

Dartmouth, N. S.

December 1/87.

Regularly called meeting of City Council  
held this date at 7:45 p.m.

Present - Mayor Savage

Ald. Billard	MacFarlane
Connors	Levandier
Withers	McCluskey
Pye	Woods
Hawley	Greenough
Bregante	Hetherington
Thompson	Regrets: Ald. Sarto
City Solicitor, M. Moreash	
City Administrator, J. Burke	
City Clerk-Treasurer, Bruce S. Smith.	

Mayor Savage welcomed to the meeting the  
Second Cole Harbour A Troop of the Boy Scouts, and  
their leaders.

Ald. Withers presented a small clay replica  
of a house that he received on the City's behalf at  
the recently-held conference of Nova Scotia Family &  
Child Welfare Assn., in recognition of housing initiatives  
undertaken by the City of Dartmouth.

A Share the Flame plaque received by the City  
was passed around the Chamber so that members of Council  
could look at it.

Ald. Billard advised Council of a craft fair,  
featuring items from third world countries, to be held  
at the Cornerstone Community Church on Dec. 4th and 5th.  
He commended this fair to members of Council and suggested  
they try to attend.

Ald. Hetherington presented a recommendation  
from the Board of Health, that the City provide a  
smoke free environment for its workers effective as  
of Jan. 1/88. He moved the adoption of the recommend-  
ation, seconded by Ald. Woods, and urged Council's  
support for it.

Ald. Woods had a number of questions about  
drug addiction services that are available for any  
staff members who may require them; also, about measures  
that will be taken to enforce the smoke free regulations.  
Mr. Burke gave assurance that staff will be treated in  
a 'dignified manner', and he provided information on

SMOKE FREE  
ENVIRONMENT

education and assistance being given in both the areas of addiction and in helping employees to stop smoking.

At the invitation of the Mayor, Mr. Stockton addressed Council briefly on the willingness of union members to participate in the smoke free environment program and the initiatives that staff themselves took to bring about the program. Members of the union which represents outside workers are being urged to go along with the Jan. 1st date recommended, and Mr. Stockton expressed the hope that the process will tend toward the encouragement of workers without being unduly aggressive and restrictive. The Mayor acknowledged the cooperation of the unions and various committees involved in bringing about the smoke free environment program.

With the exception of Ald. Levandier, members of Council spoke in favour of the recommendation and of introducing the program. Ald. Levandier considered it to be an infringement on the rights and freedoms of employees, and did not favour this kind of intervention at any level of government.

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

MOTION: Moved by Ald. Hetherington & Woods that Council adopt the recommendation of the Board of Health on a smoke free environment for City workers effective as of Jan. 1/88.

SMOKE FREE  
ENVIRONMENT  
POLICY

Mr. Burke's report on the subject of the previous item was before Council as well, accompanied by a draft policy for adoption.

He has recommended to Council that a Smoke-Free Environment Policy, on a full City-wide basis, be implemented effective Jan. 1/88, and that Council approve the Policy proposed and declare its implementation effective as of January 1, 1988.

Council adopted Mr. Burke's recommendations, on motion of Ald. Greenough and Bregante (Ald. Levandier voting against).

MOTION: Moved by Ald. Greenough & Bregante that Mr. Burke's recommendations on the implementation of a Smoke-Free Environment Policy, as noted on page 2 of these minutes, be adopted.

PARKING RATES:  
CITY PARKING LOTS

Mr. Burke has submitted a report to Council on proposed parking rates for 1988, applicable to City parking lots, recommending that they be set as follows:

Alderney Lot	\$50. per month
Park Ave. Lot	40. per month
Woodside Lot	25. per month

Ald. Hetherington and Withers moved that the above rate schedule be approved, as recommended.

Ald. Connors did not agree with the rates proposed, on the basis that they are still not in line with the rates charged for parking in privately-owned parking lots in the downtown. He took the position that the City should not be charging less than private operators.

Ald. McCluskey's concern was about the \$4. charge paid by City employees for parking in the Alderney Lot, although she acknowledged that it is justified in the case of employees who have to use their cars in their jobs. There are 150 parking spots involved of the 600 in that particular lot.

Mr. Burke said he would be willing to prepare a report for Council on this aspect of the parking issue, including the matter of collective agreements and what conditions, if any, apply to parking arrangements for staff, both those who have to use their cars and those who do not. Ald. McCluskey said it might be a good idea to find staff a less-expensive parking lot for their use, then we could rent out all the spaces in the Alderney lot at the regular rate.

Ald. Hetherington and Greenough preferred to continue phasing in the rate increases instead of making one major increase at this time. Ald. Withers pointed out that it is important to encourage the use of the ferry service and we should be trying to do it by offering parking rates that are attractive to commuters. The other point made by several members

was that the land occupied by the Alderney lot is too valuable for parking purposes, and the City should be concentrating instead on its development.

Ald. Greenough and Thompson moved in amendment that the parking rate for the Park Ave. Lot be increased to \$45. from the \$40. figure recommended. The amendment was defeated.

The main motion was defeated by a vote of 7 to 6.

Ald. Connors and Billard then moved that parking rates be set at:

\$55. per month for the Alderney Lot  
55. per month for the Park Ave. Lot  
25. for the Woodside Lot

This motion carried by a vote of 8 to 5.

Mr. Burke's report on the question of employee parking rates and the possibility of another lot for employees' use, will come to Council at a later date.

MOTION: Moved by Ald. Connors and Billard that parking rates for City parking lots, for 1988, be set at:  
\$55. per month for the Alderney Lot  
55. per month for the Park Ave. Lot  
25. per month for the Woodside Lot

1987 DEBT ISSUE

A report from Mr. Burke was considered on the funding of capital projects totalling eight million dollars; associated documentation required to accomplish the funding arrangements has been circulated with the report.

Mr. Burke has recommended:

- 1) approval of Issuing Resolution 87-A-1.
- 2) approval of the proposed agreement between the City and the N. S. Municipal Finance Corp.
- 3) approval for the Mayor and the City Clerk to execute the related documents referred to in the Dept. of Municipal Affairs letter dated Nov. 18/87.

Ald. Greenough and Thompson moved the adoption of the above-noted recommendations.

Ald. Billard felt that Council should receive additional information on individual items listed for funding, and he was not prepared to support the motion without this information. Ald. Connors' question was about the funding of Water Utility items; Mr. Burke responded with information on funding arrangements

previously and in the future.

The motion carried with Ald. Billard voting against.

MOTION: Moved by Ald. Greenough & Thompson that Council adopt the three recommendations from Mr. Burke on debt funding arrangements for capital projects totalling eight million dollars; the three recommendations are contained on page 4 of these minutes.

HALIFAX FERRY  
TERMINAL  
MODIFICATIONS

The Transit Advisory Board has reviewed three schemes for modifications to the Halifax Ferry Terminal, to resolve congestion problems that have arisen since the inception of the new Woodside Ferry service.

The Board has recommended implementation of Scheme C to Council for immediate installation, on the understanding that the renovations will be done at the complete expense of the Dept. of Development.

Plans for the modifications were available for viewing by members of Council and a recess was called by the Mayor to facilitate this. Council then reconvened and proceeded to approve the recommendation of the Transit Advisory Board, on motion of Ald. Greenough and Hetherington.

MOTION: Moved by Ald. Greenough & Hetherington that Council approve the recommendation of the Transit Advisory Board in favour of implementing Scheme C for renovation to the Halifax Ferry Terminal, on the understanding that the renovations will be done at the complete expense of the Dept. of Development.

SELECTION OF  
CONSULTANTS:  
WYSE ROAD PLANNING  
& DEVELOPMENT STUDY

Mr. Lukan has reported to Council on the selection of consultants to carry out the Wyse Road Planning & Development Study, associated with the Wyse Road Mainstreet Program.

The recommendation to Council is that the Sperry/MacLennan firm be approved to undertake the study, at a cost of \$18,000., and that they be instructed to begin the study immediately. Mr. Burke has concurred in this recommendation.

Council adopted the recommendation, on motion of Ald. Withers and Bregante.

