

Dartmouth, N. S.

December 2/86.

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

Present - Deputy Mayor Hawley

Ald. Billard	MacFarlane
Connors	Levandier
Withers	McCluskey
Pye	Woods
Thompson	Greenough
Bregante	Hetherington
City Solicitor, M. Moreash	
City Administrator, C. A. Moir	
City Clerk-Treasurer, Bruce S. Smith.	

MINUTES

On motion of Ald. Hetherington and Bregante, Council approved the minutes of meetings held on October 20th, 28th, November 4th, 5th, 18th and 25th, with the following corrections:

- 1) Oct. 20th minutes, page 10: the figure quoted in the last paragraph should read \$900,000. and not \$18,000., as recorded.
- 2) Nov. 18th minutes, page 9: the mover and seconder of the motion to approve building permit, L & A Investments Ltd., should have read 'MacFarlane and Sarto', as recorded on page 8.

STORE HOURS

Ald. Levandier rose on a point of privilege to inquire if the City is prepared to proceed with any prosecutions against store owners who are remaining open on Sundays in the City. The necessary two-thirds majority vote of Council was not received to deal with this item.

BUSINESS ARISING FROM MINUTES

Items raised under Business Arising were as follows:

- 1) November 18th minutes: Ald. McCluskey said she wished to congratulate the developers of the commercial project at 219 Wyse Road for their positive response to concerns she and Ald. Withers brought up at the Nov. 18th meeting; these have been satisfactorily addressed by the company.
- 2) October 20th minutes: Ald. Connors referred to reports coming back to Council from Mr. Moir on specific points noted on page 11 and page 13 of the minutes. He asked for some indication as to when these reports can be expected. Mr. Moir said he will be trying to get them out in the next two weeks.
- 3) November 4th minutes: Ald. MacFarlane asked about the T.M.G. response suggested by Mayor Savage, with reference to the Transportation Study, as per the first paragraph on page 13 of the minutes. Mr. Moir agreed to check on the inquiry further.

PETITIONS

WARD 7 RESIDENTS:
UNDER-SIZED LOTS

Ald. Hetherington presented a letter and petition from a group of residents in his ward who are concerned about and opposed to the construction of R-2 housing on under-sized lots in their neighbourhood. He asked to have the petition referred to the Planning Dept. to be looked at in conjunction with the overall subject of under-sized lots.

NOISE COMPLAINT:
CRAZY HORSE CABARET

A petition has been received from residents living in the area of the Crazy Horse Cabaret, requesting a hearing under the Noise Complaint By-law.

CONFLICT OF INTEREST

Ald. Bregante declared a conflict of interest in connection with this item, on the basis that his company does business with this establishment, and withdrew from his place on Council for the item.

Ald. Connors advised Council that sound consultants are being brought in by the owners of the Crazy Horse Cabaret to look into the noise problems, and a committee consisting of Ald. Withers, Levandier and Connors will be looking into the parking problems and other issues with the residents. He therefore proposed deferral of the matter until the end of January, to see if some of the concerns expressed can be addressed to the satisfaction of the residents in the meantime. A motion to this effect, moved by Ald. Connors and Pye, was adopted. Ald. Levandier and Withers indicated their concurrence with the motion.

MOTION: Moved by Ald. Connors and Pye that the petition from area residents living in the vicinity of the Crazy Horse Cabaret be deferred until the end of January, for the reasons noted above.

REQUEST:
DARTMOUTH
CABLE TV

Members have received copies of a letter from Dartmouth Cable TV Ltd., seeking permission to televise City Council meetings on the local Community Channel. The City is being requested to contribute \$2,500. to the start-up cost of \$5,000., for the purchase of equipment that would be required at City Hall.

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Dartmouth Cable TV, to facilitate their request for permission to televise Dartmouth Council meetings. The motion was seconded by Ald. MacFarlane.

Most members of Council who spoke on the motion were in favour of it, but Ald. Greenough did not feel the City should share in any of the expense involved. He moved in amendment that the City not participate in the start-up cost in the amount of \$2,500. requested. The amendment was seconded by Ald. Hetherington, but Ald. Connors, Pye and McCluskey were opposed to it. Ald. Pye was also opposed to the main motion.

When the vote was taken on the amendment, it carried by a vote of 7 to 5. The amended motion carried with Ald. Pye voting against.

MOTION: Moved by Ald. Levandier & MacFarlane that the City Administrator be authorized to start immediate negotiations with Dartmouth Cable TV, to facilitate their request for permission to televise Dartmouth Council meetings.

AMENDMENT: Moved in amendment by Ald. Greenough & Hetherington that the City not participate in the start-up cost in the amount of \$2,500. requested.

LEGISLATION:
BURN. IND. PARK
LAND ACCOUNT

As requested by Council, Mr. Moir has met with officials of the Municipal Affairs Dept. to discuss procedures with respect to the Burnside sale of land account, and in a report to Council, dated Nov. 21/86, he has recommended:

- 1) that City Council follow the procedure outlined in paragraphs 4 and 5, page 1 of the report, beginning with the year 1986, and continuing until such time as the Charter has been amended, and instruct the City's auditors accordingly.
- 2) that application be made to the Minister of Municipal Affairs for permission to withdraw from the Special Reserve Fund, sufficient funds to carry out the capital projects authorized by City Council in the 1986 capital budget for projects in the Burnside Industrial Park, totalling \$5,815,500. (Items listed in the Capital Budget on pages 13-1-1 to 13-15).
- 3) that the City approve a Charter amendment prepared, establishing the Burnside Industrial Sale of Land account, which legislation, if adopted and approved by the Legislature, will

place the City of Dartmouth in a position to carry on with its policy established at the January 21/83 meeting of Council: "that Council establish a policy whereby the capital costs for development in the Burnside Ind. Park be financed by offset of revenue from the sale of all present and future sales of lots in the Park until the principal and interest costs on this funding are recouped".

Ald. Hetherington and Withers moved the adoption of Mr. Moir's report and recommendations.

Ald. Connors raised several points that he felt should be clarified with amendments, one being a concern raised by Ald. Greenough as well about provision that should be included in the Charter amendment to make it possible to use income from investments of the Burnside sale of land account for debt pay-down or debt servicing (ie. relating to the Park). During the course of debate, the following amendments were introduced by Ald. Connors:

- a) moved in amendment by Ald. Connors, seconded by Ald. McCluskey that the City Administrator be instructed to immediately seek the approval of the Minister of Municipal Affairs to the taking of \$672,300. of income arising from investment of the Burnside Special Reserve, into the general operating fund of the City as revenue for 1986. This amendment carried.
- b) moved in amendment by Ald. Connors, seconded by Ald. MacFarlane, that income arising from the investment of all or part of the Burnside sale of land account in any year shall, where the Council so determines, be taken into the general operating fund of the City as revenue for that year, but otherwise becomes part of the fund. (This would be a revision to proposed Charter amendment #3.)

Ald. Levandier spoke against the amendment and felt Council should just proceed with the adoption of Mr. Moir's report. He said he was fed up with the insinuations that have been made about possible wrongdoing, when in fact, the development of the Burnside Park has been a complete success story and nothing improper has been done. When the vote was taken on the amendment, it carried with Ald. Levandier voting against.

- c) moved in amendment by Ald. Connors, seconded by Ald. MacFarlane, that the Burnside sale of land account may also be used for purposes of repayment of the principle portion of outstanding capital debt of the municipality. (This would be an addition to proposed Charter amendment #4.)

Mr. Moir had some concerns about the wording of this third amendment. Ald. Connors said he has taken the wording from the Municipal Affairs Act, and he explained why he felt the wording would give Council the necessary flexibility they want to see in this Charter provision. A motion proposed by Ald. Greenough, that would have referred the third amendment to the Solicitor for review and drafting, was withdrawn after Ald. Connors further clarified the intent of the wording.

While Mr. Moir acknowledged that the amendment gives Council the flexibility they are looking for, he did express concerns that in a crisis kind of situation, such as setting the tax rate, Council may be tempted to bring more money forward from the Burnside sale of land account than he would like to see. He said there is nothing wrong with what Council did in 1986 (bringing interest forward), but looking at the decision made to spend 28 million dollars in the Burnside Park over a six to eight-year period, and now, talking about the use of funds to possibly reduce debt repayment, he did have some concerns he felt he had to indicate to Council.

