

Dartmouth, N. S.

January 6/87

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, M. Moreash	
City Administrator, C. A. Moir	
Deputy City Clerk, G. D. Brady.	

MINUTES

The minutes of meetings held on December 2nd, 9th and 16th were adopted, on motion of Ald. Hetherington and Greenough.

RECONSIDERATION:
ST. PETER'S
GRAMMAR SCHOOL

At the December 16th meeting, notice of reconsideration was given in connection with the decision taken by Council to proceed with renovations to the St. Peter's Grammar School, based on recommendation #1 of Mr. Moir's report to Council, dated Dec. 4/86.

Ald. Thompson, who gave the notice of reconsideration, had the opportunity to address Council, giving his reasons for wanting to see the decision reconsidered, and to present any additional information at this time. His main basis for concern was a lack of adequate parking in the area of the Grammar School, a factor he considered to be important in view of the uses proposed for the building. He acknowledged the need for day care facilities and space for the other activities the building would accommodate, but he did not feel that such a large amount of money should be spent on this particular building to provide these facilities. He moved that Council reconsider the motion approved at the Dec. 16th meeting, to proceed with renovations. The motion to reconsider was seconded by Ald. Withers.

For the information of Council, the Mayor advised that he has been in contact with representatives of the Roman Catholic Archdiocese, and permission has been given to extend the use of the Grammar School to twenty years, this point having been raised during debate at

the December 16th meeting.

The vote on the motion to reconsider resulted in a tie vote and was declared to be carried with the Mayor casting the deciding vote in favour.

The attention of Council was drawn to a subsequent report from Mr. Moir, dated Jan. 6/87, advising that the tender submitted by Urban Construction Ltd. has now been withdrawn, based on the reasons given in their letters of this same date. Therefore, the motion which Council adopted at the Dec. 16th meeting would be invalid, based as it was on the Urban Construction bid in the amount of \$350,900. The second lowest bid received came from the firm of S. Boyd Construction, in the amount of \$423,137.

Ald. Levandier and Connors proceeded to introduce a revised motion, asking the City Administrator to authorize staff to call for tenders for the complete renovation of St. Peter's Grammar School, as outlined by the Architect, Mr. Marsh. Council then went on to debate this motion, as presented.

Other information on operating costs, requested from the Dec. 16th meeting, has been circulated with the agenda and was before Council in connection with this item.

Ald. Withers said it is totally impractical to renovate the St. Peter's building, and he favoured a new annex to the Findlay Community Centre as a preferable alternative from all points of view. Ald. Greenough supported this position, but Ald. Connors, Levandier and Woods were strongly in favour of proceeding with the renovations to what they considered to be a structurally-sound building. Ald. Woods gave an assessment of the building's condition, describing the roof as sound and the interior of the building as being in excellent condition. He said it is the exterior of the building that needs repair work and new windows are required. He felt the Architect has done a good job with tender documents for this project, with the exception of the windows; he said that part of the tender needs to be changed. He was in favour of negotiating with Boyd

Construction, the second lowest bidder and then getting on with the work. With respect to the estimated cost of construction comparison between the St. Peter's renovations and a new annex for Findlay Community Centre, Ald. Woods said that in reality, the per footage cost for the new construction would be close to \$100. per sq. ft., as compared with \$30. per sq. ft. for renovations to St. Peter's. Other members who commented on the comparison of cost figures, pointed out that more space will be available in the end at St. Peter's; they considered this to be an advantage and an argument in favour, of the renovations over new construction.

Council agreed to hear from Eva Moore of the Nova Scotia Drama League, during the debate. She described some of the difficulties that groups such as the Dartmouth Players have had over the years, due to a lack of any ^{satisfactory} facilities in Dartmouth for their presentations. She also explained why the group would not favour the Findlay Community Centre, which is already over-utilized and has parking constraints that already cause problems.

Ald. Levandier urged Council to make a decision in favour of retaining St. Peter's and renovating the building for future use. When the vote was taken on the motion on the floor, it resulted in a tie vote again and had to be decided by the Mayor. He voted in favour and declared the motion to be carried. Aldermen voting against were: Ald. Greenough, Thompson, Billard, Withers, Hetherington, Bregante and MacFarlane.

The Mayor requested the permission of Council to approach the principals of Boyd Construction, the second lowest bidder, to see if they may wish to negotiate their tender price. If so, a further report would come to Council. Members were willing to have the Mayor proceed as requested with discussions.

Council has been asked to endorse a resolution from the Town of New Waterford, seeking to have the

RESOLUTION:
TOWN OF NEW
WATERFORD

Federal and Provincial Departments of Consumer Affairs, legislate the closing of all retail outlets on Remembrance Day.

This resolution, in its re-drafted form, set out in a letter dated Dec. 1/86 from the New Waterford Town Clerk, was endorsed by Dartmouth City Council, on motion of Ald. Hawley and Pye.

MOTION: Moved by Ald. Hawley and Pye that Council endorse the resolution adopted by the Town of New Waterford with respect to the closing of retail outlets on Remembrance Day and legislation of the same.

POSITION OF
CITY ADMINISTRATOR

The Mayor gave a verbal report on behalf of the sub-committee dealing with applications for the position of City Administrator, suggesting two ways that Council might want to proceed with the short list of candidates that will soon be ready for consideration. One procedure suggested was to have all of Council interview the applicants on the short list, after having been provided first with information on their work experience and backgrounds. Ald. Connors and McCluskey moved that Council proceed on this basis, with all of the applicants on the short list to be interviewed by Council as a whole. The interviews would take place at an outside location other than at City Hall.

With the exception of Ald. Pye and Ald. Hawley, members were in favour of the motion and it carried with both these members voting against. The Mayor will proceed with the necessary arrangements for the interviews.

MOTION: Moved by Ald. Connors and McCluskey that applicants on the short list for the position of City Administrator, be interviewed by Council as a whole. Details of the interview procedure to be arranged by the Mayor for a location outside City Hall.

AWARD TENDER:
ARMOURED CAR
SERVICES

Tenders have been called for armoured car services and the recommendation to Council is that the tender be awarded to the low bidder, Loomis Armoured Car Services Ltd., for a total bid price of \$17,360.

Council awarded the tender, as recommended, on motion of Ald. Greenough and Bregante.

MOTION: Moved by Ald. Greenough and Bregante that the tender for armoured car services be awarded to the low bidder, Loomis Armoured Car Services Ltd., as recommended. Their total bid price is \$17,360.

FERRY REPORT:
OCTOBER

On motion of Ald. Hetherington and Withers, Council adopted the Ferry Operation report for the month of October, 1986, as requested by the Transit Advisory Board.

MOTION: Moved by Ald. Hetherington & Withers that Council adopt the Ferry Operation report for October, 1986.

APPOINTMENT:
LAKES ADVISORY
BOARD

On motion of Ald. Hetherington and McCluskey, Council approved the appointment of Ms. Maureen Vine to the Lakes Advisory Board, as representative of the Community Planning Assn. of Canada, for a term to expire in November of 1987.

MOTION: Moved by Ald. Hetherington & McCluskey that Council approve the appointment of Ms. Maureen Vine to the Lakes Advisory Board, representing the Community Planning Association of Canada.

STREET NAME:
BUSINESS PARK

The Industrial Commission has considered a request from Maritime Medical Care Inc. for permission to name the cul-de-sac servicing Site 201B, Spectacle Lake Drive, and has recommended approval of the request to Council.

Ald. Hetherington and Thompson moved the adoption of the recommendation, but the name proposed was not supported by Ald. Levandier, who felt it would be preferable to name streets in the Business Park in recognition of people who have served the City in various capacities associated with industrial development. The motion carried with Ald. Levandier voting against.