MOTION: Moved by Ald. Withers and Bregante that Council adopt the recommendation on the selection of the Sperry/MacLennan firm to carry out the Wyse Road Planning & Development Study, at a cost of \$18,000. They will be instructed to begin the study immediately.

On motion of Ald. Hetherington and Bregante, Council ratified the action taken in camera on this date, just prior to the regular Council meeting.

1988 CAPITAL  
BUDGET

Having completed the items on the agenda for this meeting, Council resumed the capital budget discussions, from the point where they were adjourned at the November 24th meeting.

STREETS

At the point of adjournment on that date, a motion was on the floor to accept the capital budget, and an amendment had been introduced to accept the estimates on pages 3-14 and 3-15, while leaving details to be communicated by members to the Engineering Dept.

Ald. Levandier and Connors indicated their wish to withdraw that amendment, and the motion to accept the capital budget therefore remained as the only motion still outstanding from the Nov. 24th meeting. From this point onward, amendments to that main motion were introduced.

Ald. Levandier referred to a suggestion made by the Mayor that in anticipation of an additional one million dollars the City is likely to receive from the Province, members could indicate items for inclusion in a 'wish' list, to be assessed and prioritized at the end of the budget discussions. He felt this would be a good way to proceed and would give members some means of attempting to have additional projects approved for their wards, over and above those proposed for funding now. Ald. Hetherington noted that there will be some problem in the case of projects not yet costed by the Engineering Dept., and he suggested sending the list to staff first, so they can provide some accurate figures on which to base decisions.

Ald. Connors asked about the procedure for dealing with projects to be designated for the years

1989 and 1990. The general opinion was that the main area of concentration at this point should be on the 1988 projects, and those to be allocated for subsequent years can be decided later. Council agreed to proceed on this basis, recognizing that the main aim in bringing the capital budget forward early was to get on with 1988 projects and the awarding of tenders for them.

Items placed on the 1988 'wish' list were as follows:

- 1) Courtney Road (reconstruction & sidewalk) \$171,000.
- 2) footpath between Joffre St. & Lorne Ave. \$32,000.
- 3) Sidewalk, Gaston Rad. to Chestnut Lane \$55,200.
- 4) Sidewalk, Summit Street to Erskine \$131,700.
- 5) street reconstruction, James St. & MacKay St.: request that they be moved up to 1988 from 1989.
- 6) Sidewalk, Brookdale Court: from YM/YWCA to MicMac Blvd. \$59,500.
- 7) Sidewalk, Civic #106 to 112 Crichton Ave. \$14,400.
- 8) overlay paving, Limardo Dr. \$60,000.
- 9) street construction, Frances St: Graham to Murray St. \$124,300.
- 10) inclusion of Gibson Road in Streets Local locations.
- 11) Sidewalk, Pinecrest Dr (Crystal to Primrose) \$37,600.
- 12) Sidewalk, Primrose St. (Crystal Dr. tp Pinecrest) \$61,000.
- 13) Graham Street to Murray St. (sidewalk ??)
- 14) Sidewalk, Christopher Ave. \$50,700.
- 15) " Tobin Dr. \$23,100.
- 16) Sidewalk, John Cross Dr. \$71,800.
- 17) Sidewalk, Valleyfield & Kelly Dr. \$295,800.
- 18) Sidewalk, Lakecrest Dr. \$135,300.

Items deleted from Streets: Local, for a total saving of \$11,200., were:

- 1) Rosehedge Lane
- 2) Silvers Road
- 3) Woodside Ave.
- 4) Michael Lane

The Mayor accepted a motion to approve Section 3 of the capital budget, moved by Ald. Hetherington and Greenough. The motion would not be in conflict with the main motion of Nov. 24th to accept the capital budget.

The motion to approve Section 3 carried.

TRAFFIC IMPROVEMENTS  
& SIGNALS

Council proceeded to Section 4 of the capital budget, which covers Traffic Improvements, Signals & Crosswalk Lights, pages 4-1 to 4-9 incl.

Ald. Connors asked about the installation of WALK signal heads in the traffic signals at Ochterloney Street and Alderney Drive. Mr. Bayer advised that this project is underway.

A similar WALK signal was requested by Ald. Connors for the lights at Maple and Ochterloney Streets, estimated to cost \$3,000. This item was the subject of a motion recently introduced by Ald. Connors at Council. Ald. Connors and Billard moved in amendment that Section 4 include provision for the \$3,000. cost of a WALK signal at the Maple/Ochterloney Street intersection. This amendment carried.

Ald. Greenough suggested that it may be possible to find this \$3,000. amount in the budget already, especially with the \$11,200. saving for Streets, Local.

AMENDMENT: Moved by Ald. Connors & Billard in amendment that Section 4 include provision for the \$3,000 cost of a WALK signal at the Maple/Ochterloney Street intersection.

The Mayor accepted a motion to approve Section 4 of the capital budget, moved by Ald. Greenough and Hetherington. The motion is not in conflict with the main motion of Nov. 24th to accept the capital budget.

The motion to approve Section 4 carried.

SANITARY SEWERS

Section 5 of the capital budget covers the estimates for Sanitary Sewers, page 5-1 to 5-4 incl. Ald. Hetherington said that the projection for the north Dartmouth trunk sewer, for 1989, should be deleted altogether, based on the policy decision of Council not to proceed with major trunk sewer extensions unless an interested developer is willing to bear the cost, as in the case of the south Dartmouth extension. Mr. Purdy noted that the blue pages at the front of the budget document show a projection (from 1984) for



the north Dartmouth trunk sewer to be piped under Highway 111 while the MicMac Rotary project is in progress, this item having been brought to Council for discussion previously.

Ald. Levandier had a question about the Old Ferry Road project (page 5-3) and the outfall to the harbour, in light of sewage treatment plans that are proposed. Mr. Purdy acknowledged that there would be an overflow into the harbour from this combined sanitary and storm sewer, in time of heavy run-off conditions from a storm. The Mayor agreed that he and Ald. Woods will have to take this matter up further with MAPC.

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The Mayor accepted a motion to approve Section 5 of the capital budget, moved by Ald. Hetherington and Thompson. The motion is not in conflict with the main motion of Nov. 24th to accept the capital budget.

DRAINAGE

Section 6 of the capital budget contains estimates for Drainage.

Items placed on the 1988 'wish' list were as follows:

- 1) Drainage brook from Ronald Court \$81,000.
- 2) Drainage, Cranberry Lake \$525,000.
- 3) Drainage brook from Victoria Rd. 194,500.

Ald. McCluskey and Withers attempted to have the item listed above as #3 moved up above the line, to be done in 1988, but their amendment on this item was defeated.

Ald. MacFarlane and Connors also introduced a motion of deferral, to deal with Section 6 at the end of the budget, but this motion was also defeated.

Ald. Connors said he was having great difficulty with the process being followed in dealing with the capital budget. His idea was to go through the entire document, hearing from both staff the members of Council, without any decisions being made. Then a prioritized listing of projects would be compiled, based on the combined input of staff and Council members, after which the capital budget would be determined.

He referred to the one Drainage item above the line for funding (Drainage: Unspecified Locations) as an example of items on which Council is being asked to make decisions without information on other projects of equal merit that members do not have information on at present. Other members supported the selection of the Drainage: Unspecified Locations item for funding, pointing out that such funds are often required during the year for unforeseen drainage projects. Otherwise, over-expenditures would be required every time the Engineering Dept. was asked to correct a drainage problem.

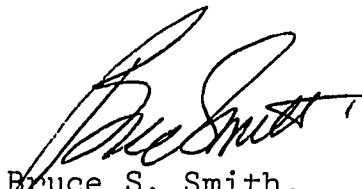
Ald. Billard also favoured what he called a more sensible approach to the budget, but Ald. Greenough felt the budget review has been proceeding as it did in past years and Council should not go back to square one at this point to begin again.

Ald. Hawley was concerned that members have been making irrational requests for capital items they know the City cannot possibly afford, all in one year. He said we may get another million dollars from the Province, but already the additional projects on the 'wish' list far exceed that amount.

The Mayor accepted a motion to approve Section 6 of the capital budget, moved by Ald. Hetherington and Greenough. The motion is not in conflict with the main motion of Nov. 24th to accept the capital budget.