When the vote was taken on the amendment on the floor, it carried. The amended motion carried with Ald. Levandier voting against.

MOTION: Moved by Ald. Hetherington and Withers that Mr. Moir's report and recommendations on the Burnside sale of land account, be adopted.

AMENDMENTS (3): As detailed on page 4 of these minutes.

SUBMISSION:
HAZARDOUS WASTE
MANAGEMENT

Members of Council have been provided with copies of the redrafted Hazardous Waste Management submission which reflects decisions of Council from two previous meetings when it was discussed. Council's approval of the report has been requested, along with instructions as to its presentation to the Task Force.

Ald. Hetherington and Withers moved the adoption of the submission in its redrafted form.

Ald. McCluskey was concerned that staff have been restricted in the viewpoints they were able to express in the submission. She felt that in its redrafted form, the report does not say anything and does not present a position as such on behalf of the City. Ald. Pye maintained that reconsideration of the report was warranted and he was prepared to support it in the redrafted version.

Ald. Connors said that at this point, Council should only submit the last two pages, containing the recommendations, since the rest of the report no longer ties in with the recommendations or bears the necessary relation to them. Ald. Woods considered that points made in the submission are still valid (he referred to two or three specifically), and indicated to Council that he would be willing to take the submission to the Task Force, alone or in conjunction with other members, if Council so wished. It was noted during debate, that any individual members are entitled to make presentations to the Task Force on their own, if they want to.

When the vote was taken on the motion, it carried with Ald. Levandier, McCluskey, Connors and Billard voting against.

Ald. Withers and Thompson then moved that Ald. Woods, Pye and Hetherington be named by Council to make the presentation to the Task Force. This motion also carried.

MOTIONS: (1) Moved by Ald. Hetherington & Withers that the Hazardous Waste Management submission, in its redrafted form, be approved.

(2) Moved by Ald. Withers & Thompson that Ald. Woods, Pye & Hetherington be named by Council to make the presentation to the Task Force.

On motion of Ald. Greenough and Hetherington, the Ferry operation report for September was approved, as recommended by the Transit Advisory Board.

MOTION: Moved by Ald. Greenough & Hetherington that the Ferry operations report for September, be approved, as recommended by the Transit Advisory Board.

FERRY REPORT:
SEPTEMBER

TRANSIT ROUTE:
SHANNON PARK &
WALLIS HEIGHTS

The Transit Advisory Board has considered a proposed transit route between the Shannon Park/Wallis Heights area and Barrington Street, via the MacKay Bridge, and has recommended that this service be projected in the Five Year Plan and if possible, implemented in 1987.

The recommendation of the Board was adopted by Council, on motion of Ald. Pye and Withers.

MOTION: Moved by Ald. Pye and Withers that the recommendation of the Transit Advisory Board on the proposed transit route between Shannon Park/Wallis Heights and Barrington Street, be adopted.

MONTHLY REPORTS

The monthly reports, forwarded to Council without recommendation from Committee, were approved as follows:

- 1) Social Services (Oct.): approved on motion of Ald. Greenough and Hetherington.
- 2) Development Officer (Oct.): approved on motion of Ald. Greenough and McCluskey.
- 3) Building Inspection (Oct.): approved on motion of Ald. Pye and McCluskey.

Ald. Hetherington asked to have the triplex at 31 Chadwick Street inspected.

Ald. Billard noted that the estimated revenue from building permits is only at \$262,850. for the end of October, and the projected revenue for 1986 from this source was estimated at \$355,000. He asked for some justification of the low revenue figure, as compared with what was projected in the budget. Also, he requested clarification of the actual 1985 figure which was indicated to Council in the amount of \$316,000., as compared with a figure of \$309,001. shown in this report. Mr. Moir agreed to have an explanation provided for Ald. Billard as soon as possible

- 4) Minimum Standards (Oct.): approved on motion of Ald. Pye and MacFarlane.

Ald. Hetherington asked to have something done about the property at 21 Franklyn St., where trees and boulders have been piled on the sidewalk right-of-way and in front of the picket fence of the property owner. Mr. Moir said staff will see what can be done about the situation to improve it.

The other property Ald. Hetherington asked about is located at the corner of Glenview and Renfrew Streets. There is a problem with cars being worked on at this location.

Ald. Pye commended Mr. Shea of the Inspection Dept. for the work he has done in Ward 5. Ald. Withers supported these statements in connection with the work of the Department in his ward.

Ald. Withers requested a written report from the Inspection Dept. on the property at 217 Windmill Road.

- 5) Fire Dept. (Oct.): approved on motion of Ald. Pye and MacFarlane.

Ald. Withers asked for information on the vehicle fire at 3 Westbrook Ave. (Oct. 29) and the coordination between the Fire and Police Departments on this investigation. Mr. Moir agreed to make inquiries and advise Ald. Withers further.

- 6) Dog Control (Oct.): approved on motion of Ald. Greenough and Pye.

Ald. Hetherington requested dog patrols in the Chadwick/Renfrew/Marvin Street area.

- 7) Summary of Revenue & Expenditures, Nov. 1/86: received and filed for information, on motion of Ald. Greenough and Thompson.

Ald. Connors asked about the projected deficit for 1986, estimated at 1.3 million dollars. Mr. Smith agreed that is the figure as of Nov. 1. It was noted that the major portion of that amount was for snow clearing.

Ald. Connors asked why some City departments come forward with requests for approval of over-expenditures they anticipate, while others do not. Mr. Smith said there is no standard policy on this, but departments do submit monthly revenue and expenditure figures so that year-end variances can be projected.

Ald. Connors felt that all City departments should be expected to come to Council as soon as they begin to anticipate cost over-runs in their budgets. Mr. Moir agreed to take this matter up with the department heads at the staff meeting.

Ald. Billard was concerned that the figure shown for licenses and permits does not seem to reflect reality; he took exception to this fact and felt that figures in the summary report should be more accurate. Mr. Smith noted that the figure is based on information provided and is as accurate as it can be, according to what has been recorded. It is not possible to be held responsible for the forecast variance, over which staff have no control.

Ald. Billard said there has to be some better system of accounting and projecting than this.

MOTIONS: To approve the regular monthly reports, as detailed above and on page 7.

SOCIAL SERVICE
BILLINGS: OTHER
MUNICIPALITIES

Mr. Smith has submitted a report to Council on Social Service billings to other municipalities, at present, outstanding in the amount of \$297,000. He has summarized the City's position in this regard, and has set out several options for Council to consider.

These are:

- 1) write off all accounts that are non-productive.

- 2) Proceed with suits in court of all municipalities that are in arrears, and execute the judgement against the Town of Sydney Mines.
- 3) approach the Minister of Social Services and the Minister of Municipal Affairs to collect outstanding accounts, and re-establish guidelines for future billings to other municipalities.

Ald. Greenough and Thompson moved the adoption of option #3 from Mr. Smith's report. Members of Council who spoke on the motion were very concerned that other municipalities have not settled their accounts with the City for social service costs, and felt the City must take some definite steps to not only collect accounts that are due, but to seek guidelines that will insure the payment of accounts in the future.

Ald. Connors felt that Council should go further than the motion calls for and should go ahead with court proceedings against municipalities that owe money to the City, and proceed with the judgement against the Town of Sydney Mines. He therefore moved in amendment that staff be instructed to proceed with option #2 as well. The amendment was seconded by Ald. McCluskey. Ald. Pye and Thompson did not support the amendment. Ald. Thompson preferred to see how successful we are with option #3 first.

Ald. Greenough noted that the present reimbursement inequities in provincial payments to the municipalities have contributed to delinquency in paying their bills, and before going to court, efforts should be made to have the guidelines for cost-sharing changed. He was also opposed to the amendment on that basis.

When the vote was taken on the amendment, it carried and the amended motion carried unanimously.

MOTION: Moved by Ald. Greenough & Thompson that Council adopt option #3 from Mr. Smith's report on Social Service billings; the option is detailed above.

AMENDMENT: Moved in amendment by Ald. Connors and McCluskey that staff be instructed to proceed with option #2 as well (proceed with court action against municipalities in arrears, and execute the judgement against the Town of Sydney Mines).

UNCOLLECTIBLE
ACCOUNTS RECEIVABLE

The next report before Council was prepared by Mr. Corrigan and dealt with uncollectible accounts receivable, totalling \$91,434.88. He has recommended that Council authorize the accounts to be written off the books of the City. A listing of all the accounts concerned has been circulated with Mr. Corrigan's report, and it is pointed out in the report that authorization for the write-off of accounts does not preclude the ability to collect any one of them, should the opportunity arise.