MOTION: Moved by Ald. Hetherington & Thompson that Council approve the name recommended for the cul-de-sac which services Site 201B in the City of Lakes Business Park, that is, Spectacle Lake. This name has been approved and recommended to Council by the Industrial Commission.

VIDEO APPLICATIONS:
A & A RECORDS & TAPES

On motion of Ald. Sarto and MacFarlane, Council indicated no objection to three applications for retail video outlets, submitted by A & A Records and Tapes, for

locations at Penhorn Mall, MicMac Mall and the Dartmouth Shopping Centre.

MOTION: Moved by Ald. Sarto and MacFarlane that Council indicate no objection to three applications for retail video outlets at the locations noted above, as submitted by A & A Records and Tapes.

MOTIONS:
ALD. HETHERINGTON

Notice of motion having been duly given, the following motions were presented at this time for Council's consideration:

1) Ald. Hetherington moved, seconded by Ald. Bregante, that:

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.

Members who spoke on the motion were not opposed to it, but wanted to know if there is still an on-going program aimed at taking over private streets until they are eventually all owned by the City. Reference was made to the list of streets in this category, circulated some time ago, and the City Engineer was requested to re-circulate the list for Council's information and to update their status.

Mr. Fougere explained that his department has been attempting to work their way through the list, as time and survey crews are available for the work. At the present time, the department is working on Cleary St. He said it has not been possible to proceed very quickly with the take-over of streets, due to the number of other major projects underway in the City, requiring staff time.

Ald. Greenough first indicated he would make a motion on the subject, but subsequently decided to wait for the list of streets to be circulated by Mr. Fougere. When the vote was taken on the motion on the floor, it carried.

MOTION: Moved by Ald. Hetherington & Bregante: Text of motion above.

ALD. PYE

2) Ald. Pye moved, seconded by Ald. Hawley,

that:

WHEREAS ^{renovated} the Dartmouth Boys & Girls Club has recently ~~the Club~~ and the property is undergoing landscaping;

AND WHEREAS this property abuts Farrell Road;

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.

The motion received the support of Council and it carried.

MOTION: Moved by Ald. Pye and Hawley: text of motion above.

3) Ald. Pye moved, seconded by Ald. MacFarlane,

that:

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.

Ald. Pye explained the intent of his motion and was advised by the Mayor that it would require an amendment to the Procedural By-law in order to be implemented. He suggested that a report from the Solicitor on the subject be requested for the first Council meeting at February.

Ald. Levandier noted that the problem the motion addresses would be overcome if Committee-of-the-Whole meetings were held on the second Tuesday of the month when they are supposed to be scheduled and monthly departmental reports should be dealt with. Ald. Connors said it is preferable to have members of staff waiting than members of the public; therefore, items involving the public should take precedence on the agenda.

Members agreed to have a report from the Solicitor for the first meeting in February, as the Mayor had suggested, and on that basis, the motion carried.

MOTION: Moved by Ald. Pye and MacFarlane: referral of the above motion to the Solicitor on the amendment that would be required to the Procedural By-law.

ALD. LEVANDIER

4) Ald. Levandier moved, seconded by Ald. McCluskey,

that:

The Parking Meter By-law (C-605) be amended 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.

The Mayor pointed out that in effect, the motion calls for an amendment and therefore, referral to the Solicitor would be in order. On this basis, the motion was adopted by a vote of 8 to 6.

MOTION: Moved by Ald. Levandier and McCluskey: text as above, revised to include referral to the Solicitor, since an amendment to By-law C-605 would be required.

NOTICE OF MOTION:
ALD. PYE

The following notice of motion was given for the next regular meeting of Council:

Ald. Pye

WHEREAS there is a serious need for both active and passive recreation in North Dartmouth, primarily the densely-populated areas of Pinecrest, Brule, Primrose and Jackson streets;

AND WHEREAS land for this purpose is at a premium in North Dartmouth;

AND WHEREAS the Nova Scotia Power Corp. right-of-way lands have been cleared of shubbery and bushes last year;

AND WHEREAS the Power Corp. in the past has allowed right-of-way lands to be used for recreational purposes;

THEREFORE BE IT RESOLVED that the City Administrator, Solicitor, and Director of Parks and Recreation, negotiate with the Power Corp. the possibility of using right-of-way lands for recreational usage;

AND BE IT FURTHER RESOLVED that the City's Director of Parks & Recreation prepare a cost estimate for recreational equipment conducive to the needs of the area in question, with the intent of having this item placed within the 1987 Capital Budget.

INQUIRIES:
ALD. LEVANDIER

Ald. Levandier asked about the line painting on Alderney Drive, which he felt should be corrected.

Ald. Levandier requested that the T.M.G. look at the possibility of locating an overhead crosswalk light at the intersection of Hare Lane and Windmill Rd.

ALD. WITHERS

Ald. Withers referred to the overhead crosswalk sign at the Dartmouth Shopping Centre on Nantucket Ave., noting that part of the sign has not been lighted since November. Mr. Fougere agreed to contact Ald. Withers further about this inquiry.

Ald. Withers asked when the request for a public hearing in connection with the Albro Lake lands will be brought to Council. Mr. Bayer said his department is still waiting for information from the Dept. of Housing before the application can proceed further.

ALD. PYE

Ald. Pye asked if vehicular access to Spectacle Lake and Frenchman Lake can be reinstated for the benefit of people who wish to drive up to these lakes. Mr. Fougere said that by next year there will be proper vehicular access to the lakes, but at present, it is not advisable to remove the barricade to them because of the problems with derelict cars and garbage that result once there is access to the area.

Ald. Pye's second inquiry concerned the work on Little Albro Lake, to improve the water quality, and whether siltation problems will occur again after the work is done, with the present drainage system. Mr. Fougere said that much of the siltation problem that has occurred, resulted from residential construction around the lake and subsequent landscaping of properties. It is felt that a siltation build-up will not occur to this extent again, now that most of the development around the lake has been completed.

ALD. THOMPSON

Ald. Thompson inquired about the overhead crosswalk lights for Portland Street, at Regal Road; Mr. Bayer advised that most of the equipment for them is here, and they should be installed before too long.

Ald. Thompson asked when the Police Site Selection Committee will be meeting; the Mayor said this Committee is high on the list of upcoming meetings.

ALD. HETHERINGTON

Ald. Hetherington asked to have a guard rail replaced as soon as possible on Esson and Johnstone Ave.

He also inquired about the collection of Christmas trees, and Mr. Fougere explained the confusion that has arisen about Christmas tree collection. It is being sorted out with the garbage collection contractors.

Ald. Hetherington asked if it would not be possible to synchronize the lights on the section of Portland Street coming in from the Cole Harbour area. Mr. Bayer advised that the timing sequence on these lights changes during the day, according to traffic volumes on the street. Ald. Hetherington said he would like to have his request considered further.

The final inquiry made by Ald. Hetherington was about the use of a half-ton truck for plowing (on Arthur Street), and whether or not the City has contracted for the use of trucks of this size for plowing purposes. Mr. Fougere said he was not aware of the use of any half-ton trucks for street plowing and none were contracted for. Ald. Hetherington requested a follow-up on his inquiry.

ALD. MACFARLANE

Ald. MacFarlane asked when the overhead lights can be expected at Prince Albert Road and Lakeview Point Road. Mr. Moir agreed to check on this inquiry.

The second inquiry made by Ald. MacFarlane concerned the replacement of street lights, and whether it is just the bulbs that are being replaced or the actual fixtures. He discussed this inquiry further with Mr. Fougere.