The Mayor advised Council that capital budget discussions will resume on December 15th, since a public hearing is set for the Dec. 8th meeting and there are other items of business that require attention in that agenda also.

Meeting adjourned.

  
Bruce S. Smith,  
City Clerk-Treasurer.

City Council, Dec. 1/87

ITEMS:

- 1) Smoke Free Environment, page 1.
  - 2) Smoke Free Environment Policy, page 2.
  - 3) Parking rates: City parking lots, page 3.
  - 4) 1987 Debt Issue, page 4.
  - 5) Halifax Ferry Terminal modifications, page 5.
  - 6) Selection of consultants: Wyse Road Planning &  
Development Study, page 5.
  - 7) 1988 Capital Budget, page 6 to 10 incl.  
Streets, page 6 & 7.  
Traffic Improvements & Signals, page 8.  
Sanitary Sewers, page 8.  
Drainage, page 9 & 10.
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Dartmouth, N. S.

December 8/87.

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
Hetherington	
City Solicitor, S. Hood	
City Administrator, J. Burke	
Deputy City Clerk, G. D. Brady	

The Mayor welcomed to the meeting, students visiting from the Jack James Vocational School in Calgary. In January, students from the Dartmouth School will make an exchange visit to Calgary.

The Mayor brought to the attention of Council, a small chair bearing a plaque, presented to the City by Lake City Industries, in recognition of the assistance given to this company with the mortgage on their building, by the City, at a point in their operation where they required help to enable them to purchase the building.

Ald. Billard was asked to come forward and receive from the Mayor, a Red Cross certificate, given in recognition of fifty blood donations he has made over the years.

Rising on a point of privilege, Ald. McCluskey asked if any reply has been received from the MicMac Aquatic Club, with regard to a change in their by-laws. The Mayor replied that certain changes will be brought forward for consideration at a Club meeting in January. Ald. McCluskey expressed the hope that the by-law changes will be in place before the City gives approval to grant requests for 1988.

Ald. Billard raised a point of concern about the unsafe conditions that continue to exist for school children who have to travel via Main Street to get to and from Admiral Westphal School. He said there has been no provision made for pedestrian traffic on this route, and the situation will become much worse with

snow on the ground.

Ald. Billard asked to have this matter brought to the Transportation Dept. again and to the attention of our own Engineering Dept. The Mayor agreed to have the matter looked into immediately.

PUBLIC HEARING:  
M.P.S. AMENDMENT  
COMMERCIAL ABUTTING  
RESIDENTIAL &  
EXPANSION OF NON-  
CONFORMING COMMERCIAL  
USES

This date was set by Council for public hearing of an M.P.S. amendment with respect to the two remaining categories for Development Agreements not considered previously, that is, (1) commercial expansion abutting residential areas, and (2) expansion of non-conforming commercial uses in residential areas.

The two other categories originally proposed, under-sized lots and day nurseries, have already been dealt with and approved.

The amendment now before Council would provide for consideration of Development Agreements for commercial expansion into residential areas throughout the City and the Downtown, and secondly, the expansion of non-conforming commercial uses on lots in residential areas, but expansion only on the same lot in order that the non-conforming use is able to be contained.

All members of Council were present for the public hearing, with the exception of Ald. Bregante.

The Mayor advised Council that it will be in order for both categories to be considered at the same time, since they are both included in proposed By-law C-639.

The Planning Dept. presentation was made by Ms. Patricia Richards, following which the Mayor opened the public hearing and called three times for speakers in favour. No speakers were heard in favour, and he then called for anyone wanting to speak against the proposed amendment.

The first speaker was Mr. Chris Reddy of 6 Cameron Street. His particular concern was about the expansion of a non-conforming commercial use, with particular reference to an existing corner store

in the part of the City where he lives. He considered the amendment to be too broad in its scope, and did not feel that the conditions intended to protect the interests of area residents, will be adequate to do that. He felt there are problems already with non-conforming use properties, and advised Council that the residents he has met with to discuss this and other issues, are opposed to the amendment.

The second speaker heard by Council was Mr. Gary Fraser, a Crichton Ave. resident, who questioned the amendment and the reason for recommending it. One of his concerns was about the adequacy of parking in cases where the expansion of non-conforming buildings is being considered. Ms. Richards responded to the questions from Mr. Fraser about (a) height restrictions, if any, and (b) the reason for presenting such an amendment in the first place.

After the Mayor had called two more times for any speakers opposed and there were none, he declared the public hearing to be over, on motion of Ald. Hetherington and Levandier.

BY-LAW C-639

Proposed By-law C-639 was then presented for Council's consideration. This by-law would amend the M.P.S. By-law by the addition of the two categories for Development Agreements that have been noted.

It was moved by Ald. Sarto and Thompson and carried that leave be given to introduce the said By-law C-639 and that it now be read a first time.

It was moved by Ald. Withers and Greenough that By-law C-639 be read a second time.

Specific points at issue in the debate which followed were:

- 1) the proximity of commercial buildings in relation to residential buildings, in the case of category 1 (commercial expansion abutting residential areas), and buffering requirements, their adequacy, etc.
- 2) the reference in the by-law to areas abutting each other rather than use of the word 'properties'.

- 3) the right of appeal to the Municipal Board which could then overturn a decision of Council on any particular development agreement application, as has occurred with rezoning requests in the past.
- 4) the lack of specifics where the criteria applicable in category 1 are concerned. It was felt that specific requirements for criteria such as traffic generation, noise, lighting, parking and so on, should be spelled out in the by-law. Mr. Lukan pointed out that these would vary from application to application, but the general feeling was that they have to be more specific before Council would agree to the by-law.

Several members who opposed the motion took the position that the integrity of residential zones must be maintained, and that it is not desirable to encourage or permit commercial pressures on residential zones. They favoured a centralization of commercial development and therefore were not willing to support any mechanism that makes it easier to decentralize commercial businesses.

Another strong point of opposition was the expansion of what is already a non-conforming property use. Since these uses are not considered to be desirable in the first place, members speaking against did not want to see them expanded and established more firmly than ever where they exist. As the debate went on, there was some indication that some members of Council opposed to the non-conforming use category, would be willing to support the first category (commercial expansion abutting residential areas) if it were to be presented alone. In general, Council did not agree to the expansion of non-conforming use buildings, even on their own properties.

Ald. Thompson and McCluskey referred to instances where the original non-conforming use authorized for a particular property has been expanded to include several different types of business, over and above what was originally intended.

Ald. Greenough and Withers felt that development agreements have merit in certain situations, and fill the need left when contract zoning was no longer

provided for in the new Planning Act.

Ald. Withers referred to an instance where a development agreement would have resolved a problem on Windmill Road, involving the property next to a car dealership, by providing a mechanism whereby the controls sought by area residents could have been put in place and enforced.

Having been advised by the Solicitor that it would be possible to deal with the two categories separately, members were willing to do this in order to at least proceed with the category applicable to commercial expansion abutting residential properties. Ald. McCluskey and Greenough moved in amendment that Section 4 of By-law C-639 be deleted.

Ald. Woods did not consider the criteria in Section 3 to be satisfactory in their present form, and he moved deferral of the by-law until staff have had time to adequately expand on the criteria for approval of development agreements in the first category. The motion was seconded by Ald. McCluskey and it carried. It was requested that the point raised by Ald. Connors about the use of the word 'areas' instead of 'properties' also be addressed.

MOTION: Moved by Ald. Woods & McCluskey that By-law C-639 be deferred until staff have had time to adequately expand on the criteria for approval of development agreements in the category of commercial expansion abutting residential properties.

By-law C-639 was therefore deferred in second reading, without the vote having been taken on an amendment to delete Section 4 of the by-law.

PUBLIC HEARING:  
LAND USE BY-LAW  
AMENDMENT  
COMMERCIAL ABUTTING  
RESIDENTIAL &  
EXPANSION OF NON-  
CONFORMING COMMERCIAL  
USES

This meeting of Council also constituted the public hearing for a proposed amendment to the Land Use By-law with respect to the categories for Development Agreement applications, stated in connection with the previous M.P.S. hearing, namely, (1) commercial expansion abutting residential areas, and (2) expansion of non-conforming commercial uses in residential areas.