Ald. Levandier and Thompson moved the adoption of the recommendation. Ald. McCluskey had several questions about the possibility of collecting from individual principals of companies which are not limited, in the case of Business Occupancy Taxes owed to the City. She suggested that some direction be given to the Assessment Division of the Municipal Affairs Dept., that would result in assessments being in the name of individuals responsible rather than in the name of the company. She discussed this point with the Solicitor from a legal aspect.

Ald. Billard proposed that the list of water bills and bills for Business Occupancy Tax be published, and that in future, when any of the people on the list apply for new water accounts, they be required to first pay the outstanding amount they owe to the City.

Further, in the case of Business Occupancy Tax bills, the City be discouraged from doing business with any new company established by principals of a former company with an outstanding debt to the City. This same approach was proposed in the case of accounts over \$1,000. and in addition, Ald. Billard said he would like to see further staff time and effort put into pursuing these

accounts further.

The Solicitor suggested that it would be advisable to have a report on the legal implications involved before attempting to implement the measures Ald. Billard proposed. Ald. Billard moved in amendment that the accounts in excess of \$1,000. be the subject of a report from the Solicitor with respect to legal implications and options for further action; the amendment did not receive a seconder.

Mr. Corrigan was available to respond to questions from Council about the collection measures that have been taken up to this point, in attempting to recover as many outstanding accounts as possible. Ald. Thompson said he felt that staff have pursued all of the possible avenues they can to collect money owed to the City.

The vote was taken on the motion and it carried.

MOTION: Moved by Ald. Levandier & Thompson that Council approve Mr. Corrigan's recommendation on the write-off of uncollectible accounts receivable, totalling \$91,434.88.

REPURCHASE
LOTS 71A & 74:
BURNSIDE PARK

Mr. Rath has submitted a report on the proposed re-purchase of Sites 71A and 74 on Simmonds Drive in the Burnside Park, from the Province of Nova Scotia, as recommended by the Industrial Commission. The re-purchase is being recommended, subject to terms and conditions set out on page 2 of Mr. Rath's report, dated November 19/86. Resolutions 86-67 and 86-68 have been prepared to accomplish the re-purchase being recommended.

RESOLUTIONS 86-67
& 86-68

Council approved Resolutions 86-67 and 86-68, as recommended, on motion of Ald. Greenough and Hetherington.

MOTION: Moved by Ald. Greenough & Hetherington that Council approve Resolutions 86-67 and 86-68 (re-purchase of Sites 71A & 74).

DOGS IN PARKS
& SCHOOL GROUNDS

The Board of Health has reviewed a report on the high risk of children acquiring parasite infections in areas frequented by dogs, and has requested that the dog pound staff be asked to enforce By-law C-420

in this connection. Ald. Thompson and Hetherington moved that Council comply with the request of the Board.

The Solicitor explained some of the enforcement difficulties associated with the by-law, pointing out that it has to be enforced on the basis of a public complaint. He said it would not be reasonable to expect the pound staff or police officers to patrol for that purpose. Any person making a complaint would have to be prepared to give evidence in court and the necessary legal proceedings would have to be followed.

Ald. MacFarlane said it is important to remind people of their responsibility for their animals in public areas such as parks and walkways. Other members agreed that this responsibility should be publicized. Council acknowledged the enforcement problems the Solicitor has raised, and agreed to add to the motion, the words '. . . to the best of their ability' (ie. the pound staff will enforce By-law C-420 to the best of their ability). With this addition, the motion carried.

MOTION: Moved by Ald. Thompson & Hetherington that Council request the dog pound staff to enforce By-law C-420 to the best of their ability (with respect to the responsibility of pet owners for their animals in parks, school grounds, etc.).

MOTIONS:

ALD. MACFARLANE

Notice of motion having been previously given, the following motions were presented for Council's consideration:

1) Moved by Ald. MacFarlane, seconded by Ald. Hetherington, that:

WHEREAS the section of Lorne Ave. below Sinclair Street is confusing, in that properties bear Prince Albert Road street numbers;

AND WHEREAS the two sections of Lorne Ave. are separated by private property;

AND WHEREAS the two sections of Lorne Ave. are not aligned, and cannot be connected;

BE IT RESOLVED that the lower portion of Lorne Ave. be renamed Cottage Hill Drive.

Ald. MacFarlane explained the intent of his motion to Council and it carried.

MOTION: Moved by Ald. MacFarlane & Hetherington: text above.

ALD. GREENOUGH

2) Moved by Ald. Greenough, seconded by Ald.

Thompson, that:

WHEREAS whenever the City has installed sidewalks along given streets, these sidewalks have been constructed on neighborhood collector streets or main traffic arteries, such as the Waverley Road, Caledonia Road, Spring Ave., etc.

AND WHEREAS the construction of these sidewalks is required in order to ensure the safety of children travelling to and from schools, etc., as well as the total community;

AND WHEREAS the cost of sidewalks installed by the City in such cases has been cost-shared on a 50/50 basis with the abutting property owners of the street concerned;

THEREFORE BE IT RESOLVED, when the City installs sidewalks along collector streets or main traffic arteries, in order to provide for the safety of pedestrians, the total cost of this sidewalk construction to be paid for by the City;

AND BE IT FURTHER RESOLVED that this change in policy be applied retroactively to the years 1985 and 1986.

After Ald. Greenough had presented his motion and explained its intent to Council, debate proceeded. Ald. McCluskey and Hetherington indicated they could not support the motion, especially without knowing what the cost implications would be in this kind of policy change. Ald. Hetherington moved referral to staff for information on the costs that would be involved for the City; the motion to refer was seconded by Ald. Pye.

In debating referral, there was some question as to what actually constitutes a collector street and a main traffic artery. The point was also made by Mr. Moir that the present 50/50 cost-sharing is for the actual sidewalks only; the City pays for the landscaping and drainage costs that are incurred with sidewalk installations. Ald. Hetherington suggested that the definition of collector streets and main arterials, in the Transportation Study, would serve as a basis for purposes of a staff report.

When the vote was taken on the motion to refer, it carried.

MOTION: Moved by Ald. Hetherington & Pye that the motion presented by Ald. Greenough on sidewalk installation, be referred to staff for report on the cost implications of the policy change proposed.

ALD. GREENOUGH

3) Moved by Ald. Greenough, seconded by Ald.

Levandier, that:

WHEREAS the provision of sidewalks is necessary along high-traffic-volume streets, in order to ensure the safety of pedestrians, especially children travelling to and from schools;

AND WHEREAS when neighborhood collector streets are constructed within new subdivisions, and it is considered necessary that a sidewalk be provided along such streets;

AND WHEREAS subdivision regulations currently require the subdivider to install sewer and water services as well as curb, gutter and paving, as part of the development package of a subdivision;

BE IT RESOLVED that the subdivision regulations be amended so that the subdivider is also required to construct a sidewalk along neighborhood collector streets where these streets are constructed within a new subdivision.

AND BE IT FURTHER RESOLVED that the construction of these sidewalks be cost-shared on a 50/50 basis with the City.

On motion of Ald. Woods and Withers, Council also referred this motion to staff for report. Ald. McCluskey questioned the referral. She said it is obvious that any subdivider required to install sidewalks, is going to pass that cost on to the homeowner in the price of the property. The motion to refer carried.

MOTION: Moved by Ald. Woods and Withers that the motion presented by Ald. Greenough, the text of which appears above, be referred to staff for report.

D. WITHERS

4) Moved by Ald. Withers, seconded by Ald.

Bregante, that:

WHEREAS lands within the confines of sidewalks and curbs in the City of Dartmouth, are in many instances in deplorable condition, due to composition and maintenance;

AND WHEREAS this contributes to unsightliness in our community and correction of same is of utmost importance;

THEREFORE BE IT RESOLVED that staff provide recommendations to Council as to how this situation can be remedied either by (a) improvement costs being funded by the municipality, or (b) the onus to pay for such improvements being placed on the abutting property owner.

There was no debate on the motion and it carried.

MOTION: Moved by Ald. Withers and Bregante: text above.

ALD. CONNORS

5) Moved by Ald. Connors, seconded by Ald.