Ald. MacFarlane referred to three crosswalk locations requested in his ward, noting that nothing has been done to date about the one at Celtic Drive and Prince Albert Road; he requested information on it.

ALD. GREENOUGH

Ald. Greenough brought to Council's attention, the Internal Audit report circulated, advising that the Finance & Program Review Committee will deal with the report at a meeting planned for Jan. 15th. Members

of Council are invited to have any input they wish to on the subject, at that time.

ALD. MCCLUSKEY

Ald. McCluskey asked about the traffic lights for Main Street and Ridgecrest Drive. Mr. Fougere agreed to contact Ald. McCluskey with an update on this inquiry.

Ald. McCluskey felt that the present one-way traffic pattern on Edward Street is dangerous and that consideration should be given to changing it to a one-way pattern from Queen Street, down Edward Street to Ochterloney. She asked that this idea be given further consideration.

Ald. McCluskey referred to a lack of response from the T.M.G. to various requests that Aldermen have made; she referred specifically to a number of items requested for her own ward, such as the Stop sign at the end of Lyngby Ave., a wheelchair sign on Birchwood Tce., etc. Mr. Moir noted that Council will have the opportunity to look at Traffic Management improvements for the City at budget time.

ALD. SARTO

Ald. Sarto had an inquiry about the traffic lights at Caledonia Road and Main Street and the possibility of including an advance green interval for Woodlawn Road traffic turning onto Main Street. Mr. Bayer explained why the timing of these lights has been set in the present sequence, and he pointed out that any such change will reduce the time the light is green and in effect, penalize other drivers. Ald. Sarto said he would still like to have the suggestion looked at further.


Ald. Sarto asked about the status of the report from the Fire Chief on the N. S. Research Foundation study of fire station requirements. Mr. Moir said this item will be coming up at the next staff meeting.

On motion of Ald. Bregante and Thompson, Council went in camera to deal with an additional item on the agenda.

After reconvening in open meeting, the action

taken in camera was ratified, on motion of Ald.
Hetherington and Greenough.

Meeting adjourned.



G. D. Brady,
Deputy City Clerk.

City Council, Jan. 6/87

ITEMS:

- 1) Reconsideration: St. Peter's Grammar School, page 1 to 3 incl.
 - 2) Resolution: Town of New Waterford, page 3.
 - 3) Position of City Administrator, page 4.
 - 4) Award tender: Armoured car services, page 4.
 - 5) Ferry report: October, page 5.
 - 6) Appointment: Lakes Advisory Board, page 5.
 - 7) Street name: Business Park, page 5.
 - 8) Video Applications: A & A Records & Tapes, page 5.
 - 9) Motions: Ald. Hetherington, page 6.
Pye page 7.
Levandier page 8.
 - 10) Notice of Motion: Ald. Pye, page 8.
 - 11) Inquiries, page 8 to 11 incl.
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Withers	McCluskey
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Thompson	Greenough
Bregante	Hetherington
City Solicitor, S. Hood	
Acting City Administrator, Bruce S. Smith	

The Deputy Mayor welcomed to the meeting, the First Forest Hills Guide Company and their leaders.

He advised that Ald. Sarto is absent due to illness and Mayor Savage is on other City business.

Council was requested to move a presentation by the Heritage Advisory Committee up to second item on the Committee agenda; members agreed to this request.

Ald. Pye proceeded to declare a conflict of interest with respect to the rezoning application before Council (335 Prince Albert Road), due to the fact that his son is a part-time employee of the applicant. He withdrew from his place on Council to sit in the gallery while the item was before Council.

CONFLICT OF
INTEREST

ADVICE TO COUNCIL:
REZONING APPLICATIONS

The Deputy Mayor advised that the Solicitor wished to address Council on a legal point having to do with rezoning applications, and she proceeded to do this prior to the public hearing on the property at 335 Prince Albert Road.

She said that whereas previously, Council had been advised that only a simple majority vote is required in the case of rezoning applications, Council is now being advised that the safest course to follow from now on would be to require a majority vote of the whole Council (eight members), regardless of the number of members present for a given meeting. Responding to questions from Ald. Hetherington about this change being recommended, the Solicitor pointed out that a majority of the whole Council has been required for M.P.S. matters, in accordance with the provisions of the new Planning Act. Now,

Dartmouth, N. S.

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a similar requirement is considered advisable in the case of rezoning applications as well, as the safest possible course of action to follow, in case of any subsequent appeals to the Municipal Board.

Further study will be given to this matter by the Solicitors for the City, but until such time as advised otherwise, Council is requested to follow the majority-of-the-whole-Council advice. Members were willing to proceed on this basis and to follow the advice of the Solicitor in the case of the application immediately following.

At this point, Ald. Levandier and Connors moved that Council proceed to the public hearing for 335 Prince Albert Road. The motion carried.

PUBLIC HEARING:
REZONING REQUEST
335 PRINCE ALBERT
ROAD

This date was set by Council for public hearing of an application from Prince Albert Developments Ltd. to rezone the vacant piece of property at the rear of civic number 335 Prince Albert Road, from R-2 zoning to C-2. This zoning change would permit the proposed construction of a building which would contain two three-bedroom units and a recreation area on the top floor, with the lower floor being utilized for office/commercial uses. The Planning Dept. report to Council advises that the proposal complies with the policies of the Municipal Planning Strategy, and approval has been recommended. The report on the neighbourhood information meeting does not indicate any opposition on the part of area residents.

The Planning Dept. presentation was made by Mr. L'Esperance. He showed the location of the property concerned and explained the rezoning details to Council. He noted that the parking area to be provided will allow for 26 parking spaces, and when later asked if this number is adequate, he stated that the requirement is for only 16 spaces; it is therefore more than adequate.

Council then heard Mr. Tom Khattar, the Solicitor appearing for the applicant. He was available to answer

any questions from members of Council, one of which pertained to any informal discussions that may have taken place with area residents. Mr. Khattar said there did not appear to be any opposition to the rezoning on the part of residents, evidenced by the fact that only one resident attended the information meeting and he only wished to have some questions answered, not to express opposition.

The Deputy Mayor called three times for any public representations in favour of the rezoning application, and hearing none, he proceeded to call three times for any speakers from the gallery opposed to the application. Again, there were no speakers wishing to be heard, and on motion of Ald. Levandier and Hetherington, the Deputy Mayor declared the public hearing to be over.

BY-LAW C-608

By-law C-608 was before Council to accomplish the rezoning request. It was moved by Ald. Hetherington and Withers and carried that leave be given to introduce the said By-law C-608 and that it now be read a first time.

It was moved by Ald. Withers and McCluskey and carried that By-law C-608 be read a second time.

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

It was moved by Ald. Hetherington and Thompson and carried that By-law C-608 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.

In the case of all three readings, a majority of the whole Council was recorded, there being no votes recorded against...

MOTIONS: Three readings given to By-law C-608: rezoning application, 335 Prince Albert Road.

PRESENTATION:
LIGHTING AWARDS

On behalf of the Christmas Lighting Committee, Ald. Pye expressed appreciation to all citizens who participated in Christmas lighting of their homes, and he proceeded to read out the names of the lighting contest winners, each of whom received a plaque from

the Deputy Mayor. Citizens receiving plaques were as follows:

- Ward 1 - Mr. Morgan Martin, 12 Daye Ave.
- 2 - Mr. George MacDonald, 31 Cranston Ave.
- 3 - Mr. Richard Frail, 28 Newcastle St.
- 4 - Mr. David Miller, 55 Symonds St.
- 5 - Mr. Charles Purdy, 44 Courtney Rd.
- 6 - Mr. Jim Frost, 9 Berncray Ave.
- 7 - Mr. Mike MacPhee, 56 Everette St.