All members of Council were present for this



second public hearing, with the exception of Ald. Bregante.

The Mayor opened the public hearing and called three times for speakers in favour of the Land Use By-law Amendment. There being no speakers in favour. the Mayor called for any speakers opposed to the amendment.

Mr. Gary Fraser asked if there would be another information meeting for residents, but it was pointed out that the entire public hearing process will not be started again, since the motion Council has adopted in only one of deferral, in the case of the M.P.S. amendment (By-law C-639).

Since it appeared that citizens may not have had all the opportunity they would want to address Council in connection with this second amendment, to the Land Use By-law, it was decided to adjourn the public hearing at this point to January 19/88 at the hour of 7:30 p.m.

A motion to adjourn the public hearing to the specific date noted above, was moved by Ald. Sarto, seconded by Ald. Billard. The motion carried.

MOTION: Moved by Ald. Sarto & Billard that the public hearing for a proposed amendment to the Land Use By-law with respect to the two categories for Development Agreements noted on page 5 of these minutes, be adjourned to January 19/88 at the hour of 7:30 p.m.

MINUTES

On motion of Ald. Greenough and Sarto, Council approved the minutes of meetings held on November 10th, 17th, 24th and Dec. 1st.

Ald. Hetherington requested a correction to page 8 of the Dec. 1st minutes, where he said the direction should have been to delete the projection for the north Dartmouth trunk sewer for 1989 (\$2,431,000.) altogether, and not just that it had been suggested, as the minutes reflect. With this amendment, the minutes were adopted.

NUISANCE COMPLAINT:  
RICHARD PROULX

A complaint has been filed under the Nuisance By-law by Mr. Richard Proulx of 7 Cranbrook Street, against Mr. Walter Palthorpe of 11 Cranbrook Street, and the matter was before Council at this meeting.

The Mayor advised that he has offered to mediate in this situation, but his offer has been refused. Ald. Levandier suggested that this is really a civil litigation matter and he was not in favour of a hearing before Council under the provisions of the Nuisance By-law. Other members also expressed a reluctance to proceed to a hearing, but Ald. Hawley supported the right of the petitioner to a hearing.

On motion of Ald. Greenough and Pye, Council set Feb. 23rd, 1988, as the date for the hearing. In the meantime, the Mayor was requested to make a second offer to mediate the dispute before it comes to the stage of a hearing.

MOTION: Moved by Ald. Greenough & Pye that Feb. 23/88 be set as the date for hearing of a complaint from Mr. Richard Proulx, under the provisions of the Nuisance By-law.

MONTHLY REPORTS

The regular monthly reports were approved by Council as follows:

- 1) Social Services (Nov.): approved on motion of Ald. Hetherington and Pye.

The Mayor commended the Social Services Dept. for being able to come in close to budget for the year-end.

Ald. Withers had a question about the provision in next year's Social Services budget to reflect the percentage increase for able-bodied unemployed as it impacts on the overall percentage increase for the department. Ald. Withers requested information on the percentage increase this represented for 1986 over 1985.

- 2) Development Officer (Nov.): approved on motion of Ald. Greenough & Hetherington.

Ald. MacFarlane had a question about a zoning violation at 48A Chittick Ave.; Ald. Billard indicated to him that he had additional information to provide on this matter.

- 3) Building Inspection (Nov.): approved on motion of Ald. McCluskey and Withers.

- 4) Minimum Standards (Nov.): approved on motion of Ald. Greenough and Withers.

Ald. Levandier asked that action be taken by the Inspection Dept. on the vacant, derelict building located in Hare Lane. Mr. Shea gave a report on this building, and Ald. Levandier indicated his intent to request a prosecution unless something is done about it immediately.

- 5) Fire Chief (Nov.): approved on motion of Ald. Sarto and Thompson.

An inquiry was made by Ald. Withers about the faulty alarm system at 223 Windmill Road. The Mayor advised that the committee looking into the matter of false alarms and faulty systems, will be meeting again in January, and a report will be forthcoming after that meeting.

- 6) Dog Control (Oct. & Nov.): approved on motion of Ald. McCluskey and Sarto.

Ald. Pye requested information from Mr. Rath about the duration of dog licenses, and Ald. Thompson questioned the number of dog licenses being issued in relation to the number of dogs there really are in the City. Mr. Rath was asked for comment on this point as well.

Ald. Connors asked why there is no Summary of Revenue & Expenditures statement with the reports. Mr. Burke explained why it is not available until after the tenth of the month, advising that it will be presented for next week's meeting.

MOTIONS: To approve monthly reports, as detailed above and on page 7 of these minutes.

BY-LAW C-641:  
ECONOMIC DEVELOP-  
MENT DEPT.

Proposed By-law C-641 was presented for the consideration of Council, as recommended by the City Administrator. This by-law gives legal status for the establishment of an Economic Development Dept., in keeping with Council approval already given.

It was moved by Ald. Sarto and Levandier and carried that leave be given to introduce the said By-law C-641 and that it now be read a first time.

It was moved by Ald. Hetherington and Thompson that By-law C-641 be read a second time.

Ald. Woods felt the by-law should have included a mission statement, but Mr. Burke pointed out that the time for such a statement would be annually when estimates come to Council and the Director of the department is making his presentation.

The motion for second reading carried.

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-641 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-641: establishment of the Economic Development Dept.

AWARD TENDER:  
CONTRACT 87-17

The following tenders have been received for Contract 87-17 (Asphalt Overlay, Bel Ayr Phase II):

Steed & Evans Ltd.	\$116,784.
Standard Paving Maritimes Ltd.	127,206.
Municipal Contracting Ltd.	132,186.
Dillman Enterprises Ltd.	137,600.

It is recommended by Mr. Purdy, with the concurrence of Mr. Burke, that the tender be awarded to the low bidder, Steed & Evans Ltd.

The tender was awarded as recommended, on motion of Ald. Hetherington and Sarto.

MOTION: Moved by Ald. Hetherington & Sarto that the tender for Contract 87-17 be awarded to the low bidder, Steed & Evans Ltd., as recommended by Mr. Purdy, with Mr. Burke's concurrence.

CONTRACT 87-15:  
BEAZLEY FIELD  
UPGRADING

Tenders have been received as follows for Contract 87-15, Beazley Field upgrading:

Sun Construction Co. Ltd.	\$ 88,123.
Black & MacDonald Ltd.	97,700.
W. Eric Wheby Ltd.	105,422.
Municipal Contracting Ltd.	121,490.

Acceptance of the low bid, received from Sun Construction Co. Ltd., has been recommended by Mr. Purdy, and Mr. Burke has concurred with the recommendation.

Ald. MacFarlane and Greenough moved that the tender be awarded, as recommended. Ald. Thompson inquired about the relocation of two infield flood lighting poles, and responsibility for the cost of relocation if they were not put in the right position in the first place. Members agreed to defer a decision on this contract until Mr. Atkinson has a chance to

respond to the question, for the Dec. 15th meeting. Ald. MacFarlane asked about wheelchair accessibility to Beazley Field, and requested information on this inquiry as well, in conjunction with the report for Ald. Thompson.

The item was therefore deferred until the Dec. 15th meeting for the response requested, as noted above.

SENIOR RESEARCH  
PROJECT: PHASE II

A report has been submitted by Mr. Cleary of the Social Services Dept. on Phase II of the Senior Research Project underway in Dartmouth, Phase I having been completed with respect to a needs assessment of the general senior population; Phase II involves an in-depth study into home care and the present Home Care Program for the elderly offered by Social Services.

Budget projections for Phase II are set out in the report, showing a projected <sup>net</sup> cost to the City in the amount of \$20,643.33.

The Steering Committee associated with this project and the Dept. of Social Services have recommended that Council approve funding for Phase II, as proposed. The total cost projection, before CAP and anticipated cost savings, is in the amount of \$70,600.

Mr. Burke has concurred in the recommendation to approve the funding for Phase II of the Senior Research Project.

Ald. Sarto made this presentation to Council, on behalf of the Steering Committee responsible, outlining the background work that has gone into the project to bring it to its present stage. He moved the adoption of the recommendation to Council, seconded by Ald. McCluskey.

