a new agreement with Halifax County, effective as of Jan. 1/81, which will include:

- (1) a definitive agreement on costs to be repaid to the City of Dartmouth.
- (2) a definite time-frame in which these costs are to be repaid.
- (3) a set percentage of interest to be charged on monies unpaid by the set payment date.

ALD. FREDERICKS

- 5) Ald. Fredericks : that Council request staff to look at the possibility of legislative authority in regards to the location of taverns and liquor outlets in the City, similar to the legislation controlling service stations; this to be ready for Council to submit to the spring sitting of the Legislature, if passed by Council.

INQUIRIES:

ALD. CUNNINGHAM

Ald. Cunningham asked about the status of negotiations for the acquisition of recreational land in the Manor Park area; Mr. Moir advised that we now have an appraisal ready, but the representative, with whom negotiations are being undertaken, does not have his appraisal ready as yet.

Ald. Cunningham's second inquiry concerned the status of a motion he introduced a year ago, pertaining to the beautification of a section of Prince Albert Road; he said he has not yet received a report on this item. Mr. Moir to check on the inquiry.

ALD. VALARDO

Ald. Valardo commented on the fact that the press did not receive notification of the Police Commission meeting held on Dec. 29th, also mentioned earlier in

the meeting by Ald. Crawford and noted by the City Clerk.

Ald. Valardo expressed his concern about the increasing problems with parking in the downtown area, and suggested that the Police Dept. should be addressing these problems to see what can be done to improve the situation.

Ald. Valardo said that while the plowing of City streets was satisfactory after recent storms, some streets have not been adequately salted. Mr. Fougere explained that one of the problems has been with the very cold temperatures and the fact that the salt is not as effective as it should be under these conditions.

Ald. Valardo made reference to a press release dealing with a senior member of City staff, and suggested that members of Council should have copies of the release. The Mayor advised that this item will come before the Police Commission and in the meantime, it would not be in order to deal with the matter in Council.

ALD. CRAWFORD

Inquiries made by Ald. Crawford were as follows:

- 1) concerning a letter received from a Rose Street resident who was dissatisfied with Works Dept. services during the recent weekend, and the fact that the street was not salted in the area of 19 Rose St. The letter was passed to Mr. Fougere for his attention.
- 2) with reference to the legal advice given by the Solicitor on the matter of the terms of appointment to the Industrial Commission, Ald. Crawford said he hoped that a staff error such as this would not occur again in the future.
- 3) concerning parking problems in the downtown area and steps that can be taken to alleviate these on residential streets; Ald. Crawford suggested that consideration be given to the tire-marking practice that is followed in Halifax, as one measure to start with.
- 4) asked that the attention of the Works Dept. be directed to a spot at the corner of King and Portland Streets where the ground seems to have settled, causing a drop in the street. Mr. Fougere agreed to look at the problem.
- 5) asked if the City is receiving any cost-sharing in the potash that we are having to use for ice control on the new section of Portland St.; the Mayor advised that we are not.
- 6) asked if negotiations have been completed for the Police Club property; Mr. Moir advised that a firm price settlement has not been reached but they have withdrawn their appeal.

Council agreed to continue meeting beyond the hour

of 11:00 p.m., to complete the inquiries, on motion of Ald. Hart and Brennan.

ALD. FREDERICKS

Inquiries made by Ald. Fredericks were as follows:

- 1) asked about the take-over of Correctional Centre funding by the Province; the Mayor pointed out that the report in this connection is still in the hands of the A/G's Department and has not yet been released.
- 2) asked about a recent Port study and the possibility of securing a copy for Council to have a look at; Mr. Moir said he is attempting to get a copy of the report.
- 3) Ald. Fredericks again raised the matter of the detrimental effects of rent control in financial terms for the City; the Mayor noted that rent controls are continuing to be supported by the Provincial Government. Ald. Fredericks said that perhaps a resolution from Council would be in order.
- 4) asked if some approach should not be made through the Metropolitan Authority or by the local Councils, to seek a higher per capita rate for transit grants. Ald. Hart pointed out that such an application can be made as soon as regional transit comes into existence; the Province has indicated a willingness to look favourably at such a request once the M.T.C. is in place.

ALD. HAWLEY

Ald. Hawley referred to the publicity that is given to the snow and ice removal program in Halifax (ie. with an indication as to those streets which receive priority, etc.); he suggested that a similar advertisement of the Dartmouth program would be useful. Discussed with Mr. Fougere.

ALD. WITHERS

Ald. Withers' first inquiry concerned sidewalks on Woodland Ave.; to be discussed further with Mr. Fougere.