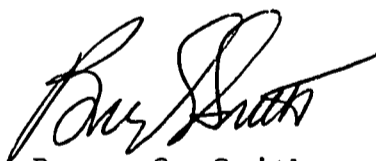
Ald. Pye concluded by thanking Ald. Bregante and Levandier who served on the committee and assisted with the judging of properties.

ORGANIZING COMMITTEE:
HYDROPLANE RACES

Council was asked to appoint two members of Council to serve on the Hydroplane Races committee, in charge of organizing this event. Also, to appoint a staff representative, Mr. Bruce Smith, to serve on the committee. The two Aldermen nominated to serve were Ald. McCluskey and Connors, and on motion of Ald. Greenough and Thompson, Council also appointed Mr. Smith to serve as the staff representative.

MOTION: Moved by Ald. Greenough & Thompson that Mr. Bruce Smith be appointed to serve as the staff representative on the organizing committee for the Hydroplane Races. The two members of Council nominated were Ald. McCluskey & Connors.

On motion of Ald. Thompson and Greenough, Council adjourned to meet in Committee.


Bruce S. Smith,
Acting City Administrator.

City Council, Jan. 13/87

ITEMS:

- 1) Advice to Council: Rezoning applications, page 1.
- 2) Public hearing: Rezoning request, 335 Prince Albert Road, page 2 & 3.
By-law C-608, page 3.
- 3) Presentation: Lighting awards, page 3.
- 4) Organizing committee: Hydroplane Races, page 4.

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City Administrator, C. A. Moir	
City Clerk-Treasurer, Bruce S. Smith.	

PRESENTATION:
JOHN MACINNIS

At the opening of the meeting, the Mayor proceeded with a presentation to Mr. John MacInnis, Chief Surveyor for the City of Dartmouth, who has been named Surveyor of the Year for 1986 by the Association of Nova Scotia Land Surveyors.

Mayor Savage made reference to the contribution Mr. MacInnis has made both to his profession, to the City through his years of service (24), and through his community activities. In recognition of these contributions, plaques were presented to Mr. MacInnis by the Mayor, on behalf of the City, and members of Council paid tribute to Mr. MacInnis as he received the plaques.

CONCEPT PLAN:
AESTHETIC COMPONENT
MICMAC ROTARY

Mr. Bob Jahncke, a student at the Nova Scotia College of Art & Design, presented a concept plan, prepared by him and another student as a course project, for landscaping and pathways in conjunction with the MicMac Rotary project, designed to improve the aesthetic appearance of the Rotary and to facilitate pedestrian and bicycle movements around the Rotary. The pathways would take pedestrians along the lakeshore and away from the main roadways, thereby providing greater safety for them, and creating a more pleasing and attractive appearance generally with additional landscaping and terraced flowerbeds. The ponds at the Rotary would be retained to filter out sedimentation, instead of being filled in as proposed in the Dept. of Transportation plan for the Rotary. The concept plan has the support of the Lakes

Advisory Board, and it has also been endorsed by the Transportation Sub-Committee of the M.P.S. Review Committee. The Lakes Advisory Board has requested that Council recommend the incorporation of the plan in the MicMac Rotary Improvement Project, to the Dept. of Transportation.

The Mayor also informed Council that the Recreation Advisory Board recommend implementation of the plan, and have forwarded their recommendation to the Minister of Transportation. Mr. Atkinson has concurred with this recommendation as well.

Ald. Greenough asked about the compatability of the plan with the Transportation Department design for pedestrian movements, and Mr. Jahncke advised that the location of the pathways in his plan follows the sidewalk alignment the Department shows in their plan. He felt, however, that the pathways would be preferable and more attractive than the sidewalks that are planned at present. Ald. Hawley had some concerns about additional costs that may result for the City, and he felt Council should have some figures to consider. Mr. Jahncke quoted a total cost estimate of between \$500,000. and \$750,000. to carry out the plan.

Ald. Connors then moved approval of the concept plan in principle, requesting its incorporation in the Transportation Dept. plan for the Rotary improvements, and referral of the plan to staff to investigate the aspects of cost and design. The motion was seconded by Ald. Hawley and it carried.

MOTION: Moved by Ald. Connors and Hawley that Council approve the concept plan in principle and request its incorporation in the Transportation Dept. plan for the Rotary improvements; further, that the plan be referred to staff to investigate the aspects of cost and design.

Mr. Jahncke was thanked by the Mayor for his presentation and for his work in preparing the plan.

MONTHLY REPORTS

Monthly reports recommended by Committee, were approved as follows:

- 1) Social Services (Dec/86): approved on motion of Ald. Greenough and Bregante.
- 2) Development Officer (Dec/86): approved on motion of Ald. Hetherington and McCluskey.
- 3) Building Inspection (Dec/86): approved on motion of Ald. Sarto and Thompson.
- 4) Minimum Standards (Dec/86): approved on motion of Ald. Withers and Bregante.

Ald. Levandier asked about the outcome of the prosecution involving 13 Pelzant St. Mr. Moreash advised that the charges were dismissed because of technical problems. Both Ald. Levandier and Ald. Connors expressed their concerns about the prosecution, and Mr. Moreash said he would prepare a report for them, explaining the specific details of the case. Other concerns were also raised about the fact that City prosecutions are being done by law firms other than that of the City Solicitors. An information report on that matter was also requested.

- 5) Fire Chief (Dec/86): approved on motion of Ald. McCluskey and MacFarlane.
- 6) Dog Control (Dec/86): approved on motion of Ald. Hawley and Hetherington.
- 7) Tourism Director (Tourist Bureau registrations, summer of 1986): approved on motion of Ald. MacFarlane and Thompson.

MOTIONS: To approve regular monthly reports, as noted above.

REGIONAL SYSTEM:
POLICE INFORMATION
DELIVERY

Mr. Smith has prepared a report to Council on behalf of the Police Computerization Sub-Committee, presented by the Chairman, Ald. Connors. The recommendation of the Sub-Committee is:

- 1) that Dartmouth City Council enter into an agreement with the City of Halifax for the provision of the "RAPID" system,
- 2) that Council allocate \$850,000. in the Capital Budget for the system and associated costs, over the next two years.

Ald. Connors and Sarto moved the adoption of the above-noted recommendation.

In presenting the Sub-Committee's report, Ald. Connors explained that the vehicle tracking system, estimated to cost an additional \$150,000., is not being recommended at this time, although staff members of the Sub-Committee favoured its inclusion. He commented on the cost-sharing formula, based on equalized assessment, with the City of Halifax and the Town of Bedford. He considered the formula to be equitable and reasonable,

although the City of Halifax has not seen fit to concur with their cost-sharing figure to date. The Attorney-General's Department is also being approached for cost-sharing.

Ald. Levandier said he could support the concept of the system, but not the regional approach to it. He was afraid that eventually, our own police department will be 'swallowed up' in a regional force. He also objected to the approval of a capital expenditure out-of-context with other capital items that Council will soon have to consider, and felt that any decision should be deferred until capital budget deliberations.

Members who supported the motion felt the information system is needed and on a regional basis. They pointed out that local police forces are already having to work together in many areas, and considered that the cost of the system regionally is considerably less than if a municipality were to participate individually. This point was verified by information Mr. Smith provided, which indicated that the cost would be about two million dollars if we were to choose the alternative of going on our own with a system.