Ald. Connors commended the Social Services Dept. for their part in this project, and the Mayor acknowledged the time that has also been given by Doctors Fox and Alison, also by Mr. Cleary himself. Ald. Thompson suggested that letters of thanks go forward from the Mayor's office to Drs. Fox and Alison.

The motion carried.

MOTION: Moved by Ald. Sarto and McCluskey that Council approve funding for Phase II of the Senior Research Project, in the amount of \$70,600., as proposed (\$20,643.33 net with CAP funding and anticipated cost-saving), as per the recommendation from Mr. Cleary of Social Services and from Mr. Burke.

SMALL DRAINAGE  
PROJECTS:  
CRICHTON AVE.  
& GRANT ST.

A report from the City Engineer was before Council on two drainage projects being recommended from the 1986 Capital budget item 'Drainage: Unspecified Locations'. The two projects, totalling \$9,500., are on Crichton Ave. (overflow manhold), and on Grant Street (in front of Civic #42).

Council approved the two projects, as recommended by Mr. Fougere, with Mr. Burke's concurrence, on motion of Ald. Hetherington and MacFarlane.

MOTION: Moved by Ald. Hetherington & MacFarlane that Council approve two drainage projects recommended, on Crichton Ave. and on Grant Street, in the total amount of \$9,500., as the per the recommendation of the City Engineer and the City Administrator.

VIDEO OUTLET  
APPLICATIONS:

40 TACOMA DR.  
14 QUEEN ST.  
650 PORTLAND ST.

On motion of Ald. Hetherington and McCluskey, Council indicated no objection to three video outlet applications at the following locations:

- 1) 40 Tacoma Drive (K-Mart Mall)
- 2) 14 Queen Street
- 3) 650 Portland St. (Real Atlantic Superstore)

PROPOSAL: ENERGY  
MANAGEMENT PROGRAM

Council considered a report from Mr. Burke, recommending that the firm of Econoler be retained to review all major City buildings for potential energy savings, to be funded through this program, provided paybacks are less than five years.

Ald. Sarto and Greenough moved the adoption of the recommendation.

Ald. Woods had several questions about the manner in which buildings will be selected for review, etc. These were answered by Mr. Burke to Ald. Woods' satisfaction. Ald. Connors commented on the success of a similar program now in progress, that the School Board has undertaken. He commended the program to Council, as School Board Chairman.

MOTION: Moved by Ald. Greenough & McCluskey that Council adopt recommendations noted on page 12 of these minutes, with respect to the terms of reference for a long-term business plan for the Tourist Commission.

SPECIAL NEEDS  
HOUSING UNITS

A report from the Housing Coordinator was before Council on the proposed development of a nine-unit family housing project, of which two or three units would be allocated for special needs. Total cost of the project is estimated to be between \$575,000. and \$600,000., and it is being proposed that City funding be used to reduce this cost by \$200,000.

It has been recommended to Council that the report of the Housing Sub-committee on Special Needs be approved, and that \$200,000. be allowed for the development of such a project, subject to the Nova Scotia Dept. of Housing providing on-going operating subsidies.

A letter from the Nova Scotia Dept. of Housing, in connection with the housing project recommended, was circulated to all members of Council.

Council approved the above-noted recommendation, on motion of Ald. McCluskey and MacFarlane.

MOTION: Moved by Ald. McCluskey & MacFarlane that the above-noted recommendation on a nine-unit housing project and the City's participation in the project, be adopted.

QUARTERLY REPORT:  
SCHOOL BOARD

Members of Council have received copies of a quarterly report prepared by the Acting Supt. of Schools, Lorraine Berard.

Ald. Sarto and Connors moved the adoption of the report. Ald. Levandier asked that in future, such reports be placed closer to the top of the agenda so they can be dealt with more effectively at an earlier point in the Council meeting.

Ald. Hetherington expressed concerns he has about the number of junior highschool drop-outs. The Acting Supt. commented on the figures referred to by Ald. Hetherington, and acknowledged that she does not have a satisfactory answer as to why these figures are so high, at this time.

The motion carried.

MOTION: Moved by Ald. Sarto & Greenough that Council adopt Mr. Burke's recommendation on retaining the Econoler firm to review City buildings for potential energy savings; funding to be through the program itself, provided paybacks are less than five years.

APPOINTMENTS:  
BOARD OF HEALTH  
TOURIST COMMISSION

Council was requested to approve the appointment of Dr. L. Costello to the Board of Health, representing the Dartmouth Medical Society (term expiring Nov/88), and the appointment of Maj. Ken Eliason, to the Tourist Commission, representing Canadian Forces Base Shearwater (term expiring Nov/89).

Council approved both these appointments, on motion of Ald. McCluskey and Thompson. Ald. Hetherington suggested that it would have been preferable if a doctor from Dartmouth had been appointed, rather than one from the County.

The motion carried.

MOTION: Moved by Ald. McCluskey & Thompson that Council approve the appointment of Dr. L. Costello to the Board of Health, and Maj. Ken Eliason to the Tourist Commission.

(On motion of Ald. Hetherington and McCluskey, Council agreed to continue meeting beyond the hour of 11:00 p.m.)

(TERMS OF REFERENCE:  
TOURISM BUSINESS  
PLAN STUDY

Mr. Rath has prepared a report for Council on terms of reference for preparation of a long-term business plan for the Tourist Commission. This study to be funded under provisions of the federal/provincial Tourism Subsidiary Agreement.

The recommendation is that Council approve:

- 1) the terms of reference.
- 2) submission of the terms of reference to five consultants (as listed) with the request for proposals.
- 3) review of the proposals by staff and, following the approval of federal and provincial officials, submission to City Council of a recommendation for awarding of the study.

Council adopted the above-noted recommendations, on motion of Ald. Greenough and McCluskey.

The deadline for proposals should read Dec. 15/87 instead of Dec. 7/87, page 5 of the submission.



MOTION: Moved by Ald. Sarto and Connors that the quarterly report from Acting Supt. Berard, dated Nov. 13/87, be adopted.

FERRY REPORT:  
SEPTEMBER

On motion of Ald. Pye and Hetherington, Council adopted the ferry operation report for the month of September, recommended by the Transit Advisory Board.

MOTION: Moved by Ald. Pye & Hetherington that Council adopt the ferry operation report for September, 1987.

PARTIAL TAX EXEMPTION:  
MASONIC HALL

BY-LAW C-634

The Finance & Program Review Committee has dealt further with a request for partial tax exemption for the Masonic Hall, Eastern Star Lodge #51, and recommends enactment of proposed By-law C-634, which will accomplish the tax exemption, and also, include provision for a review every three years; this partial exemption becomes effective as of the year 1987.

Council proceeded with the approval of By-law C-634.

It was moved by Ald. Greenough and Hetherington and carried that leave be given to introduce the said by-law C-634 and that it now be read a first time.

It was moved by Ald. MacFarlane and Pye and carried that By-law C-634 be read a second time.

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

It was moved by Ald. Greenough and Thompson and carried that By-law C-634 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-634: partial tax exemption for the Masonic Hall, Eastern Lodge #51, as recommended by the Finance & Program Review Committee.

DOWNTOWN  
PARKING GARAGE

Another item recently dealt with by the Finance & Program Review Committee was the matter of a downtown parking garage, referred from Council in connection with the overall downtown parking issue.

The Committee felt there should be better and more effective promotion and management of parking that is available in the downtown, rather than the

City participating in a parking garage structure. The Committee has therefore advised Council that they do not see the need for a parking garage structure at this present time, and that no action be taken at present with respect to the item.

The recommendation of the Committee was adopted, on motion of Ald. Greenough and Sarto.

MOTION: Moved by Ald. Greenough and Sarto that the above-noted recommendation of the Finance & Program Review Committee with respect to a parking garage in the downtown, be adopted.

Ald. Billard requested that a motion of his, item 8.(C) (i), be withdrawn from the agenda. His request was duly noted. The motion, for which notice was given, dealt with a proposed by-law that would be applicable to exotic pets.