Greenough, that:

WHEREAS the City's capital planning is done on a three-year basis at best;

AND WHEREAS requests are now being made to consider capital planning items such as Burnside expansion, which are over a much longer term, and as such, impact on the City's long-term financial position;

AND WHEREAS over the next ten years, the City will need to consider involving itself in a number of major capital projects;

THEREFORE BE IT RESOLVED, in order to ensure that planning is properly conducted, in line with expected revenues and in the proper order of priority, that staff be instructed to consider the feasibility of preparing a five-to-ten-year capital planning and financing strategy, and to report back to Council within three months on the feasibility of adopting such an approach.

After Ald. Connors commented on the intent of his motion, the vote was taken and the motion carried.

MOTION: Moved by Ald. Connors & Greenough:
text above.

ALD. MCCLUSKEY

6) Ald. McCluskey moved, seconded by Ald. Withers,

that:

WHEREAS Symonds Street is a throughway from Victoria Road to Wyse Road;

AND WHEREAS there is a crosswalk at the corner of Symonds Street and Chapman Street, which is mainly used for children going to Northbrook School;

AND WHEREAS this crosswalk is guarded during crossing to school by an elementary school student;

AND WHEREAS the Northbrook Home & School Assn., recognizing that this is a dangerous intersection, have requested that a Stop sign be placed on Symonds Street at the crosswalk;

THEREFORE BE IT RESOLVED that the T.M.G. have a Stop sign installed at this crosswalk at the corner of Symonds and Chapman Streets.

There was not debate on the motion and it carried.

MOTION: Moved by Ald. McCluskey and Withers:
text above.

ALD PYE

7) Moved by Ald. Pye, seconded by Ald. Connors,

that:

WHEREAS Parkstone Road, Parkstone Terrace and Hilchey Drive are in a deplorable state;

AND WHEREAS Parkstone Road links up with a collector street, Windmill Road;

THEREFORE BE IT RESOLVED that the Engineering Dept. study the cost of reconstruction of the above-mentioned streets, with the intent of having them placed within the Capital Projects Budget for 1987.

The motion carried.

MOTION: Moved by Ald. Pye and Connors:
text of motion on page 15.

FERRAL:
MOTIONS OF
ALD. WOODS
SARTO
BILLARD

Because of the lateness of the hour and in the absence of Ald. Sarto, Council agreed to defer the motions of Ald. Billard, Woods and Sarto, until the Dec. 9th meeting.

NOTICES OF MOTION:

Notices of motion give at this time for the next regular Council meeting were as follows:

ALD. HETHERINGTON

1) Ald. Hetherington

WHEREAS the City of Dartmouth maintains Newberry Street and

WHEREAS the City of Dartmouth has water and sewer mains through Newberry Street;

THEREFORE BE IT RESOLVED that City staff prepare a report to City Council as to the feasibility of taking over Newberry Street as a City street.

ALD. MCCLUSKEY

2) Ald. McCluskey

WHEREAS the Finance and Program Review Committee deals with matters of great importance to the residents of the City of Dartmouth;

AND WHEREAS while Ald. Jim Connors was Chairman, he was instrumental in bringing before Council the following: Public tender of audit and the establishment of an Internal Audit Dept.;

AND WHEREAS the Finance & Program Review Committee would benefit by his experience and presence on the Committee;

BE IT THEREFORE RESOLVED that he be added to the Finance & Program Review Committee for the year 1987.

ALD. PYE

3) Ald. Pye

(a) WHEREAS the Dartmouth Boys & Girls Club have recently renovated the Club and the property is undergoing landscaping;

AND WHEREAS this property abuts Farrell Rd.;

AND WHEREAS at present, there is no sidewalk;

THEREFORE BE IT RESOLVED that the Engineering Dept. study the cost of placing a sidewalk on Farrell Road, with the intent of having it placed within the Capital Projects Budget for 1987.

(b) WHEREAS monthly reports from departments are usually placed far down on the agenda;

AND WHEREAS all department heads are expected to stay in Council for long periods of time, often just to be advised to go home;

THEREFORE BE IT RESOLVED that monthly reports be placed no further than item 3 on Council agendas.

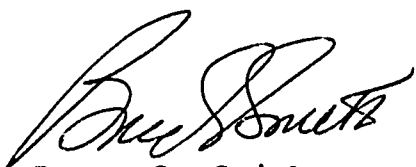
Other notices of motion will be permitted at the Dec. 9th meeting.

CROSSWALK GUARDS:
IROQUOIS DR.

Before adjournment, Ald. Pye was permitted to introduce a motion pertaining to crosswalk guards for Iroquois Drive. He moved that crosswalk guards be authorized for this location, beginning immediately. The motion was seconded by Ald. Woods and it carried.

MOTION: Moved by Ald. Pye and Woods that crosswalk guards be authorized for a crossing point on Iroquois Drive, beginning immediately.

After the vote was taken on the motion, the meeting adjourned.


Bruce S. Smith,
City Clerk-Treasurer.

City Council, Dec. 2/86

ITEMS:

- 1) Store hours, page 1.
- 2) Business arising from minutes, page 1.
- 3) Petitions: Ward 7 residents, under-sized lots, pg. 2.
Noise complaint: Crazy Horse Cabaret, pg. 2.
- 4) Request: Dartmouth Cable TV, page 2.
- 5) Legislation: Burnside Ind. Park land account, page 2
to 5 incl.
- 6) Submission: Hazardous Waste Management, page 5 & 6.
- 7) Ferry Report: September, page 6.
- 8) Transit Route: Shannon Park & Wallis Heights, pg. 7.
- 9) Monthly reports, page 7 & 8.
- 10) Social Service billings: Other municipalities, pg 8 & 9
- 11) Uncollectible accounts receivable, page 10.
- 12) Repurchase: Lots 71A & 74, Burnside Park, page 11
Resolutions 86-67 & 86-68, page 11.
- 13) Dogs in parks & school grounds, page 11.
- 14) Motions: Ald. MacFarlane, page 12.
Greenough, page 13 & 14.
Withers, page 14
Connors, page 15
McCluskey, page 15
Pye, page 15
- 15) Notices of Motion: Ald. Hetherington)
McCluskey) page 16.
Pye)
- 16) Crosswalk guards: Iroquois Dr., page 17.

Dartmouth, N. S.

December 9/86.

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

Present - Mayor Savage

Ald. Sarto	Thompson
Billard	MacFarlane
Connors	Levandier
Withers	McCluskey
Pye	Woods
Hawley	Greenough
Bregante	Hetherington
City Solicitor, S. Hood	
City Administrator, C. A. Moir	
Deputy City Clerk, G. D. Brady.	

At the opening of the meeting, Ald. Hetherington rose to correct a statement he made during debate on the request from Dartmouth Cable to televise City Council meetings. The statement he made at that time concerned the legal dispute between two principals of the Dartmouth Cable company. Ald. Hetherington said he should have referred instead to the two former principals of the company. He said he wished to apologize for any embarrassment his statement may have caused to the present owner of the company, Mr. Charles Keating.

Ald. Sarto requested permission to add to the agenda, a report with recommendation from the Transit Advisory Board, entitled 'Transit Service: City of Lakes Business Park'. Council agreed to add this item.

The meeting proceeded with a continuation of motions still remaining to be dealt with from the Dec. 2nd Council meeting.

MOTIONS:

1) It was moved by Ald. Sarto, seconded by Ald.

ALD. SARTO

Pye, that:

WHEREAS Section 221 of the Dartmouth City Charter makes provision for an exemption from real property taxes in certain cases;
THEREFORE BE IT RESOLVED that City Council consider enacting a partial tax exemption for all qualifying applicants having a total household annual income of less than \$14,000.

Ald. Sarto first reviewed the by-laws that have been enacted in Dartmouth and updated over a period of time, to provide some measure of tax relief for people who need it, especially those who are senior citizens. He described his motion as being of a philosophical

nature, recognizing that there are citizens within the community who either have to receive assistance with their tax bills or face the prospect of going on social assistance. He said it is important for these people to be able to stay in their own homes and they should be helped to do this. He quoted from letters he has received from people in difficult financial situations, seeking exemption from their taxes, and he also pointed out that there are other people in similar circumstances who are afraid to come forward for various personal reasons of their own; these are people who need assistance as well.

Ald. Sarto estimated that there are about five or six hundred people in Dartmouth who would qualify for partial tax exemption under the terms of his motion, estimated to cost the City about \$125,000. in lost revenue. Similar legislation already exists in Halifax and has proven to be satisfactory in the form of assistance it provides.