Some of the members in favour of the motion felt the vehicle tracking system should not have been eliminated from the recommendation. Ins. Fraser was asked to comment on the importance of this added feature, and copies of information on the system were circulated to members of Council. Ins. Fraser advised that most police officers on the Dartmouth force favour the system, and would be in favour of having it purchased at this time, even if it had to be acquired over a two-year period. Ins. Fraser also responded to other questions about any alternative option to the RAPID system. With respect to the point made that the system will be housed in Halifax, Ins. Fraser pointed out that the Dartmouth police station does not have room to accommodate the equipment, even if we wanted to have it here.

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

Ald. Greenough and Thompson then moved that the vehicle tracking system, discussed in debate and estimated to cost \$150,000., be referred to the 1987 capital budget for further consideration. Ald. McCluskey felt that Council should approve this system now, along with the RAPID system, and she was therefore opposed to the motion.

The vote was taken and the motion carried with Ald. McCluskey voting against.

MOTIONS: 1) Moved by Ald. Connors and Sarto that Council adopt the recommendation of the Police Computerization Sub-Committee, as set out on page 3.

2) Moved by Ald. Greenough & Thompson that the vehicle tracking system, discussed in debate and estimated to cost \$150,000., be referred to the 1987 capital budget for further consideration.

UNSM FINANCIAL
POSITION

Members of Council have received copies of a letter from the President of the Union of Nova Scotia Municipalities, on the subject of financial difficulties facing that organization. Member units of the Union are being requested to make a voluntary contribution of 8% of dues for 1987, over and above the payment of regular dues, and Mr. Moir's has requested Council's approval to include the amount of \$576.97, which represents the requested 8% for the City of Dartmouth.

Council approved this contribution, on motion of Ald. Sarto and Withers.

MOTION: Moved by Ald. Sarto and Withers that Council approve a voluntary contribution in the amount of \$576.97, to be paid to the Union of N. S. Municipalities, to assist with financial requirements of the Union; this amount is over and above the regular 1987 dues.

AWARD TENDER:
SEDIMENT REMOVAL
LITTLE ALBRO LAKE

Tenders have been received for the removal of sediment from Little Albro Lake, this item having been provided for in the 1986 capital budget. The recommendation to Council is to accept the low bid, received from L. J. Casavechia Construction Ltd., in the amount of \$272,670. for Alternative A (to proceed

by Jan. 21/87 so that work could be done during the winter).

Expenses were incurred in preparation for the tender call amounting to approx. \$20,000., and the remaining amount available for the contract is therefore \$250,000. In recommending acceptance of the Casavechia tender, Mr. Moir has also recommended that \$35,000. be provided in the 1987 capital budget to meet the total cost of the project, including the \$20,000. already noted, plus \$2,760. covering the amount of the tender which exceeds the capital item projected, and \$5,000. to \$6,000. for interest during construction and a balance for any unforeseen contingencies.

Ald. Withers and McCluskey moved that the tender be awarded as per the recommendation to Council.

Ald. Woods had several questions about responsibility for any possible flooding of homes as a result of the level of Big Albro Lake being changed, and control measures being taken to prevent flooding. He went on to question the need for the present number of storm drains into Albro Lake and the effect these will have after the lake has been improved by removing the sediment. Mr. Mark Bernard was present to respond to these questions, and he pointed out that 40% of the water in the lake enters through these drains, so it would not be in the best interest of the water supply to it, to take away this water source.

Ald. Hetheington asked about the disposition of sediment material excavated from the lake, and also, about some assurance that streets will be kept clean during the removal of the excavated material. Mr. Bernard said the contractor will be responsible for this and every effort will be made to monitor the situation.

Ald. Sarto requested that contact be made with the Provincial Housing Dept. about cost-sharing in the clean-up of Cranberry Lake, where a similar project will be carried out. Ald. Withers thanked Council and said

he also wished to thank the Lakes Advisory Board and in particular, Dr. Don Gordon, for bringing this Albro Lake project to a successful conclusion. Ald. McCluskey indicated her thanks to Council as well.

The vote was taken on the motion and it carried.

MOTION: Moved by Ald. Withers and McCluskey that the tender for the removal of sediment from Little Albro Lake be awarded to the low bidder. L. J. Casavechia Construction Ltd., in the amount of \$272,670., as per the funding provisions recommended by Mr. Moir, as detailed on page 6 of the minutes.

DEVELOPMENT
AGREEMENT REQUEST:
3 BRUCE ST.

A report from Mr. Bayer has been submitted on the property at 3 Bruce Street, presently zoned R-1 Zone. Mr. Michael Klayme, the operator of R. Bailey's Meat Market, wishes to relocate his business to this location and is willing to enter into a development agreement in order to be able to make this use of the building at 3 Bruce Street.

Council has been asked at this point, to indicate whether or not they would be willing to authorize a neighbourhood public meeting, to hear the request in that forum.

On motion of Ald. Thompson and MacFarlane, Council agreed to allow the public information meeting to proceed . Responding to questions about the request, Mr. L'Esperance referred to the positive response that has already been indicated by area residents, and advised that this particular request appears to be generally acceptable to the neighbourhood.

MOTION: Moved by Ald. Thompson and MacFarlane that Council agree to allow the public information meeting to proceed in connection with a development agreement request for 3 Bruce Street.

DEVELOPMENT
AGREEMENTS

A new and revised Planning Dept. report has been submitted on the subject of Development Agreements, proposed to be permitted in four separate categories, as outlined on page 2 of the report. In the accompanying memo from the Planning Director, it has been recommended that Council set a date for a public information meeting, and that the report be forwarded to the M.P.S. Review Committee.

Ald. Greenough and MacFarlane moved that the recommendation be adopted, that is, to have the public information meeting proceed (later changed to read 'two' information meetings) and to have the report sent to the M.P.S. Review Committee.

Mr. Lukan gave a brief overview of the report for Council's information, followed by considerable debate as to whether or not the two information meetings would be adequate for the number of categories concerned. Some members did not want to see the four items go to the information meetings in their present format and preferred to have Council input, with any associated changes, before that stage in the proceedings. Ald. Hetherington also felt that Council should be thoroughly briefed on the items prior to any information sessions with the public. His particular concern and that of Ald. Withers, was with items two and three, and not with items 1 and 4. He was willing to allow the information meetings to proceed where items 1 (day nurseries) and 4 (residential development of existing undersized lots) are concerned.

Ald. Withers referred to unanswered questions he has, such as: who will determine whether a development is good or bad for the City - Council should have input in such decisions. Also, who is going to make the final judgement on traffic and who sets the final criteria. He proposed an amendment for page 6 of the report, which would read '. . . such designated abutting property shall not exceed 4,000 sq. meters in size', and said he would like to have that provision included.

Ald. Levandier said the Planning Dept. has just re-submitted the same report Council received last October. He said the legal ramifications have not been addressed, as requested when the item was before Council previously. Mr. Moreash was later asked about legal input and he advised that the report was reviewed by Ms. Hood and she was also involved in the drafting.

He described the issues involved as being more of a policy nature than legal at this point. The question is really what Council wants to do.

Ald. Woods said he would never support the report until there is some provision for early input into planning concepts on the part of the community, from the very beginning . Ald. Greenough did not see any problem in at least proceeding with the information meetings, to get an initial public response; he saw this as simply the first step in the process and Council is not being asked to make any decisions or commitments now. Ald. Hawley and McCluskey were also willing to have the meetings go ahead as proposed.

With the motion on the floor, it was difficult for members to debate individual sections of the report. The Mayor suggested that after the vote was taken on the motion, members could then proceed with their points about individual items of concern. Ald. Hetherington did not consider this procedure to be satisfactory, and in order to have a full explanation, with discussion, on items two and three, he moved in amendment that they be deleted from the motion. The amendment was seconded by Ald. Withers. When the vote was taken on the amendment, it carried by a vote of 8 to 4. The amended motion carried.