Ald. Withers asked that the Engineering Dept. check out the infilling of a swampy area by the contractor building homes in the section between Forest Road and Clearview Crescent. He said it has been brought to his attention that the infilling of this area is impeding a natural drainage course and causing flooding problems.

Ald. Withers referred to an item included in the 1980 Capital Budget (piping of brook in Ward 4) and asked what the status of this project will be, since it was not completed in 1980. Mr. Moir advised that if the project was in the 1980 Capital Budget, it will be proceeded with in 1981, regardless of when the fact that the work will take place

in a new year.

ALD. RITCHIE


Ald. Ritchie asked if some form of recognition is to be given the boy who recently rescued a child from drowning in south Dartmouth. Mr. Moir said he has asked for further information on the boy's name, address, etc. so that his act of bravery can be recognized in some form.

ALD. BRENNAN

Ald. Brennan asked that something be done to provide adequate heating in the Council Chamber for meetings.

He noted that there is a conflict in the use of the Council Chamber on Thursday, between the Transit Advisory Board and the Downtown Revitalization Committee. The City Clerk was asked to look at this problem.

Meeting adjourned.



Bruce Smith,  
City Clerk-Treasurer.

January 6, 1981

RESOLUTION 81-1

WHEREAS pursuant to Section 139 of the Dartmouth City Charter it is enacted that the Council of the City of Dartmouth may not dispose of land acquired or used for a school site without publication once a week for two successive weeks in a newspaper circulating in the City of a Notice of Intention to take such action and of the date of Public Hearing by the Council at which the proposed action may be debated;

AND WHEREAS notice of Council's intention to sell the lands known as St. Paul's School property on Jamieson Street in the City of Dartmouth has been given for two consecutive weeks in a newspaper circulating in the City, a copy of which notice is attached hereto as Schedule "A";

AND WHEREAS on the 6th day of January A.D. 1981 at 7:30 p.m. at the Council Chambers at Dartmouth City Hall the said public hearing was held at which time Council heard those in favor of and those opposed to the sale of the said St. Paul's School property;

BE IT THEREFORE RESOLVED that the City of Dartmouth do sell and convey the property above described to the Nova Scotia Housing Commission for the price of Sixty Six Thousand Dollars (\$66,000.00);

AND BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized and instructed to execute on behalf of the City, the Deed attached as Schedule "B" to this resolution.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk



PUBLIC NOTICE

TAKE NOTICE that Dartmouth City Council intends to sell the lands known as Saint Paul's School property on Jamieson Street in the City of Dartmouth.

AND FURTHER TAKE NOTICE that on Tuesday, the 6th day of January, 1981, at 7:30 P.M. at the Council Chambers at Dartmouth City Hall, a public hearing will be held at which Council will hear those in favour of and those opposed to the sale of the Saint Paul's School property.

Dated at Dartmouth, Nova Scotia, this                      day  
of December, 1980.

Bruce S. Smith  
City Clerk-Treasurer

(This notice is pursuant to Section 139 of the Dartmouth City Charter).

**This Indenture** made this

day of \_\_\_\_\_, A. D., 19 \_\_\_\_\_

**Between**

CITY OF DARTMOUTH,  
a body corporate

hereinafter called the "GRANTOR "

of the One Part

— and —

NOVA SCOTIA HOUSING COMMISSION,  
a body corporate with Head office  
at Dartmouth, County of Halifax,  
Province of Nova Scotia

hereinafter called the "GRANTEE "

of the Other Part

Witnesseth that in consideration of \_\_\_\_\_ - one - \_\_\_\_\_ Dollar

The Grantor hereby conveys to the Grantee the lands described in the Schedule marked "A" hereto annexed.

Description of Property

ALL that certain lot, piece or parcel of land situate, lying and being on the southern side of Jamieson Street in the City of Dartmouth and containing the building known as St. Paul's School and being Lot B as shown on a plan of subdivision of lands of the Roman Catholic Episcopal Corporation, Parish of St. Paul's, in the City of Dartmouth, County of Halifax and Province of Nova Scotia, prepared by R. C. Dearman, P. L. S., with W. W. Robb & Associates Ltd., and dated the 28th day of October, A. D. 1966, and approved by the Town Planning Board at Dartmouth on the 30th day of November, A. D. 1966, the said Lot B being more particularly described as follows:

BEGINNING at a point marked by an iron pin on the southern side of Jamieson Street, being the northwestern corner of Lot B and the northeastern corner of Lot A and being 122.84 feet on a bearing north 70 degrees 01.3 minutes east from an iron pin marking the northeastern corner of a lot at Civic No. 12 Jamieson Street owned by Lewis A. Cheverie; THENCE on a bearing south 09 degrees 15.1 minutes east along the eastern side line of Lot A a distance of 87.92 feet more or less to an iron pin; THENCE running south 70 degrees 58.1 minutes west along the southern side of Lot A a distance of 87.39 feet more or less to a point on the eastern side line of the lands of Lewis A. Cheverie, which point is the southwestern corner of Lot A; THENCE running along the northeastern side line of the lands of Lewis A. Cheverie on a bearing south 32 degrees 39 minutes east a distance of 128.03 feet more or less to the northern side line of lands of the Department of National Defence; THENCE running north 66 degrees 26.9 minutes east a distance of 170.4 feet more or less along the northern side line of lands of the Department of National Defence as shown by a chain link fence; THENCE running north 12 degrees 42.1 minutes west along a chain link fence on the western side line of lands formerly of Ernest L. Teasdale a distance of 156.93 feet more or less to the southern side line of Jamieson Street as marked by an iron pin; THENCE along the southern side of Jamieson Street and the arc of a curve a distance of 123 feet more or less to the place of beginning.

The said Lot B being subject, however, to a right-of-way twelve feet in width and running along the entire southerly side line of Lot B and lying to the north of the lands of the Department of National Defence.

And further subject to a right-of-way reserved for access to the eastern doorway of the Glebe house remaining on Lot A, the said right-of-way to the Glebe house being ten feet in width and shown as a lot outlined in green on the said plan and being more particularly described as follows:

Beginning at the point of beginning referred to above in the description for Lot B as marked by an iron pin; thence running south 09 degrees 15.1 minutes east a distance of 40 feet more or less; thence at right angles and running easterly a distance of 10 feet more or less; thence at right angles and running north 09 degrees 15.1 minutes west a distance of 40 feet more or less to the southern side line of Jamieson Street; thence running westerly along the southern side line of Jamieson Street a distance of 10 feet more or less to the place of beginning.

City of  
Dartmouth  
Description  
Initial

THE GRANTOR

covenants with the Grantee that the Grantee shall have quiet enjoyment of the lands, that the said Grantor has a good title in fee simple to the lands and the right to convey them as hereby conveyed, that they are free from encumbrances and that the said Grantor will procure such further assurances as may be reasonably required.

IN WITNESS WHEREOF the said Grantor hath hereunto set its corporate seal and subscribed these presents by the hands of its proper officers, its Mayor and its City Clerk, in that behalf duly authorized the day and year first above written.

SIGNED, SEALED AND DELIVERED  
in the presence of

CITY OF DARTMOUTH

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

PROVINCE OF NOVA SCOTIA  
COUNTY OF HALIFAX, SS

ON THIS \_\_\_\_\_ day of \_\_\_\_\_, A.D., 19 \_\_\_\_\_,  
before me, the subscriber personally came \_\_\_\_\_,  
subscribing witness to the foregoing instrument who being by me sworn, made oath, and said  
that Daniel P. Brownlow Mayor, and Bruce S. Smith, clerk of  
the City of Dartmouth signed the same and affixed the seal of the said  
City thereto in his presence.

\_\_\_\_\_  
A Commissioner of the Supreme  
Court of Nova Scotia

Dartmouth, N. S.

January 20/81.

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

Present - Mayor Brownlow

Ald. Sarto	Ibsen
Williams	Cunningham
Valardo	Withers
Hart	Greenwood
Ritchie	Fredericks
Hawley	Greenough
Brennan	
City Solicitor, M. Moreash	
City Administrator, C. A. Moir	
Acting Deputy City Clerk, M. Procos	

REPORTS

Reports referred from Committee were approved  
by Council as follows:

- 1) V.O.N. (to be notified that an annual report will be sufficient rather than continuing to submit monthly reports) - recommendation from Committee adopted on motion of Ald. Valardo and Ibsen.
- 2) Fire Chief (Dec./80): approved as recommended on motion of Ald. Ritchie and Greenwood.
- 3) Building Inspection (Dec./80): approved as recommended, on motion of Ald. Ibsen and Cunningham.
- 4) Minimum Standards (Dec./80): approved as recommended, on motion of Ald. Valardo and Ritchie.
- 5) Transit Operations (Dec./80): approved as recommended, on motion of Ald. Sarto and Greenwood.
- 6) Development Officer (Dec./80): approved on motion of Ald. Sarto and Greenough, as recommended.
- 7) Dog Control (Nov./80): approved as recommended on motion of Ald. Greenwood and Ritchie.

FARMERS MARKET

The Committee has recommended approval of a report on the Farmers' Market, with recommendations for its continued operation in 1981, as detailed in the report. The recommendation from Committee was adopted by Council, on motion of Ald. Brennan, seconded by Ald. Valardo.