Ald. MacFarlane commented on the Halifax program, advising that while some modifications are being made to it, generally speaking, it is considered to be successful. He felt there is much to be said for any program that assists senior citizens to stay in their own homes, rather than having to be institutionalized. Ald. Withers spoke in support of the motion, noting that he has been instrumental in the past in having the qualifying level for exemption increased to the present level of \$11,000. He preferred to have staff consulted first, however, about questions of eligibility for tax exemption, and whether in fact, it would be preferable to forgive property taxes or defer them. Also, there should be some consultation with Halifax staff on the experience with their legislation.

Ald. Hawley agreed the concept is worth considering, but there are some areas of possible abuse that would have to be looked at. He gave several examples, one being the case of a person who qualifies income-wise but owns a home that could be worth \$25,000. or more. He moved referral

to the Finance & Program Review Committee for further consideration and recommendation back to Council. The motion to refer was seconded by Ald. Withers.

Ald. Greenough was in favour of referral, because of the points that should be looked at, including the ramifications of income loss for the City, and the question of whether or not such a by-law will really give the kind of assistance that low-income people who qualify, really need. Ald. Thompson said he would want to know how we would go about finding out exactly what the income of applicants really is. Ald. Connors hoped the Committee would look at statistics on which to base an accurate assessment of what the program would cost. Also, the concept should be looked at in conjunction with the present tax deferral by-law we already have, and the possibility of a sliding scale for eligibility should be looked at by the Committee as well.

When the vote was taken on the motion to refer, it carried with Ald. Levandier and Thompson voting against. The Mayor suggested that any members with points they wish to have taken up by the Finance & Program Review Committee, in conjunction with this item, should put them down on paper and forward them to the Chairman.

MOTION: Moved by Ald. Hawley and Withers that the motion presented by Ald. Sarto be referred to the Finance & Program Review Committee, for consideration and recommendation back to Council.

ALD. BILLARD

2) It was moved by Ald. Billard, seconded by

Ald. Thompson:

WHEREAS the salaries of elected officials should be reviewed on an annual basis;

BE IT RESOLVED that the Mayor be authorized to appoint a committee of citizens-at-large to consider appropriate levels for remuneration for the Mayor and Aldermen of the City of Dartmouth;

AND THAT the committee should attempt to report to Council before budget deliberations.

Ald. Billard said he could not understand why anyone would object to the appointment of an independent committee to review the salaries of members of Council. Council should be relieved of the burden of deciding

whether to increase or decrease their own salaries, and the committee proposed would study appropriate levels of remuneration and make recommendations accordingly.

Ald. McCluskey noted that Council would ultimately have to make a decision on the recommendations of the committee, so from that point of view, nothing much would be gained. Ald. Pye said he could only support the motion if it was to be conditional on agreement at this time that the recommendations of the committee will be adopted when they are brought forward.

The general response of Council to the motion was negative, but Ald. Levandier was willing to have the matter referred to the Finance & Program Review Committee for their consideration. He moved referral to the Committee, seconded by Ald. Billard. The motion to refer did not receive the support of Council either and was defeated. The main motion was also defeated, with Ald. Billard and Pye voting in favour.

ALD. WOODS

3) It was moved by Ald. Woods, seconded by Ald. Levandier, that:

WHEREAS the City of Dartmouth, in its 1986 Operating Budget, allocated \$770,000. to cover the cost of lighting our streets;

AND WHEREAS it is incumbent upon the elected officials to ensure that Dartmouth taxpayers receive value for money;

AND WHEREAS the only supplier of the street lighting system has failed to provide this Council with specific direction on how it can solve a problem which is worsening daily;

BE IT RESOLVED that the City proceed to engage a consultant at an approx. cost of \$15,000. to carry out a street lighting study. The terms of reference would require that the consultant recommend a street lighting design standard which should be adopted for the various classifications of the Dartmouth streets.

The consultant would then evaluate the costs and benefits of the following options:

- 1) an increased level of maintenance by the Nova Scotia Power Corp.
- 2) an upgrading of the existing system by the Nova Scotia Power Corp., and an improved level of maintenance by the Power Corp.
- 3) a takeover of the existing lighting system by the City of Dartmouth and Dartmouth, in turn, providing the appropriate maintenance.
- 4) the Nova Scotia Power Corp. retaining possession of the existing system, but the City of Dartmouth assuming the responsibility for proper maintenance.

- 5) The awarding of an approved maintenance program to a private contractor.

Members of Council who spoke on the motion were in favour of it. They felt that present lighting standards in the City are unacceptable and there is no on-going maintenance program being carried out by the Power Corp. at the present time.

Ald. Levandier said he would like to see the terms of reference come back to Council and it was agreed that they will be circulated for information only, in the interest of time. When the vote was taken on the motion, it carried unanimously.

MOTION: Moved by Ald. Woods and Levandier:
text of motion on page 4.

INQUIRIES:
ALD. MCCLUSKEY

Ald. McCluskey's inquiry concerned the crosswalk from the Dartmouth Shopping Centre to the Sportsplex, and what is being done to improve safety for pedestrians on this crosswalk. The Mayor agreed to have this inquiry referred for specific information.

ALD. LEVANDIER

Ald. Levandier asked if the Taxi Commission is addressing the matter of the number of cabs in the City, a concern of the taxi industry at present. Ald. Hetherington said he could not give a definite response on behalf of the Commission right now; the concerns are being looked into, however.

PRESENTATION:
MEDICAL HEALTH
OFFICER

Members of Council have received a communication from Dr. David MacLean, the Medical Health Officer for the City, on the subject of anti-smoking provisions for the City. In his letter, Dr. MacLean makes a number of recommendations, pertaining to smoking restrictions in the workplace and the provision of designated non-smoking areas in restaurants, licensed dining rooms, beverage rooms, etc. Also, to enforcement of the existing by-law (C-557) and with regard to the advertising of tobacco products on billboards within the City boundaries.

Dr. MacLean made a presentation to Council at this point in the meeting on the subject of his report. The particular area of concern he dealt with was the

exposure of non-smokers to second-hand smoke and the associated health hazards posed for them as a result. He referred to people in the workplace who have to spend large portions of their time in the company of smokers, thereby suffering the same health risks as they do, only to a slightly lesser degree. He provided statistics on the number of lung cancer cases among non-smokers in these situations where they are inadvertently exposed to second-hand smoke. The Canadian average is about six to seven cases per 100,000 population. Dr. MacLean stated that tobacco smoke is the single greatest pollutant in the workplace. He commented on the recommendations he has made to Council in his report and requested that they be given serious consideration.

At the conclusion of Dr. MacLean's presentation, members had the opportunity to ask questions of him.

These questions related to:

- 1) the effectiveness of the by-law introduced by the City of Vancouver and the restrictions imposed by it.
- 2) involvement of other government levels in anti-smoking legislation, rather than attempting to deal with the problem through the municipalities first.
- 3) the impact of tobacco advertising when it is allowed on billboards and bus shelters.
- 4) the importance of education programs, particularly in our schools and whether in fact, education is not more important than smoking restriction.
- 5) what efforts the Dept. of Health has made to persuade the Province that restrictions and legislation are required to deal with smoking problems.
- 6) present smoking trends and the implications of these.
- 7) proper ventilation measures that can be taken and their effectiveness - ie. if ventilation is to the outside of a building rather than just recirculating air in a building.
- 8) the experience of other jurisdictions where smoking legislation has been introduced; have there been challenges to the by-laws that resulted in court costs.

After the question period, members were permitted to speak on the subject before Council. Ald. Levandier

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- 8) the experience of other jurisdictions where smoking legislation has been introduced; have there been challenges to the by-laws that resulted in court costs.

After the question period, members were permitted to speak on the subject before Council. Ald. Levandier

considered that the kind of restrictions being suggested violate the freedom of individuals within the community, that they would place undue hardship on the owners of businesses, and that we should not be going into the workplace and telling employers what they can and cannot do. He felt that such restrictions and regulations, if they are to be enacted, should originate with the Province and not with municipalities. He therefore moved that the report before Council be received and filed. The motion was seconded by Ald. Pye.

Ald. Connors and several other members were willing to support the motion. Ald. Connors did not feel the legislation proposed would be successful in dealing with the problem, and he asked why the Dept. of Health has not seen fit to take a lead themselves by banning smoking completely within their own department offices. He said there would be enormous enforcement problems for the City and tremendous cost involved if all the necessary building renovations were to be required.