The Mayor asked to have items 2 and 3 on next week's Council agenda for the explanation and discussion period that is being requested. Members agreed.

MOTION: Moved by Ald. Greenough & MacFarlane that two public information meetings be held in conjunction with the proposed development agreement changes, and that the Planning Dept. report be sent to the M.P.S. Review Committee.

AMENDMENT: Moved in amendment by Ald. Hetherington and Withers that items 2 and 3 be deleted from the Planning Dept. report (ie. and from the information meetings).

On motion of Ald. Sarto and MacFarlane, Council adopted the following recommendation from the Transit Advisory Board:

BUS SHELTER
INSTALLATIONS

That \$55,000. be projected in this year's capital budget, to permit the installation of ten bus shelters, which are considered necessary for the City. At least one shelter per ward to be installed in 1987, and that the City continue to project similar amounts of money in ensuing years to construct similar shelters throughout the City.

MOTION: Moved by Ald. Sarto and MacFarlane that the above-stated recommendation from the Transit Advisory Board, on bus shelters, be adopted.

FERRY REPORT:
NOVEMBER/86

On motion of Ald. MacFarlane and Thompson, the Ferry operations report for November, 1986, was adopted, as recommended from the Transit Advisory Board.

MOTION: Moved by Ald. MacFarlane & Thompson that the Ferry operations report for November, 1986, be adopted.

COMMONWEALTH
GAMES 1994

On motion of Ald. Hetherington and MacFarlane, Council gave approval in principle to approach the City of Halifax to determine all the pertinent information relative to the proposed Halifax bid for the Commonwealth Games, 1994, in order for it to be decided whether or not it is appropriate for the City of Dartmouth to become involved. This recommendation has come to Council from the Tourist Commission.

The Mayor made a verbal report to Council on preliminary discussions he had some time ago with a member of Halifax City Council on this subject, but there has been no follow-up since.

MOTION: Moved by Ald. Hetherington & MacFarlane that a recommendation of the Tourist Commission, pertaining to the Commonwealth Games, as noted above be approved in principle.

Following a brief break in the meeting, the Mayor reminded members of Council of the 25th Anniversary Dinner on Jan. 23rd, and of the Snow Ball (Winter Carnival) scheduled for Feb. 7th.

RESEARCH PROPOSAL:
NEEDS OF THE ELDERLY

A second report has been submitted to Council on the research project on the elderly in Dartmouth, approved in principle in October of 1986. A steering committee has been proceeding with the proposal since that time, and the committee, along with the Dept. of Social Services, now recommends that Council approve

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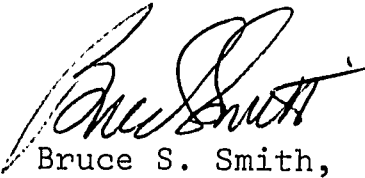
the proposal for research, and the funding for the first year at a maximum of 50% of the proposed costs.

Presentation of the report from the Steering Committee was made by Janice Keefe, Research Co-ordinator, Community Services Division, Social Services Dept. Mr. Cleary of the Social Services Dept. was also present for this item. Ald. Sarto made the introductory remarks on behalf of the Committee, after which Ms. Keefe gave a brief overview of the report that has been circulated.

Ald. Sarto and Thompson moved the adoption of the recommendation to Council. Before the vote was taken on the motion, the Mayor mentioned the fact that the expenditure for this project is shown as a line 3 item on the upcoming 1987 budget. This was for the information of Council only. The vote was taken on the motion and it carried.

MOTION: Moved by Ald. Sarto and Thompson that Council approve the recommendation of the Steering Committee for a research project on the elderly of Dartmouth

Meeting adjourned.


Bruce S. Smith,
City Clerk-Treasurer.

City Council, Jan. 20/87

ITEMS:

- 1) Presentation: John MacInnis, page 1.
- 2) Concept Plan: Aesthetic component, MicMac Rotary, pg.1.
- 3) Monthly reports, page 3.
- 4) Regional System: Police information delivery, page 3.
- 5) UNSM financial position, page 5.
- 6) Award tender: sediment removal, Little Albro Lake, pg.5.
- 7) Development Agreement request: 3 Bruce St., page 7.
- 8) Development Agreements, page 7 to 9 incl.
- 9) Bus Shelter Installations, page 9.
- 10) Ferry report: Nov/86, page 10.
- 11) Commonwealth Games 1994, page 10.
- 12) Research proposal: Needs of the elderly, page 10.

Dartmouth, N. S.

January 27/87.

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	Hawley
Pye	Woods
Bregante	Hetherington
City Solicitor, S. Hood	
City Administrator, C. A. Moir	
Deputy City Clerk, G. D. Brady	

The Mayor welcomed to the meeting, the Second Woodlawn Scout troop, with their leaders.

At the request of the Mayor, Council agreed to defer the Commonwealth Games presentation to a later point in the meeting.

RECOGNITION:
HERITAGE

ADVISORY COMMITTEE commented on the recent presentation made by the Heritage Advisory Committee to Council, and acknowledged the major contribution this group has made to the City through their continuing efforts. He suggested that perhaps adequate recognition was not given to the work of the Committee at the time of their presentation, and proceeded to move that an expression of thanks be extended to the Committee, on behalf of Council, for the outstanding contribution they have made to the community. The motion was seconded by Ald. Thompson and it carried. A letter will go from the Mayor's office, in accordance with the motion.

MOTION: Moved by Ald. Withers and Thompson that an expression of thanks be extended to the Heritage Advisory Committee, on behalf of Council, for the outstanding contribution they have made through their work, to the community.

APPOINTMENT
OF FIRE CHIEF

A report from Mr. Moir was circulated to members of Council on the appointment of a Fire Chief for the City, and the Mayor announced the recommendation that Gary Greene is being proposed for the position, effective as of March 1/87. Mr. Moir has further recommended that the salary for Fire Chief be established at Level XI, Step IV (\$50,289. per annum). The performance of Chief Greene will be appraised twice during a one-year probationary period.

Council approved the appointment of the new Fire Chief, as recommended, on motion of Ald. Sarto and Thompson.

MOTION: Moved by Ald. Sarto and Thompson that Council approve the recommended appointment of Gary Greene as the new Fire Chief for the City of Dartmouth, effective as of March 1/87, at the salary level recommended.

In the brief comments made by members of Council, it was noted that Mr. Greene was selected for the position of Fire Chief because he was considered to be the best candidate and not just because he is already serving in the Dartmouth Fire Dept. The Mayor extended congratulations to Chief Greene on his appointment, on Council's behalf.

ASSESSMENT
INFORMATION

Ald. Hetherington rose on a point of privilege to indicate to Council the concerns he has about assessment-related calls that members have been receiving since the assessment notices were received by Dartmouth residents. He first advised Council that Ald. McCluskey has been called away from this meeting due to a death in her family.

Ald. Hetherington said it should be made perfectly clear to residents that this is a Provincial assessment and assessment functions are not carried out by the City. He was also critical of the way that assessments are determined, based on an average figure rather than on actual inspections of the individual properties. He felt that public statements should be made to clarify the City's position with respect to the average percentage increase of 34%, and the Mayor noted that he has already issued press releases in an attempt to provide this information to the general public.

Ald. Levandier suggested that one way to clarify the points raised by Ald. Hetherington, would be to have representatives of the Assessment Dept. present for a Council meeting, to respond to the questions and concerns of Council and of any citizens who might want to attend for the purpose of asking questions. The Mayor agreed to take this suggestion up further with the Department, to see what arrangements can be made.

