

DARTMOUTH CITY COUNCIL

AUGUST 16, 1988

LOCATION: CITY COUNCIL CHAMBERS
TIME: 7:40 P.M.

MEMBERS PRESENT: MAYOR SAVAGE
ALDERMEN SARTO, BILLARD
MACFARLANE, CONNORS
LEVANDIER, MCCLUSKEY
WITHERS, PYE, WOODS
HAWLEY, HETHERINGTON

MEMBERS ABSENT: ALD. THOMPSON
BREGANTE (VACATION)
GREENOUGH

CITY ADMINISTRATOR: J. BURKE
CITY SOLICITOR: S. HOOD
DEPUTY CITY CLERK: G. BRADY
DEPARTMENT HEADS & ASSISTANTS

INVOCATION

The meeting opened with the Invocation.

CLEAN-UP: NATAL DAY

Ald. Sarto rose to commend City workers for the speed with which the City was cleaned up, following the Natal Day activities. He received calls from residents in his ward about the clean-up being completed so quickly.

NON-CONFORMING PROPERTY - 271 PORTLAND ST.

Ald. Billard requested information on the non-conforming use property at 271 Portland Street. He asked for a copy of the by-law applicable to non-conforming use properties, and for an opinion from the Solicitor on possible by-law revisions that may be needed; also, a copy of the Sign By-law.

Ald. MacFarlane concurred with the comments made by Ald. Billard about this property, and requested a staff report as well.

PARKING RESTRICTION

Ald. Connors referred to a communication going out from the T.M.G., concerning a one-hour parking restriction, and asked that it include a note to the effect that parking permits are available free of charge.

1.0 APPROVAL OF MINUTES

MOTION: To approve the minutes of meetings held on July 5, 12 and 19th, as circulated.

Moved: Ald. Sarto
Second: Ald. Hetherington
In Favour: All
Against: None
Motion Carried

RATIFY ACTION TAKEN IN CAMERA

MOTION: To ratify the action taken in camera on this date, prior to the regular meeting.

Moved: Ald. Hetherington
Second: Ald. McCluskey
In Favour: All
Against: None
Motion Carried

2.0 BUSINESS ARISING FROM THE MINUTES

3.0 DELEGATIONS & HEARINGS OF PROTEST

4.0 ORIGINAL COMMUNICATIONS

5.0 PETITIONS

6.0 PRESENTATION

7.0 OVER EXPENDITURE - SECOND APPROVAL

7.1.1 METROPOLITAN AUTHORITY - \$88,745.33

SECOND APPROVAL:
METROPOLITAN
AUTHORITY
OVER-EXPENDITURE

MOTION: To give second approval for an over-expenditure in the amount of \$88,745.33, to cover the City's share in the 1987 Metropolitan Authority operating deficit. First approval was given at the July 19th Council meeting.

Moved: Ald. Sarto
Second: Ald. Hetherington
In Favour: All
Against: None
Motion Carried

7.1.2 DARTMOUTH HOUSING AUTHORITY - \$59,726.

SECOND APPROVAL:
DARTMOUTH HOUSING
AUTHORITY
OVER-EXPENDITURE

MOTION: To give second approval for an over-expenditure in the amount of \$59,726., to cover the City's share in the 1987 Dartmouth Housing Authority operating deficit.

Moved: Ald. Hetherington
Second: Ald. Sarto
In Favour: Ald. Sarto, Pye, Woods
Hetherington, Connors
Billard, MacFarlane
Withers, Hawley
Against: Ald. Levandier, McCluskey

8.0 REPORTS8.1 MAYOR8.1.1 U.N.S.M. CONFERENCE - APPOINTMENT OF FIVE DELEGATES

DELEGATES:
U.N.S.M.
CONFERENCE

Council was asked to appoint five voting delegates to attend the Union of Nova Scotia Municipalities conference, taking place from Sept. 14th to 16th.

The five delegates named by Council were as follows:

Mayor Savage
Ald. Withers
Thompson
Bregante
Levandier

8.2 CITY ADMINISTRATOR8.2.1 TEMPORARY BORROWING RESOLUTIONS

TEMPORARY
BORROWING
RESOLUTIONS

Council was asked to approve Temporary Borrowing Resolutions, as they have been detailed in a report from Mr. Burke (B. Smith, L. Corrigan), covering capital projects from 1988 and prior years. Mr. Burke has recommended approval of the Temporary Borrowing Resolutions, as listed.