Ald. McCluskey said she would like to hear from the citizens themselves on this issue. She pointed out that non-smokers have rights just the same as smokers do, and should expect to have them protected. Ald. Billard proposed that Council hear from a speaker in the gallery at this point in the debate, but Council did not agree with the suggestion. Ald. Billard did not support the motion to receive and file and considered it to be no action at all on what is a serious and important matter.

Ald. Withers also spoke against the motion, pointing out that government already enforces regulations in the workplace; from that point of view, non-smoking regulations would not be a precedent. He suggested that a copy of the Vancouver by-law be obtained for our information and to determine whether similar legislation could be enacted here. Other members were of the opinion that an education process is more effective and would be preferable to a legislative approach anyway. Ald. Hawley favoured a trial program in the workplace, with City staff.

Ald. Greenough asked if a request could be made to the City of Vancouver for a copy of their by-law, as suggested by Ald. Withers. The Mayor said this will be done. When the vote was taken on the motion, it carried by a vote of 8 to 6.

The Mayor said he felt this item should go back to the Board of Health, where it originated, for further discussion at that level. He thanked the Board and Dr. MacLean for initiating the presentation and consideration the subject has received at Council.

MOTION: Moved by Ald. Levandier and Pye that that the report from Dr. MacLean on smoking restrictions and regulations, be received and filed.

FCM 88

The Mayor has forwarded a memo to Council on the subject of the FCM conference to be held in Halifax in 1988, advising that Dartmouth has been asked to participate in hosting the event, along with the other metropolitan municipalities. It is estimated that the cost of our participation would be in the area of \$25,000., and a decision has been requested from Council on this anticipated expenditure. Provision for it would be made in two equal allocations of \$12,500. in the 1987 and 1988 budgets.

Ald. Levandier and Thompson moved that Dartmouth participate and allocate \$25,000. for this purpose.

Ald. Billard did not consider this to be a fair and equitable expenditure of taxpayers' money and was opposed to the motion. Other members had some concerns about the benefits that Dartmouth will stand to gain from participating, but the members in favour felt it will be possible to 'sell' Dartmouth and make the conference worthwhile for Dartmouth with some advance planning. The City will have representation on the planning committee and can request events and tours for Dartmouth through that means. When the vote was taken, the motion carried with Ald. Billard voting against.

MOTION: Moved by Ald. Levandier & Thompson that Dartmouth participate in the FCM conference for 1988, and that \$25,000. be allocated for this purpose.

CHRISTMAS BREAK

It was proposed to Council that no meetings be held on Dec. 23rd or Dec. 30th, in order to have a Christmas break. Both these dates are close to Christmas Day and to New Years Day respectively.

Council approved a break from meetings on the two dates suggested, on motion of Ald. Hetherington and Levandier.

MOTION: Moved by Ald. Hetherington & Levandier that Council approve a Christmas break, with no meetings on Dec. 23rd or Dec. 30th.

REPAIRS: #2
FIRE STATION

A report was considered from Mr. Moir on repairs to the #2 Fire Station building. Repairs to the roof, already carried out in the summer of 1986, cost \$5,472., leaving a balance of \$20,528. in the budget allocation for this item.

The Fire Chief has proposed that repairs to the tile floor in the upper assembly hall of the station, estimated to cost \$8,500., could proceed now, using a part of the budget allocation, rather than waiting for the 1987 budget to carry out this project.

Mr. Moir has therefore recommended that Council amend this particular authorization and approve replacement of the tile floor at the estimated cost of \$8,500. Ald. Thompson and Hetherington moved the adoption of the recommendation, but it was opposed by Ald. Connors and Billard. Ald. Connors felt that any such unexpended funds should not be allocated, but instead, applied against the anticipated deficit for 1986.

The vote was taken on the motion and it carried (Ald. Billard and Connors voting against).

MOTION: Moved by Ald. Thompson & Hetherington that Council adopt Mr. Moir's recommendation on the authorization for reallocation of funds from the 1986 budget item for roof repairs, #2 Fire Station, to replace the tile floor in the assembly hall, estimated to cost \$8,500.

Several items on the agenda were deferred, due to the lateness of the hour and Council was asked by the Mayor to meet at 6:30 p.m. on Dec. 16th, in order to be able to complete all of these before the Christmas break. It was suggested that Council deal with the Monthly Reports only at this time.

MONTHLY REPORTS

The regular monthly reports, forwarded to Council without recommendation from Committee, were before Council for approval. Council dealt with the Social Services report only before going in camera.

Social Services (Nov.) : approved on motion of Ald. Thompson and Pye.

Ald. MacFarlane suggested the need for a co-ordinated municipal approach to seek equitable cost-sharing from the Province, perhaps through the Union of Municipalities. He also proposed that the Mayor approach the Minister of Social Services with regard to reimbursement for assistance granted for Out of Province Settlements and the amount approved for cost-sharing in these cases. The Mayor indicated he would be willing to do this.

Ald. Levandier asked if the warrant is being executed by the City against Sydney Mines for their account outstanding. The Mayor advised that it has not been to date, and he would propose instead that Sydney Mines be given a fairly long period of time to make small monthly payments until the account is cleared. Members of Council favoured this approach as being a more reasonable one. Ald. Greenough said it is still important, however, to make a strong representation to the Province on the matter of more equitable cost-sharing provisions for the municipalities.

On motion of Ald. Levandier and Pye, Council adjourned to go in camera. Council later reconvened in open meeting for the purpose of adjournment.


G. D. Brady,
Deputy City Clerk.

City Council, Dec. 9/86

ITEMS:

- 1) Motions: Ald. Sarto, page 1 to 3 incl.
 - 2) Ald. Billard, page 3 & 4.
 - 3) Woods, page 4 .
 - 4) Inquiries, page 5.
 - 5) Presentation: Medical Health Officer, page 5 to 8 incl.
 - 6) FCM 88, page 8.
 - 7) Christmas break, page 9.
 - 8) Repairs: #2 Fire Station, page 9.
 - 9) Monthly reports, page 10 .
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Dartmouth, N. S.

December 16/86.

Regularly called meeting of City Council
held this date at 6:15 p.m.

Present - Mayor Savage

Ald. Sarto	Thompson
Billard	MacFarlane
Connors	Levandier
Withers	McCluskey
Pye	Woods
Hawley	Bregante
City Solicitor, S. Hood	
City Administrator, C. A. Moir	
City Clerk-Treasurer, Bruce S. Smith.	

PRESENTATION:
HYDROPLANE RACES

Council first met in the Conference Room to see a fifteen-minute video presentation on the hydroplane races held in Cocagne, New Brunswick.

Members of Council then began the regular meeting for this date in the Council Chamber, where Mr. Bill Young proceeded with the presentation on behalf of the organizing group interested in Grand Prix Hydroplane Races for next August on the harbour waters of the Dartmouth waterfront. He outlined the racing program that is being proposed, which 60 to 70 boats would be expected to take part in. The organizers are projecting that about 5,000 people per day would attend the races, plus competitors and crews, thereby bringing considerable revenue into the City. It is proposed that attendance fees would be charged in a cordoned off area near the starting line for the races, and revenue from admission charges would offset some of the costs of the event.

Details of the proposal, as explained by Mr. Young, are contained in a written submission to all members of Council. The City is being asked to make a contribution of \$12,000. and to provide facilities and services that would be required to stage the event, estimated at between \$12,000. and \$13,000. Mr. Young was accompanied by the representatives of two major sponsors for the races, Olands Brewery and S. Jachimowicz Ltd., present to show their support for the proposal.

Members had an opportunity to ask any questions they wished to about the races and the planning for them.

Several of the questions pertained to harbour conditions and the effect they would have on the races. Inquiries were also made about the charging of admission to a City park area, whether viewing stands would be installed, alternate arrangements for ferry service during the races, etc. Mr. Young stated that the revenue from admission fees would come back to the City to repay as much of the \$12,000. contribution as possible. Anything over and above that would go to the Canadian Boating Federation, Maritime Division. If for any reason the races had to be cancelled, the \$12,000. contribution would be lost, but some of the City costs for services would not be incurred.