Ald. Greenough passed to Mr. Brady, a letter from a resident, regarding the traffic situation at the Michael Wallace School, and he requested that it be referred to staff for attention.

NOTICES OF MOTION:  
ALD. WOODS

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

1) Ald. Woods

WHEREAS the City of Dartmouth Water Utility extends its services beyond the City limits, to provide water to County users;

AND WHEREAS residential and commercial development in a portion of the County is dependent upon this water supply;

AND WHEREAS sometimes this development occurs at the expense of the natural growth of Dartmouth

BE IT RESOLVED that the City of Dartmouth establish a Water Utility Committee which would be responsible for advising Council on the impact of extending its water system and, more importantly, would help restore Dartmouth's abilities in controlling development at its door-step.

ALD. HETHERINGTON

2) Ald. Hetherington

That Dartmouth City Council request the County of Halifax to contribute seven million dollars (approx.) toward the twenty-million-dollar projected price for a water purification program which is required by the City of Dartmouth Water Utility;

This project is to be carried out to improve the drinking water supplied by Dartmouth Water Utility, and since

the County of Halifax is using approx. one-third the volume of water produced by the Dartmouth Water Utility, then it is only fair that the County of Halifax cost-share in this water quality improvement.

The Mayor advised Council that the next capital budget meeting, scheduled for Dec. 15th, will begin at 5:00 p.m.

Meeting adjourned.



G. D. Brady,  
Deputy City Clerk.

City Council, Dec. 8/87

ITEMS:

- 1) Public hearing: M.P.S. Amendment, Commercial abutting Residential & Expansion of Non-Conforming Commercial Uses, page 2.  
By-law C-639, page 3 to 5 incl.
- 2) Public hearing: Land Use By-law Amendment in the same above-noted categories, page 5 & 6.
- 3) Nuisance complaint: Richard Proulx, page 7.
- 4) Monthly reports, page 7.
- 5) By-law C-641: Economic Development Dept., page 8.
- 6) Award tender: Contract 87-17, page 9.
- 7) Contract 87-15: Beazley Field upgrading, page 9.
- 8) Senior Research Project: Phase II, page 10.
- 9) Small drainage projects: Crichton Ave. & Grant St.,  
page 11.
- 10) Video outlet applications: 40 Tacoma Dr.  
14 Queen St. page 11  
650 Portland St.
- 11) Proposal: Energy Management Program, page 11.
- 12) Appointments: Board of Health, Tourist Comm., page 12.
- 13) Terms of reference: Tourism Business Plan Study, pg.12.
- 14) Special Needs Housing Units, page 13.
- 15) Quarterly report: School Board, page 13.
- 16) Ferry report: Sept., page 14.
- 17) Partial Tax Exemption: Masonic Hall, page 14.  
By-law C-634, page 14.
- 18) Downtown Parking Garage, page 14.
- 19) Notices of Motion: Ald. Woods page 15.  
Hetherington

Dartmouth, N. S.

December 15/87.

Regularly called meeting of City Council  
held this date at 6:30 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, J. Burke	
City Clerk-Treasurer, Bruce S. Smith	
Deputy City Clerk, G. D. Brady.	

It was decided not to deal with the item  
Motions at the beginning of the meeting, but to go  
on to the section of the agenda containing tenders  
to be awarded, so that these items are not delayed.

AWARD TENDER:  
CONTRACT 87-15

At the Dec. 8th meeting, Council deferred a  
decision on Contract 87-15 (Beazley Field upgrading),  
pending information on the relocation of infield  
flood lighting poles included in the contract.

Ald. Connors and Hetherington moved that the  
tender for Contract 87-15 be awarded to the low bidder,  
Sun Construction Co. Ltd., in the amount of \$88,132.,  
as recommended by Mr. Purdy, with Mr. Burke's concurrence.

Mr. Atkinson and Mr. Fougere provided additional  
information, as requested, on the relocation question  
raised by Ald. Thompson, advising that the lighting  
poles were not located in the right place originally  
as they should have been, and they now have to be moved.

The motion carried.

MOTION: Moved by Ald. Connors & Hetherington  
that the tender for Contract 87-15  
(Beazley Field upgrading) be awarded  
to the low bidder, Sun Construction  
Co. Ltd., in the amount of \$88,132.,  
as recommended.

(Ald. Hetherington left the meeting at this point.)  
A single tender has been received, from Philips

AWARD TENDER:  
COMMUNICATIONS  
EQUIPMENT  
E.M.O. CENTRE

Electronics, for the emergency communications equipment  
for the Emergency Operations Centre. The tender received  
is in the amount of \$82,786., which is \$26,786. higher  
than the 1987 capital budget allocation for this item.

An amendment to the 1987 capital budget is therefore required in order to be able to proceed with this important project, and in his report to Council, Mr. Burke has recommended:

- 1) that the 1987 budget for the Emergency Operations Centre Communications Equipment be adjusted from \$61,000. to \$87,786.
- 2) that the tender be awarded to Philips Electronics for the equipment, in the amount of \$87,786.

Circulated with Mr. Burke's report, is a report from Oldham Engineers Inc., also recommending acceptance of the Philips' tender.

The tender was awarded, as recommended, on motion of Ald. Levandier and Greenough, including the adoption of both Mr. Burke's recommendations, as noted above.

MOTION: Moved by Ald. Levandier & Greenough that the tender for emergency communications equipment be awarded to Philips Electronics, in the amount of \$87,786., and that the project estimate for this item be adjusted from \$61,000. to \$87,786., as recommended.

TENDER: EMERGENCY  
GENERATOR, E.M.O.

Tenders have been received for the E.M.O. emergency generator, but Mr. Oldham has not yet had time to evaluate them and make a recommendation in time for this meeting.

In order to award this tender before year-end, Mr. Burke has recommended that Council delegate authority to him to award the tender prior to Dec. 31st for the emergency generator, on the understanding that the tender awarded will not exceed the \$60,000. amount provided for in the capital budget for this item, based on the lowest evaluated bid to meet the specifications.

Mr. Burke's recommendation was adopted, on motion of Ald. Pye and Greenough.

MOTION: Moved by Ald. Pye & Greenough that Mr. Burke's recommendation on the awarding of the tender for the emergency generator, as noted above, be adopted.

APPOINT SPECIAL  
CONSTABLE: RES. 87-48

On motion of Ald. McCluskey and Greenough,  
Council adopted Resolution 87-48, appointing Robert

Begg as Special Constable to issue parking tickets in Dartmouth. The wording of the resolution was changed by the Solicitor to read: '. . . to issue parking tickets in Dartmouth', deleting the words 'the downtown area'.

MOTION: Moved by Ald. McCluskey & Greenough that Council adopt Resolution 87-48, appointing Robert Begg as Special Constable.

SUMMARY OF REVENUE  
& EXPENDITURES

Members have received copies of the Summary of Revenue & Expenditures to Nov. 30/87, indicating a revised year-end forecast which projects a surplus of \$3,316.

Ald. Greenough and Sarto moved that the summary be received and filed.

Mr. Burke commented on the improved financial position of the City, noting however, that it may still be necessary to raise the reserve provision by the end of the year and this could impact unfavourably on the final financial picture. With respect to the Federal grant-in-lieu of taxes for the years 1984 to 1986, Mr. Smith said it has been indicated by Public Works Canada that we will receive this cheque before Dec. 31st.

Ald. Billard asked about snow removal costs that the City still may have before the end of December. Mr. Fougere advised that the budget for snow removal has been expended and any further storms this year will require emergency funds.

Ald. McCluskey's question concerned the Social Service accounts owed by other municipalities. Mr. Burke reported on his meeting with the Deputy Minister of Community Services. The Deputy Minister has indicated that the question of settlement has been brought to the attention of the Minister by the Union of Nova Scotia Municipalities, and a task force has been set up to look at the entire issue. The Mayor noted that he has had discussions with both the Mayors of Truro and Sydney Mines, but they did not turn out successfully.

Ald. Connors commended both staff and Council for the much-improved financial position of the City,

and the Mayor commended Mr. Smith's department in particular for their efforts, pointing out that there are still accounts that are outstanding, and this is a problem that will have to be addressed further in terms of the number of years permitted to allow for outstanding taxes before properties are put up for tax sale.