RENTAL INCREASE:
MACDONALD BRIDGE
WATERLINE

A report from Mr. Moir was considered on a requested increase in the rental charged to the City for the waterline installed on the Angus L. Macdonald Bridge; a 6% increase, to \$25,169. is being requested, effective Jan. 1/87. After due consideration of this requested increase, approval has been recommended by Mr. Moir for the reasons outlined in his report. The recommendation was adopted, on motion of Ald. Levandier and Sarto.

MOTION: Moved by Ald. Levandier and Sarto that Council adopt Mr. Moir's recommendation, to approve the 6% rental increase requested by the Halifax-Dartmouth Bridge Commission, for the City waterline installed on the Angus L. Macdonald Bridge, effective as of Jan. 1/87.

BY-LAW C-609:
AMENDMENT TO
PARKING BY-LAW

Proposed By-law C-609, which would amend the Parking Meter By-law (C-605) by adding a provision to prohibit the feeding of parking meters, has been prepared and was before Council for consideration.

It was moved by Ald. Levandier and Sarto and carried that leave be given to introduce the said By-law C-609 and that it now be read a first time.

It was moved by Ald. Sarto and Pye that By-law C-609 be read a second time.

Ald. Hetherington was opposed to the by-law and felt that it will only serve to penalize people who are in fact, obeying the law. Ald. Levandier and Thompson considered the by-law to be necessary in order to control the practice of meter feeding, which is adversely affecting the merchants in the downtown retail area. Ald. Connors said this by-law will not control parking problems in the downtown. He asked why the Finance & Program Review Committee are not looking at this particular problem in conjunction with the overall downtown parking issue. His opinion was that the by-law will have a detrimental impact on downtown retailers, instead of improving the situation for them. Ald. Billard noted that the problem is with employees in the downtown, who are using the meters for parking and thereby taking spaces that are required for shoppers.

Council agreed to hear from Mr. Horner of the Downtown Dartmouth Corp., who explained that the problem with meter feeding is caused by short-term, part-time employees, and said that having the by-law on the books will be an improvement over the present situation - that is, not having any by-law at all. He felt that without some means of control, the existing problems with meter feeding will never get any better.

Ald. Hetherington moved referral of the by-law to the Finance & Program Review Committee for consideration as part of the parking issue. The motion to refer was seconded by Ald. Connors, but it was defeated by a vote of 7 to 5. The motion for second reading carried with Ald. Connors, Woods, Hetherington, Withers and Bregante voting against.

Unanimous consent was not given by Council for third reading of the by-law.

MOTIONS: First & second reading given to By-law C-609, an amendment to the Parking Meter By-law.

BREAU PROPERTY:
LAKE MICMAC AREA
RESOLUTION 87-01

A report from the Solicitor was before Council on the Breau property being purchased by the City, as per Council's action at the Council meeting of June 17/86. In order to obtain a clear title to this land (for reasons explained in the report), it will be necessary to proceed with expropriation, and Resolution 87-01 has been prepared to accomplish this. Council approved the resolution, on motion of Ald. Withers and Hawley.

On motion of Ald. MacFarlane and Pye, Council also adopted the Solicitor's recommendation that the full purchase price for the property be paid to the owners of 8/10 of the interest of the property.

MOTIONS: Moved by Ald. Withers and Hawley that Council adopt Resolution 87-01, expropriating the Breau property, in the Lake MicMac area.

Moved by Ald. MacFarlane and Pye that Council adopt the recommendation of the Solicitor in conjunction with the same item, as noted above.

DEVELOPMENT
AGREEMENTS

At the Jan. 20th meeting, Council agreed to discuss Items 2 and 3 from a Planning Dept. report on the subject of Development Agreements, dated Jan. 9/87. Planning Dept. staff were available for discussion with Council at this time, as directed.

Ald. Sarto and Hetherington moved that the report from the Planning Dept. be received and filed. Ald. Levandier felt that instead, the report should go to the Solicitor's office for a report on the legal implications of what is being proposed in the way of development agreements. The Solicitor noted that she has worked with the Planning Dept. in preparing the documentation before Council and it has been evaluated from a legal point through that process.

Ald. Withers and Hawley felt that Council should hear staff at this time, as planned, but Ald. Hetherington preferred to refer the report to the M.P.S. Review Committee, in addition to having it received and filed. Ald. Hawley said that members should have been ready with their questions for this particular meeting, after having decided on Jan. 20th to have the Planning staff in attendance to respond to questions. Further discussion followed as to how the report should be handled from this point, in view of the motion to receive and file that has been introduced. Ald. Sarto said he would be willing to withdraw the motion on the floor, but Ald. Hetherington, as the seconder, was not willing to do this. Ald. Withers suggested that a written report from staff would be helpful to Council, and he moved deferral of the item until Feb. 17th, to give staff time to prepare a written report; also, to receive an evaluation of the Development Agreement report from the M.P.S. Review Committee, which will be meeting in the meantime. The motion to defer was seconded by Ald. Hawley and it carried. Ald. Levandier requested a report from the Legal Dept. as well. The Mayor asked that members of Council come to the Feb. 17th meeting prepared with their questions.

MOTION: Moved by Ald. Withers and Hawley that the Development Agreement report be deferred to the Feb. 17th Council meeting, for a written staff report, and to give the M.P.S. Review Committee, time for an evaluation of the main report, this information also to be made available in time for Council's consideration.

APPLICATION:
AMEND LAND USE
BY-LAW - PARK AREA
HIGHFIELD PARK

A Planning Dept. report has been submitted to Council on an application to amend the Land Use By-law, with respect to certain parcels of land within Phase II of the Highfield Park development. The recommendation is that staff be instructed to proceed with a neighbourhood information meeting in this connection.

CONFLICT OF
INTEREST

Ald. Connors declared a conflict of interest in connection with this item, due to the fact that one of the partners in his law firm represents the developer involved in the application.

The recommendation to proceed with a neighbourhood information meeting was adopted, on motion of Ald. Pye and MacFarlane. The date on which the meeting will be held is Feb. 11th.

MOTION: Moved by Ald. Pye and MacFarlane that Planning Dept. staff proceed with a neighbourhood information meeting, in connection with an application to amend the Land Use By-law (park area, Highfield Park, Phase II). Meeting date: Feb. 11th.

APPLICATION:
AMEND LAND USE
BY-LAW - FORMER
SCHOOL SITE
FOREST HILLS

A Planning Dept. report was before Council on an application to amend the Land Use By-law with respect to the former school site, Phases 5 and 6 of the Forest Hills development that falls within City boundaries. It is recommended to Council that staff be instructed to hold a neighbourhood information meeting in connection with this application, and the recommendation was adopted, on motion of Ald. MacFarlane and Sarto. Ald. Sarto requested that staff avoid a Monday night for the meeting.

MOTION: Moved by Ald. MacFarlane and Sarto that Planning Dept. staff proceed with a neighbourhood information meeting in connection with an application to amend the Land Use By-law (former school site, Phases 5 & 6, Forest Hills development).

ADVERTISING
PROCEDURES:
AMENDMENTS TO
LAND USE BY-LAWS

In response to concerns expressed at Council about the adequacy of advertising procedures associated

with public hearings for applications to amend the Land Use By-law, the Planning Director has proposed other additional means of advertising, over and above what is normally followed, and these details have been outlined in a report to Council, dated Jan. 19/87.

The report was received and adopted, on motion of Ald. Sarto and MacFarlane.

MOTION: Moved by Ald. Sarto and MacFarlane that the Planning Director's report on advertising procedures for public hearings, dated Jan. 19/87, be received and adopted.