Ald. McCluskey moved, seconded by Ald. Hawley, that provision be included in the City's 1987 budget for an amount of \$25,000., to cover the \$12,000. up-front contribution and to provide facilities and services in conjunction with the races. Responding to a question as to how this item would appear in the budget, Mr. Moir explained that the proposal is to include a separate allocation of \$50,000. that would cover this particular request and any other unforeseen events that may come up in 1987 and for which funding assistance will be requested similarly.

Aside from the concerns expressed about weather unpredictability and the condition of harbour waters during the two race days (Aug. 8th and 9th), most members of Council were willing to show support for the organizers with financial assistance from the City. When the vote was taken on the motion, it carried unanimously.

The Mayor noted that as planning for the event continues, it is likely that one or two Aldermen will be added to the organizing committee. Mr. Young agreed.

MOTION: Moved by Ald. McCluskey and Hawley that provision be included in the City's 1987 budget for an amount of \$25,000., to cover the up-front contribution requested for the Grand Prix Hydroplane Races, and to provide facilities and services in conjunction with the races (up to the \$13,000. estimate quoted for these).

NOTICE OF MOTION:
ALD. LEVANDIER

The Mayor permitted Ald. Levandier to give a notice of motion at this time for the next regular Council meeting.

1) Ald. Levandier

The motion will be to amend the Parking Meter By-law C-605, to restore the prohibition against feeding parking meters. The amendment would be as follows:

It shall be an offence and a violation of this by-law for the driver of any vehicle to park or leave the same standing in any parking space regulated by a parking meter for a period of time in excess of the maximum period allowed by the directions set forth on such parking meter, regardless of the number of coins deposited or whether the word "violation" or "expired" or "time expired" is visible in the observation window of the parking meter.

COLE HARBOUR
ANNEXATION STUDY

Mr. Moir has responded to a request from Council for a cost analysis of an annexation study, initiated by a letter received from the Chamber of Commerce on this subject.

In his report to Council, Mr. Moir has advised that the cost of conducting a study of the Cole Harbour area (Sections 7 and 21) would range from \$16,000 to \$28,500., while to do all three areas (Cole Harbour, Eastern Passage/Cow Bay, and Westphal/Preston), the prices range from \$37,000. to \$45,000.

Ald. Sarto and Pye moved that the report from Mr. Moir on this item be received and filed.

Ald. Levandier did not agree with the motion. He said it is just a matter of time until the annexation issue will have to be addressed and the City should be ready with the kind of information a study would provide. Ald. Thompson felt the Dept. of Municipal Affairs should be approached to see if they would be willing to assume the cost of an annexation study. The Mayor indicated that he would be willing to approach the Minister to discuss this possibility with him.

Some members were concerned about the implications of annexation for City residents, some of whom are still without adequate services themselves. They did not want to see money spent to upgrade annexed areas while parts of our own City are still waiting for services.

Ald. Hawley noted that Council has never really discussed the philosophy of annexation in the first place, and members have not talked to their constituents about it in any depth either. He felt it would be worthwhile for the Chamber to sponsor a symposium on the subject that would give citizens an opportunity to express their views and thereby give Council some feel for public opinion. Ald. Withers asked a number of questions about the response to annexation when it took place twenty-five years ago. Mr. Moir responded to his questions, pointing out that at the time, it was more of a political than an administrative approach. The lack of water and sewer services in annexed areas was a consideration at that time.

When the vote was taken on the motion, it carried with Ald. Levandier, MacFarlane, Connors and Billard voting against.

Ald. Thompson again asked if the Mayor would be willing to approach the Minister of Municipal Affairs about the possibility of the department funding a study. The Mayor said he would arrange a meeting to discuss the entire subject.

Ald. Hawley and Billard then moved that the Chamber of Commerce be requested to consider the possibility of holding a symposium on the concept of amalgamation and what reasons Dartmouth would have for wanting to become involved. This motion carried with Ald. Sarto and Pye voting against.

MOTIONS: (1) Moved by Ald. Sarto and Pye that Mr. Moir's report on the cost of an annexation study, be received and filed.

(2) Moved by Ald. Hawley and Billard that the Chamber of Commerce be requested to consider the possibility of holding a symposium on the concept of amalgamation and what reasons Dartmouth would have for wanting to become involved.

Mr. Moir has submitted a further report on the subject of renovations to St. Peter's Grammar School, addressing the items raised in debate when Council

discussed the item at the November 25th meeting.

The report concludes with two recommendations for Council to consider:

- 1) if Council decides to proceed with the renovations, the full tender of \$350,900., plus Architect's fees, be accepted, recognizing that there could be a cost over-run by as much as 20%.
- 2) if the above recommendation is not acceptable to Council, it is recommended that Council authorize City staff to look at available City sites on which a City-owned building could be erected containing facilities for a day care centre and the other space that would have been used for activities planned for the St. Peter's building.

Council was shown a plan of City-owned land adjacent to Findlay School, which could be considered as a site for either an addition to the building there or as a separate building that would accommodate the above-noted uses. After having seen the alternate site and various building configurations that could be looked at for it, Ald. Levandier moved, seconded by Ald. Connors, that recommendation #1 of Mr. Moir's report, dated Dec. 4/86, be approved.

In debating the motion, members opposed felt that the renovation costs for the St. Peter's building are excessive, especially considering that the City may only have fifteen years to use it after spending all that money on it. The Mayor advised Council that there has been some indication from the Catholic Archdiocese (not official) that a further five-year lease might be given the City, taking the total number of years for use of the Grammar School to twenty. He was later asked to take this matter up further with the officials of the Archdiocese to establish this point more firmly.

Members speaking in favour considered it preferable to renovate an existing building that is basically in good condition, rather than assuming the cost of a new building that would not provide as much space in the end as St. Peter's.

(Ald. Bregante was present from a point mid-way through the debate on the St. Peter's motion.)

Since the particular interest of the Archdiocese would be in the total St. Peter's site, after the Junior High building is no longer required, questions were raised about the future requirements of the City for that building for education purposes. Ald. Connors said that while the School Board may not continue to require the junior high for classes beyond a three to five-year period, it is projected that the building would continue to be used for other education-related programs after that time, and it would therefore not be declared surplus; just the use of the building would change.

Ald. Withers and Thompson were concerned about the adequacy of parking for use of the Grammar School, and Ald. Withers also questioned the on-going operating costs. Mr. Atkinson advised that these are estimated to be about \$80,000. per year in total.

Ald. Thompson was concerned that there has been no cost projection for replacing the roof of the Grammar School, and said he would like to have some information on that item, since it is likely to become an expenditure that will have to be faced by the City.

When the vote was taken on the motion, it carried by a vote of 7 to 5 (Ald. Billard, Withers, Thompson, MacFarlane and Sarto voting against).

Ald. Thompson and Withers then gave notice of reconsideration.

MOTION: Moved by Ald. Levandier & Connors that Council approve recommendation #1 of Mr. Moir's report, dated Dec. 4/86.

NOTICE OF RECONSIDERATION: Given by Ald. Thompson and Withers.

NOTICE OF
RECONSIDERATION

AWARD TENDERS:
POLICE VEHICLES

Tenders have been recalled for five unmarked Police vehicles and five marked Police vehicles. It has been recommended that the five unmarked cars be purchased from Harbor View Plymouth Chrysler Ltd., for a net price of \$45,075, and that the five marked vehicles be purchased from Forbes Chev-Olds, for a net price of

\$53,420., for a total expenditure of \$98,495.

The tenders were awarded, as recommended, on motion of Ald. Levandier and Sarto.

MOTION: Moved by Ald. Levandier and Sarto that tenders for five unmarked and five marked Police vehicles, be awarded as Mr. Moir has recommended and as noted on page 6 of these minutes.

AWARD TENDER:
SERVICES, PHASE 7
BURNSIDE PARK

Mr. Moir has reported to Council on a recommendation from the Industrial Commission to award the tender for Contract 86566B (water & sanitary sewer facilities, Phase 7) to Lakeport Contracting Ltd., in the amount of \$447,249.33, subject to the approval of the Minister of Municipal Affairs to the withdrawal of these funds from the Special Reserve Fund. Accompanying reports and information have been circulated with Mr. Moir's report of Dec. 15/86.

Council awarded the tender for Contract 86566B, as recommended, on motion of Ald. Sarto and McCluskey.

MOTION: Moved by Ald. Sarto and McCluskey that the tender for Contract 86566B be awarded to Lakeport Contracting Ltd., as recommended by the Industrial Commission subject to Ministerial approval for the withdrawal of funds from the Special Reserve Fund.