The motion carried.

MOTION: Moved by Ald. Greenough & Sarto that the Summary of Revenue & Expenditures to Nov. 30/87, be received and filed.

AWARD TENDER:  
CONTRACT 86526D  
CITY OF LAKES  
BUSINESS PARK

Tenders have been received as follows for  
Contract 86526D (City of Lakes Business Park Roads):

Steed & Evans Ltd.	\$244,615.75
Municipal Contracting Ltd.	256,471.00
Ocean Contractors Ltd.	258,166.00
Standard Paving Maritimes Ltd.	291,716.00
Basin Contracting Ltd.	332,932.50

It has been recommended to Council by Mr. Purdy, with Mr. Burke's concurrence, that the tender be awarded to the low bidder, Steed & Evans Ltd.

The tender was awarded, as recommended, on motion of Ald. McCluskey and Thompson.

MOTION: Moved by Ald. McCluskey & Thompson that the tender for Contract 86526D be awarded to the low bidder, Steed & Evans Ltd., in the amount of \$244,615.75, as recommended.

AWARD TENDER:  
CONTRACT 87-07  
CURB & SIDEWALK  
REPLACEMENT

Tenders have been received as follows for  
Contract 87-07, curb and sidewalk replacement on  
Hastings Drive, Cherry Drive, Rose Street, Dahlia St.,  
Tulip Street, and Thistle Street:

Municipal Contracting Ltd.	\$317,280.00
Ocean Contractors Ltd.	327,000.00
Sun Construction Ltd.	330,718.20
Stewiacke Construction Ltd.	379,610.00
Nova Concrete Contracting Ltd.	383,523.65
Standard Paving Maritimes Ltd.	397,545.00
Steed & Evans Ltd.	434,632.00
Basin Contracting Ltd.	464,770.00

Acceptance of the low<sup>bid</sup> received from Municipal Contracting Ltd., has been recommended by Mr. Purdy, with Mr. Burke's concurrence.

The tender was awarded, as recommended, on motion of Ald. Sarto and Thompson.

MOTION: Moved by Ald. Sarto and Thompson that the tender for Contract 87-07 (curb & sidewalk replacement) be awarded to the low bidder, Municipal Contracting Ltd., as recommended.

1988 CHARTER  
AMENDMENTS

The Solicitor has presented the proposed Charter amendments for 1988, which will be submitted for introduction to the Provincial Legislature. All of the proposed amendments are explained in her accompanying report to Council, and she has recommended the adoption of Resolution 87-49 in this connection.

RESOLUTION 87-49

There were questions about Section 2 (requiring abutters to clear litter from the sidewalk & gutters adjacent to their properties); Sections 5 (discharge of hazardous substances into City sewers) and 6 (powers to deal with noise nuisances); and Section 13 (powers of Chief Administrative Officer). Mr. Burke clarified the points raised by Ald. Connors with respect to Section 13 and expenditures not exceeding \$25,000., and the Solicitor pointed out to Ald. McCluskey and Billard, who questioned the other sections noted, that when by-laws are presented to Council, subsequent to the approval of the Charter amendments, they will address the points of concern raised by the members with regard to specific details they would want to see in the City regulations.

Ald. Connors again stated his opposition to commissions for the sale of land in the Woodside Park, when it is not land owned by the City, and asked to have his continuing objection to this clause noted.

Otherwise, the proposed amendments received a positive response from Council, and Resolution 87-49 was adopted, on motion of Ald. Greenough and Sarto.

MOTION: Moved by Ald. Greenough and Sarto that Council adopt Resolution 87-49, proposed Charter amendments for 1988, as recommended by the City Solicitor.

PENSION COMMITTEE:  
MEMBERSHIP

The Pension Committee has recommended the adoption of a revised Pension Committee By-law, to provide for the addition of a representative of the N. S. Union of Public Employees Unit #2, and a represent-



ative of retired pensioners, as members of the City Pension Committee.

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

MOTION: Moved by Ald. Greenough & Pye that the recommendation of the Pension Committee, with respect to Pension Committee representation (to include a representative of the N. S. Union of Public Employees Unit #2, and a representative of retired pensioners) be adopted.

SCHOOL CROSSWALKS:  
PORTLAND STREET

An item added to the agenda was considered, on the subject of school crosswalks on Portland Street.

The Chairman of the T.M.G. has reported on the outcome of a decision to relocate the existing school crosswalk on Portland Street from Lakefront Road to Prince Arthur Ave., in keeping with a petition received from residents whose children walk this route to and from Southdale School.

This relocation has not proven to be successful, for the reasons explained in Mr. Bayer's report, and it has therefore been recommended by the T.M.G. that the school crossing guard be reassigned to the former Lakefront location, and that students be directed to use this crosswalk while travelling to and from Southdale School.

Ald. MacFarlane and McCluskey moved the adoption of the T.M.G. recommendation.

Mr. Bayer was present to provide additional information on the reasons for recommending a change back to the original crosswalk location. Ald. MacFarlane requested that traffic lights at Prince Arthur Ave. and Portland Street be made a priority item, and that the crosswalk guard at Lakefront Road, make a particular effort to encourage children to walk on up the side of the street instead of walking through parking lots and crossing Hastings Drive, between parked cars.

(Ald. Woods was present from this point onward in the meeting.)

In discussing the question of whether or not crossing lines should be left on the roadway at Prince Arthur Ave., and the location of crosswalks generally throughout the City, Ald. Greenough requested from Mr. Burke, an assessment of the criteria for the determination of such crosswalk locations and the consistency of such criteria, in relation to safety considerations.

The motion carried.

MOTION: Moved by Ald. MacFarlane and McCluskey that the recommendation of the T.M.G. on the reassignment of a crossing guard to the Lakefront Road location, from the point requested by petition at Prince Arthur Ave., be adopted.

BEST-DECORATED  
PROPERTIES

At the beginning of the meeting, the Mayor requested the assistance of all members of Council in choosing best-decorated properties during the Christmas season. Each Aldermen was asked to assist by selecting two properties in each ward for consideration by the main committee and so advising the committee no later than Dec. 23rd .

198 8 CAPITAL  
BUDGET

Council agreed to resume the capital budget deliberations at this time, having completed other items requiring attention.

Ald. Sarto first requested a reallocation of sidewalk construction funds for Ward 1, asking to have the Trunk 111 project (Athorpe Drive to Oakwood Ave.) replaced with the two following projects on the list (page 3-15 (1), namely, Christopher Ave. (Spring Ave. to Tobin Dr.) and Tobin Drive (Christopher Ave. to Wanda Lane). The total cost of these projects is \$73,800., as compared with \$65,500. for the Trunk 111/ Athorpe Drive project. Council did not object to the requested substitution, which Ald. Thompson also supported. The change was therefore approved by Council, as requested.

Ald. Connors then proposed an amended list of projects to be carried out with funds the City expects to receive from the Province, but not yet confirmed for 1988. He moved in amendment, seconded

by Ald. MacFarlane, that the following be included in the 1988 capital budget for completion in 1988 (ie. predicated on the receipt of Provincial grants that are expected to be at least in the range of 1.2 million dollars):

Street Reconstruction (page 3-14)

James St.: Portland St. to Summit St.	\$175,700.
Limardo Dr: Pinehill Rd. to Ernest Ave.	60,000.
Courtney Rd: Windmill Rd. to Victoria Rd.	171,000.
Grant St: Everett St. to Irving St.	216,800.

Sidewalk (page 3-15)

Summit St: Erskine St. to MacKay St.	131,700.
Ochterloney St.: Maple St. to Prince Albert Road	63,000.
King St: Ochterloney to Park Ave. (east side)	38,700.
Dundas St: Ochterloney St. to North St. (west side)	18,000.
Pelzant St: Windmill Rd. to Wyse Rd. (north side)	58,000.
Bligh St.: Pelzant St. to Dawson St. (west side)	23,000.
Crichton Ave: Civic #106 to 112	14,400.