APPLICATION:
AMEND LAND USE
BY-LAW
YORKSHIRE AVE.
EXTENSION

Council considered a Planning Dept. report on an application to amend the Land Use By-law, received from Mount Royal Developments Ltd., for a site located on Yorkshire Ave. Extension. The recommendation is that staff not proceed to the neighbourhood information stage of the application, but Ald. Connors and MacFarlane moved that staff be instructed to proceed with the meeting. Ald. Connors felt the developer should at least have the opportunity to go that far in the application process, and there were other members who shared that same opinion. Ald. Hetherington, Pye and Woods did not support the motion and did not consider the development proposed to be in the best interests of the existing community in the area. Therefore, they did not feel the application should go any farther.

When the vote was taken on the motion, it carried by a vote of 7 to 5.

MOTION: Moved by Ald. Connors & MacFarlane that Planning Dept. staff proceed with a neighbourhood information meeting in connection with an application to amend the Land Use By-law, for a site on Yorkshire Ave. Extension.

TAX EXEMPTION:
FARRELL BENEVOLENT
SOCIETY

In a report to Council on the tax exemption status of the Farrell Benevolent Society, the Finance & Program Review Committee has recommended that the City's tax exemption continue to be granted to the Society, pending the outcome of an appeal to the Federal Court of Appeal, in connection with a recent revocation of their charitable status as an organization. The recommendation

of the Committee is subject to the following conditions:

- 1) any tax exemption provided to the organization must comply with the relevant provisions of the Assessment Act.
- 2) the organization is to provide to the City, every three months, a report with regard to the status of their appeal.

The recommendation of the Committee was adopted, on motion of Ald. Pye and Hawley.

MOTION: Moved by Ald. Pye and Hawley that a recommendation of the Finance & Program Review Committee, on the tax exemption granted the Farrell Benevolent Society, be adopted, as detailed above and on page 7 of the minutes.

VIDEO RETAIL
APPLICATION:
ZELLERS INC.
DARTMOUTH
SHOPPING CENTRE

On motion of Ald. Hetherington and Sarto, Council indicated no objection to a video retail application for Zellers Inc., Dartmouth Shopping Centre, Wyse Road.

MOTION: Moved by Ald. Hetherington & Sarto that Council indicate no objection to a video retail application for Zellers Inc., Dartmouth Shopping Centre, Wyse Rd.

PRESENTATION;
COMMONWEALTH
GAMES BID

Mr. Peter Green and Mr. Dick Loiselle were present for the Commonwealth Games item, deferred from the first of the meeting.

Mr. Green was asked by the Mayor to proceed with his presentation, explaining the background to the 1994 Commonwealth Games bid, being put together by an organizing committee for the City of Halifax. The Province is willing to support the preparation and presentation of the bid financially, and the City of Halifax is being asked to contribute \$30,000., plus funding that is expected from the private sector. The bids from Canadian cities close by May 20th of this year, and a decision on these is expected by November. The Canadian city chosen will then enter the Commonwealth competition, and a decision on the site for the Games will be made during the year 1988.

The Commonwealth Games attract 2,500 to 3,000 athletes to participate in 12 areas of athletics, plus approx. 700 to 800 officials and all the spectators and visitors who attend. It is projected that about 3,000 person years of employment would be created by the Games. The total cost of hosting the Games is projected at ninety

million dollars, fifty million of which would be provided by the Federal Government. Mr. Green commented on some of the facilities that would be required in order to be able to host the games, including a stadium, an aquatic facility, a velodrome, and a shooting range. Some of these facilities would have to be constructed, some would involve an upgrading of existing facilities already available.

Mr. Green said he and his committee are encouraged by the response they are receiving to the idea of making a bid for the Games, and he later indicated to Council that Atlantic Canada should stand a good chance of securing the Canadian bid, in view of the fact that all such major games (Commonwealth, Olympics, Pan American) were held in locations west of the Quebec border in the past and never in this part of the country.

Members of Council had the opportunity to ask any questions they wished of Mr. Green, and these mainly pertained to areas of involvement for Dartmouth if we were to participate in the bid process, possible facilities we might hope to see in Dartmouth if the bid were successful, and the metropolitan nature of the bid (ie. as opposed to it being strictly a City of Halifax bid). Mr. Green said there is no question that facilities in Dartmouth would be used, but any decisions on facility locations would still have to be determined by the local committee assigned this area of responsibility. He referred specifically to the Sportsplex and to the paddling course on Lake Banook, as two Dartmouth sites that would be of particular interest.

Ald. Billard and Connors were enthusiastic about the idea of the bid for the Games and having Dartmouth involved in it. Ald. Connors moved that the City of Dartmouth support the presentation of a bid for the Halifax/ Dartmouth area to host the Commonwealth Games, and that we show our support to the City of Halifax by offering up to \$15,000. toward the cost of that bid. The motion was seconded by Ald. Billard.

Ald. Sarto inquired about representation on the organizing committee and Mr. Green indicated that the committee can include Dartmouth representation. The Mayor noted that he has already had interest expressed to him on the part of volunteers willing to serve. Mr. Green later provided the names of people already serving in various capacities on the organizing committee; they are:

Mr. Ray Bush, Treasurer
Rod MacLeod
Wes Campbell
John Graham
Gordon Lummis
Dick Loiselle
Ms. Elizabeth Chard

With the exception of Ald. Hetherington, other members of Council supported the motion. Ald. Hetherington did not feel that any expenditure of funds should be approved at this time, when the matter was only approved in principle by Council last week. When the vote was taken, the motion carried with Ald. Hetherington voting against. Ald. Levandier had left the meeting before the motion was debated.

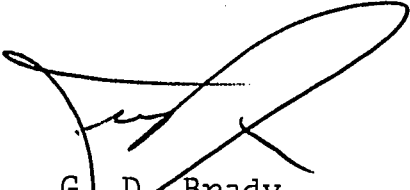
MOTION: Moved by Ald. Connors and Billard that the City of Dartmouth support the presentation of a bid for the Halifax/Dartmouth area to host the Commonwealth Games, and that we show our support to the City of Halifax by offering up to \$15,000. toward the cost of that bid.

Ald. Billard was nominated by Council to work with the Mayor in choosing representation to serve on the organizing committee for Dartmouth.

On motion of Ald. Hetherington and Thompson, Council adjourned to meet in camera to deal with one additional item of business.

After reconvening in open meeting, the action taken in camera was ratified, on motion of Ald. Hetherington and Withers.

Meeting adjourned.



G. D. Brady,
Deputy City Clerk.

City Council, Jan. 27/87

ITEMS:

- 1) Recognition: Heritage Advisory Committee, page 1.
- 2) Appointment of Fire Chief, page 1.
- 3) Assessment information, page 2.
- 4) Rental increase: Macdonald Bridge waterline, page 3.
- 5) By-law C-609: Amendment to Parking Meter By-law, page 3.
- 6) Breau property: Lake MicMac area, page 4.
Resolution 87-01, page 4.
- 7) Development Agreements, page 5.
- 8) Application: Amend Land Use By-law, Highfield Park, pg. 6.
- 9) " " " " " , Forest Hills, page 6.
- 10) Advertising procedures: Land use By-law amendments, pg. 6.
- 11) Application: Amend Land Use By-law, Yorkshire Ave. Ext.,
page 7.
- 12) Tax exemption: Farrell Benevolent Society, page 7.
- 13) Video retail application: Zellers Inc., Wyse Rd., page 8.
- 14) Presentation: Commonwealth Games bid, page 8 to 10 incl.