CHARTER AMENDMENT:
INVESTMENT POLICY
RESOLUTION 86-74

A proposed amendment to the City Charter has been drafted by the Solicitor, to give the City authority to adopt an investment policy; Resolution 86-74 has been prepared in this connection and was before Council for approval.

Resolution 86-74 was adopted, on motion of Ald. Connors and Sarto. The resolution was corrected by changing the year mentioned in it from 1986 to 1987.

MOTION: Moved by Ald. Connors and Sarto that Council adopt Resolution 86-74, a proposed amendment to the Charter, giving the City authority to adopt an investment policy

WIDENING: RONALD
SMITH AVE.

A report from the Solicitor was considered on the widening of Ronald Smith Ave. (to improve the traffic flow between Ilsley Ave. and Burnside Drive), and the need to acquire a triangular piece of property from London Life, in order to facilitate the relocation

of the Burnside Industrial Park entrance sign. Council was asked to approve the purchase of 684 sq. ft. of land from London Life, at a price of \$1.00 per sq. ft., subject to conditions the Solicitor has outlined in her report of Dec. 4/86.

CONFLICT OF INTEREST

Ald. Withers declared a conflict of interest on this item, based on the fact that he holds a special contract with London Life, and he withdrew from his place on Council while the item was under consideration.

On motion of Ald. Connors and Pye, Council approved the purchase of the land required from London Life. Ald. Hawley had some concerns about requirements such as this not being foreseen and provided for in the project originally. He discussed these with Mr. Fougere.

The motion carried.

MOTION: Moved by Ald. Connors and Pye that Council approve the purchase of 684 sq. ft. of land from London Life, required in connection with the widening of Ronald Smith Ave. Details of this transaction, as noted above.

SEWER FRONTAGE
BY-LAW: C-528

Proposed By-law C-528, which amends the old Sewer Rates By-law, was presented by the Solicitor for Council's approval. An accompanying report from the Solicitor has explained a former concern of Council addressed and provided for in the redrafted by-law, and it has been recommended for approval.

It was moved by Ald. Bregante and Sarto and carried that leave be given to introduce the said By-law C-528 and that it now be read a first time.

It was moved by Ald. Thompson and Sarto that By-law C-528 be read a second time.

Ald. Hawley clarified with the Solicitor the by-law change that exempts presently existing dwellings from the new sewer rate and permits these homeowners to pay the old rate. New rates would be applicable to vacant lots on which there are presently no buildings. Ald. McCluskey was opposed to this provision and would not support the by-law because of it.

When the vote was taken on second reading, it

carried with Ald. McCluskey, MacFarlane and Connors voting against.

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

It was moved by Ald. Sarto and Bregante and carried that By-law C-528 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.

MOTIONS: Three readings given to By-law C-528: Sewer Frontage By-law.

1987 CHARTER
AMENDMENTS

RESOLUTION 86-75

The Solicitor presented Resolution 86-75 for Council's approval, authorizing the introduction to the Provincial Legislature of several additional amendments to the City Charter, other than those dealt with earlier in this meeting and at a previous meeting. She has explained the amendments in an accompanying memo to Council and has recommended the adoption of Resolution 86-75.

The resolution was adopted, on motion of Ald. Sarto and Bregante.

MOTION: Moved by Ald. Sarto and Bregante that Council adopt Resolution 86-75, as recommended, authorizing several amendments to the City Charter, for submission to the Provincial Legislature.

TRANSIT SERVICE:
CITY OF LAKES
BUSINESS PARK

The Transit Advisory Board has recommended to Council that a request be made to the Metropolitan Authority, and perhaps jointly to the M.T.C., that the Board urgently requests a review of the transit system so that, in effect, the City of Lakes Business Park would be provided with transit service for the year 1988, when sufficient employees would be there to warrant service.

Council approved this recommendation, on motion of Ald. Sarto and Pye.

MOTION: Moved by Ald. Sarto and Pye that Council approve a recommendation of the Transit Advisory Board, on the subject of transit service to the City of Lakes Business Park, as detailed above.

MONTHLY REPORTS

Monthly reports, forwarded to Council without recommendation, were approved as follows:

- 1) Development Officer(Nov.): approved on motion of Ald. Hawley and Sarto.
Ald. Billard requested that in future, civic numbers be included (where there are civic numbers), along with lot numbers. Members will then be able to identify locations easier.
- 2) Building Inspection (Nov.): adopted on motion of Ald. Pye and Sarto.
- 3) Minimum Standards (Nov.): adopted on motion of Ald. Sarto and Bregante.
- 4) Fire Chief (Nov.): adopted on motion of Ald. Sarto and McCluskey.
- 5) Dog Control (Nov.): adopted on motion of Ald. McCluskey and Hawley.
- 6) Summary of Rev. & Expenditures, Nov. 29/86: received and filed, on motion of Ald. Levandier and Sarto.

MOTIONS: To approve monthly reports, as per the above list.

MEMBERSHIP:
M.P.S. REVIEW COMM.
& SUB-COMMITTEES

On motion of Ald. Pye and Hawley, Council approved several appointments to M.P.S. Review Sub-Committees and to the Review Committee itself, plus one resignation from the M.P.S. Commercial Sub-Committee, as detailed in the memo to Council from Roger Wells, dated Dec. 5/86.

MOTION: Moved by Ald. Pye and Hawley that Council approve one resignation from; plus several appointments to the M.P.S. Review Committee and Sub-Committees, as per the memo to Council dated Dec. 5/86, from Planner, Roger Wells.

SOCIAL SERVICES
ACCOUNT:
TOWN OF SYDNEY
MINES

Mayor Savage has forwarded a memo to Council on the subject of the outstanding account owed by the Town of Sydney Mines, discussed at previous meetings. He has made the suggestion to the Mayor of that municipality that consideration be given to their payment of a token amount of \$20. per month on the bill they owe the City, as a means of resolving the present issue. Ald. Hawley and Sarto moved that Council approve the procedure for payment, as suggested by Mayor Savage.

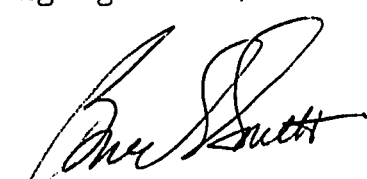
Ald. McCluskey felt that if Council agrees to this kind of concession for a municipality, we can do no less for citizens in our own community who have difficulty paying their tax bills. Ald. Connors agreed with points she made about Council's first

obligation being to citizens of Dartmouth, but he pointed out that cost-sharing changes are needed to resolve the entire payment structure among municipalities, and these have to come at the Provincial level.

Members of Council were divided in their support of the motion, with Ald. Withers and Pye speaking in favour and Ald. MacFarlane and McCluskey against.

When the vote was taken, it resulted in a tie vote and was declared to be carried with the Mayor voting in favour. (Ald. McCluskey, MacFarlane, Bregante, Woods, Connors, and Billard voting against.)

Meeting adjourned.


Bruce S. Smith,
City Clerk-Treasurer.

City Council, Dec. 16/86

ITEMS:

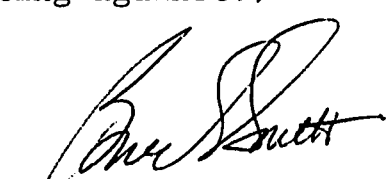
- 1) Presentation: Hydropoane Races, page 1 & 2.
 - 2) Notice of Motion: Ald. Levandier, page 3.
 - 3) Cole Harbour Annexation Study, page 3 & 4.
 - 4) Use of St. Peter's Grammar School, page 4 to 6 incl. Notice of reconsideration, page 6.
 - 5) Award tenders: Police vehicles, page 6.
 - 6) Award tender: Services, Phase 7, B.I.P., page 7.
 - 7) Charter amendment: Investment policy, page 7. Resolution 86-74, page 7.
 - 8) Widening: Ronald Smith Ave., page 7.
 - 9) Sewer Frontage By-law: C-528, page 8.
 - 10) 1987 Charter amendments, page 9. Resolution 86-75, page 9.
 - 11) Transit service: City of Lakes Business Park, page 9.
 - 12) Monthly reports, page 10.
 - 13) Membership: M.P.S. Review Comm. & Sub-Comm., page 10.
 - 14) Social Services account: Town of Sydney Mines, pg. 10.
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