Drainage (page 6-6)

Drainage brook from Victoria Rd. to west side of Westbrook Ave.	194,500.
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Parks & Recreation (section 8)

Playground, Pinecrest/Brule Street	68,000.
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Total: \$1,232,800.00

Ald. Connors considered this allocation of projects to be equitable and in keeping with overall City needs, based on the 'wish list' that has been kept since the capital budget discussions began.

Ald. Levandier suggested that it is premature for Council to approve these additional projects without first completing the budget review, but other members did not share this opinion.

(Ald. Hetherington returned to the Council meeting while the amendment was being presented.)

Ald. Hawley was concerned that a list of projects such as this has been prepared without the consultation of all Council members; he felt the democratic process suffers under these circumstances.

Ald. Thompson and Sarto also objected to the fact that their ward has been excluded completely from the list proposed in the amendment. Ald. Connors explained why nothing was included for either Wards 1 or 6, in consideration of the major share of capital funding both wards have received in recent capital budgets, and the allocation they have been given for 1988, aside from the projects in the amendment.

Other members, whose wards have been included in the amendment, considered the list to be equitable and in keeping with some of their own individual needs. Ald. Sarto asked for a breakdown of the street and sidewalk construction figures for Ward 1, and when they were provided, suggested to Council that they are not disproportionate to what other wards are receiving and do not substantiate the reason given for excluding Ward 1 from the amendment. Ald. Thompson noted that a number of the major Ward 1 projects have involved main arterials such as Main Street, that benefit the City as a whole and not just Ward 1 residents. He also felt that Ward 1 has a larger number of miles of streets requiring attention, being one of the largest wards in the City. He requested information on the street mileage in the various wards, for comparison purposes. Mr. Fougere advised that the total street mileage in the City is 160 miles, but he was not able to give mileage figures for individual wards at this time, without some calculations. Ald. McCluskey said it is a waste of time for staff to be preparing such calculations and she was not in favour of the request for information.

When the vote was taken on the amendment, it carried with Ald. Sarto and Thompson voting against.

AMENDMENT: Moved in amendment by Ald. Connors and MacFarlane that Council approve the list of additional items for inclusion in the 1988 capital budget (as detailed on page 8 of these minutes), predicated on the receipt of Provincial grants to provide the additional funding.

Ald. Sarto and Thompson then moved in amendment

that project 6-3 (drainage brook from Ronald Court southerly) be moved above the line for inclusion in the 1988 capital budget funding; estimated cost, \$81,000.

The amendment carried by a vote of 9 to 5.

AMENDMENT: Moved in amendment by Ald. Sarto and Thompson that project 6-3, as described above, be moved above the line for inclusion in the 1988 capital budget funding.

Ald. Hetherington requested information on the North Dartmouth Trunk Sewer project, for which an amount of \$500,000. is shown, from the 1984 capital budget, for work-in-progress in 1988, the blue pages at the beginning of the capital budget document.

He also had an inquiry about item 8-14 (Parks & Recreation, Portland Estates), now shown as being below the line for funding in 1988. Mr. Atkinson was available to respond to this question.

Further to page 9-1 and the Sportsplex request for capital funding in the amount of \$130,600., Mr. Burke advised that this figure has been reduced and should now read \$43,500.

Ald. Levandier was concerned about the fact that priority has not been given to a fire station for the east end of the City, and he proposed that Council consider reallocating the \$271,000. item for a Recreation Complex, Montebello (page 8-1) to a fire station for east Dartmouth. Ald. Billard and Thompson moved this in amendment, but it was opposed by Ald. Greenough and Hawley who stressed the need for this kind of recreational facility in the Montebello area and were not in favour of trading it off against another requirement such as the fire station.

At the end of the debate, Mr. Burke commented on the need for a master plan for fire fighting services in the City generally, including the east end, and this is a matter that will be coming to Council soon in relation to capital-out-of-revenue funding (the operating budget).

When the vote was taken on the amendment, it was defeated.

An amendment proposed by Ald. Sarto and Thompson, pertaining to the Parks & Recreation section of the capital budget, page 8-13 (playground, Forest Hills), was withdrawn after a number of questions from both members were answered by Mr. Atkinson and Mr. Stevens, with respect to work still to be completed from <sup>the</sup> 1987 capital budget allocation for Landscaping, undeveloped lands (\$40,000.).

The vote was then taken on the main motion, to approve the 1988 capital budget, this motion having been introduced at the November 24th Council meeting.

The motion carried unanimously.

MOTION: To approve the 1988 capital budget, as moved by Ald. Hetherington & Greenough at the Nov. 24th meeting.

NOTICE OF MOTION:  
ALD. LEVANDIER

One notice of motion was given for the next regular Council meeting, as follows:

Ald. Levandier

WHEREAS City Council has very limited involvement over the operation of the Water Utility;

AND WHEREAS there continues to be public concern over this matter;

THEREFORE BE IT RESOLVED that City Council form a Board of Directors to manage the affairs of this public utility.

MOTION:  
ALD. WOODS

Ald. Woods was permitted to introduce a motion of his, for which notice was previously given. The motion, seconded by Ald. Hetherington, is as follows:

WHEREAS it is an accepted practice that the safest method of disposing of asbestos waste is by burying it;

AND WHEREAS the Metropolitan Authority intends to refuse to accept asbestos wastes at the sanitary landfill, as of January 1, 1988;

AND WHEREAS having a safe, inexpensive way of disposing of asbestos is essential to successful abatement programs, both in the public and private sectors.

BE IT RESOLVED that the Metropolitan Authority be asked not to close its gates to asbestos until a suitable inexpensive alternative is offered to the asbestos abatement industry.

The motion carried.

MOTION: Moved by Ald. Woods and Hetherington:  
text on page 11 of these minutes.

Ald. Hetherington asked that a copy of the motion be forwarded to the Provincial Dept. of the Environment. The Department is attempting to reach a solution to this problem with the Metropolitan Authority. His request was noted.

Ald. Billard raised a point about the seminars that are given by the Mayor of Spruce Grove, Alberta, George Cuff, on municipal council organization, staff relations, administration, etc., and he asked to have Mayor Cuff contacted about giving a seminar to members of Council. The Mayor agreed to look into Ald. Billard's request.

APPOINTMENT:  
DIRECTOR OF  
ECONOMIC  
DEVELOPMENT

Ald. Hetherington moved the adoption of action taken in camera by Council on this date, prior to the regular meeting, in approving the appointment of Tom Rath as Director of Economic Development for the City of Dartmouth, effective Jan. 1/88, at salary level 12, step 1. Mr. Burke previously circulated a report, recommending Mr. Rath's appointment.


The motion was seconded by Ald. Greenough and it carried.

MOTION: Moved by Ald. Hetherington & Greenough that the action taken by Council in camera, approving the appointment of Tom Rath as Director of Economic Development for the City, be ratified.

NEXT COUNCIL  
MEETING DATE

Having completed the agenda and the capital budget deliberations, Council agreed not to meet again in December, over the holiday season. Therefore, there will be no meetings on Dec. 22nd or 29th, and the next regular meeting of Council will take place on Tues., Jan. 5th, 1988.

Meeting adjourned.

  
Bruce S. Smith,  
City Clerk-Treasurer.

City Council, Dec. 15/87

ITEMS:

- 1) Award tender: Contract 87-15, page 1.
  - 2) Award tender: Communications Equipment, EMO Centre,  
page 1.
  - 3) Tender: Emergency Generator, EMO, page 2.
  - 4) Appoint Special Constable: Resolution 87-48, pg. 2.
  - 5) Summary of Revenue & Expenditures, page 3.
  - 6) Award tender: Contract 86526D, City of Lakes  
Business Park, page 4.
  - 7) Award tender: Contract 87-07, curb & sidewalk  
replacement, page 4.
  - 8) 1988 Charter Amendments, page 5.  
Resolution 87-49, page 5.
  - 9) Pension Committee: Membership, page 5.
  - 10) School crosswalks; Portland Street, page 6.
  - 11) Best-decorated properties, page 7.
  - 12) 1987 Capital Budget, page 7 to 11 incl.
  - 13) Notice of Motion: Ald. Levandier, page 11.
  - 14) Motion: Ald. Woods, page 11.
  - 15) Appointment: Director of Economic Development, pg. 12.
  - 16) Next Council meeting date, page 12.
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