PERMIT TO BUILD:  
45 ALDERNEY DR.

On motion of Ald. Sarto and Valardo, Council granted an application for permit to build a beverage room at 45 Alderney Drive (Queen Square), as recommended by Committee, subject to compliance with all of the requirements set out in the staff report dealt with in Committee. Applicants are Whale Investments Ltd. and value of construction is \$225,000.

RENOVATIONS:  
CITY HALL

Mr. Moir has provided additional information on some items included in the proposed renovations to the City Hall building, as requested when this item was dealt with at the January Committee meeting. Ald. Valardo and Sarto moved that the renovations be approved for the preparation of final plans & specs. so that a tender call can proceed. Ald. Brennan said it is unfortunate that the Council of the day did not pursue the matter of a civil action against the architect for the mechanical work on the building when it was found to be deficient. He suggested that any equipment or materials that can be salvaged when the existing system is replaced with the new environmental control system, should be disposed of for a financial return in order to try to offset some of the costs involved; also, this policy should be followed in all similar contracts. The motion on the floor carried.

SIGN APPLICATION:  
187 WINDMILL RD.

On motion of Ald. Cunningham and Valardo, Council adopted a recommendation from Committee that a sign permit from Mediacom for the property at 187 Windmill Road, be denied.

INCREASE IN  
FERRY FARES

A report was before Council from the Transit Advisory Board, in response to a request from Committee that the Board look at a possible increase in ferry fares. The Board has subsequently recommended to Council the introduction of an exact fare system (.25¢ for adults and .10¢ for children) to be implemented, effective as of March 1/81, representing fare increases from the present rates. Ald. Ibsen and Ritchie moved the adoption of the Board's recommendation and the motion was debated.

Ald. Fredericks and Williams opposed the increase, but most other members of Council were in favour of it and did not consider it to be unreasonable or detrimental to the operation of the ferry service. Their attitude was that the City should be making some effort to offset the deficit of the ferry service so that the Province is not expected to pick up the total amount of the deficit.

When the vote was taken, the motion carried with Ald. Fredericks and Williams voting against.

Ald. Brennan asked if some arrangements will be made to have change made for people requiring this service. Mr. Moir suggested that it will probably be possible to have change made at the canteen facility, but the possibility of other provisions for making change can be looked at as well.

FREQUENCY:  
MORNING FERRY  
SERVICE

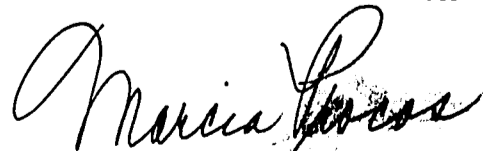
On motion of Ald. Valardo and Ritchie, Council adopted a recommendation from the Transit Advisory Board that there be no change in the current ferry schedule between the hours of 9:00 a.m. and noon, Monday through Friday, based on the reasons set out in the report from Mr. Russell, dated Jan. 13/81. This matter was considered by the Board in response to a request from the Dec. 17/80 Council meeting.

APPOINTMENT: ACTING  
DEPUTY CITY CLERK

An item added to the agenda for this meeting, dealt with the appointment of an Acting Deputy City Clerk to take Mr. Brady's place while he is absent from work as a result of a back problem which may require surgery. On Mr. Moir's recommendation, Council approved the adoption of Resolution #81-2, appointing Ms. Marcia Procos as the Acting Deputy City Clerk during the period of Mr. Brady's illness; a copy of the resolution is attached. The resolution was adopted as recommended, on motion of Ald. Valardo, seconded by Ald. Ibsen.

RESOLUTION #81-2

Ald. Valardo asked to have an item added to the agenda, relating to a report placed on the desks of the Aldermen, concerning an incident at the #1 Fire Station. He introduced a motion to add the item, seconded by Ald. Brennan. A motion to adjourn the meeting, which takes precedence over the motion on the floor, was presented by Ald. Ibsen, seconded by Ald. Fredericks. The motion to adjourn carried.



Marcia Procos,  
Acting Deputy City Clerk.



*File*

January 1981.

RESOLUTION 81-2

WHEREAS Dartmouth City Council has appointed  
Gerald D. Brady as Deputy City Clerk;

AND WHEREAS the said Deputy City Clerk is  
temporarily unable to carry out his duties due to illness;

BE IT THEREFORE RESOLVED that Marcia Procos  
be appointed Acting Deputy City Clerk to act when the said  
Deputy City Clerk is unable to act.

*W. E. Brinn*  
Deputy MAYOR

*Marcia Procos*  
CLERK