MOTION: To approve the following Temporary Borrowing Resolutions, as recommended:
88-01, 88-02, 88-03, 88-04, 88-05,
88-06, 88-07, 88-08, 88-09, 88-10,
88-11, 88-12, 88-13, 88-14, 87-08,
87-09, 87-10, 87-11, 87-12, 87-13,
87-14, 88-15, 87-02, 87-03, 87-04,
87-05, 87-07, 88-16, 85-01, 85-02,
85-03, 85-05, 85-06, 84-08, 84-11,
84-02, 87-18.

Moved: Ald. Hetherington
Second: Ald. Sarto
In Favour: All
Against: None
Motion Carried

8.2.2 1988 DEBT ISSUE

1988 DEBT ISSUE

A report from Mr. Burke (B. Smith, L. Corrigan) was before Council on the funding of the 1988 debt issue, recommending that Council authorize staff to proceed with funding arrangements with the Municipal Finance Corp. The debt issue to be requested amounts to \$6,500,000.

MOTION: To approve the recommendation from Mr. Burke on the funding of the 1988 debt issue, authorizing staff to proceed with funding arrangements with the Municipal Finance Corp.

Moved: Ald. Hetherington
Second: Ald. McCluskey

Ald. Connors felt that debt relating to the Water Utility should be funded from the Depreciation Fund and not included in the debt issue. Mr. Corrigan advised that this alternative is being studied at present. Ald. Connors proposed an amendment in this regard.

AMENDMENT: That the \$492,000. for Water Utility items be funded from the Depreciation Fund, rather than being included in the debt issue.

Moved: Ald. Connors
Second: Ald. McCluskey

Ald. Hawley felt it would be preferable to wait for a staff recommendation before deciding to make such a change from past practice. He favoured a two-week deferral of the item for a staff report.

MOTION: To defer a decision on the Water Utility items for two weeks, pending a staff report and recommendation.

Moved: Ald. Hawley
Second: Ald. Sarto
In Favour: All
Against: None
Motion Carried

Ald. Levandier requested information on item C. of Schedule 1, Proposed payment to County of Halifax - Water Extension (Caldwell Road). This information to be provided when the item comes before Council again.

8.2.3 FUNDING TRANSFER FROM SPECIAL RESERVE - RES. 88-48

FUNDING TRANSFER: Report from Mr. Burke (D. McBain) on the requirement
RESOLUTION 88-48 for surplus remaining from debenture borrowings in excess of capital costs, to be placed in the Capital Reserve section of the Special Reserve Fund.

It is recommended that Council approve Resolution 88-48, requesting the withdrawal from Special Reserve - Capital Reserve Section, in the amount of \$86,515.26, to cover the unfunded portion of capital projects.

MOTION: To approve Resolution 88-48,
as recommended by Mr. Burke.

Moved: Ald. Hetherington
Second: Ald. Sarto
In Favour; All
Against: None
Motion Carried

8.2.4 MORTGAGE - DARTMOUTH SENIOR CITIZENS SERVICE CENTRE
RESOLUTION 88 - 47

MORTGAGE: Report from Mr. Burke (B. Smith, L. Corrigan) on
SERVICE CENTRE the mortgage outstanding on the Senior Citizens
RESOLUTION 88-47 Service Centre, amounting to \$307,824., with
recommendations for its pay-out by the City,
using money from the Capital Reserve Fund.
Resolution 88-47 has been prepared to accomplish
this mortgage pay-out.

MOTION: To approve Resolution 88-47 and
the following recommendations from
Mr. Burke:

- 1) that the City pay out the Dartmouth Senior Citizens' Service Centre mortgage as soon as possible.

- 2) that the money be provided from the "Other" section of the Special Reserve Fund (approx. \$255,000.)
- 3) that future Financial Statements of the City continue to note the commitment made by the Dartmouth Senior Citizens.
- 4) that any future donations received on account of the Service Centre be placed back in the "Other" section of the Special Reserve Fund - Capital Reserve Section.

Moved: Ald. Hetherington
Second: Ald. MacFarlane
In Favour: All
Against: None
Motion Carried

8.2.5 APPLICATION - VIDEO RETAIL OUTLET - 218 PLEASANT ST.

APPLICATION:
VIDEO OUTLET
218 PLEASANT ST.

Council was requested to indicate any objection to an application for a video retail outlet at 218 Pleasant Street (Habib's Deli Market).

MOTION: To indicate no objection to the issuance of a license for a video retail outlet at 218 Pleasant St.

Moved: Ald. Pye
Second: Ald. Withers
In Favour: All
Against: None
Motion Carried

Members had concerns about the type of videos being distributed through these outlets, and asked to have their concerns communicated to the Dept. of Consumer Affairs. Ald. Hetherington requested that the Dept. inform the owners of outlets that they cannot begin to distribute videos until they actually receive a license to do so. It was further suggested that the owners be requested to keep all X-rated and adult videos out of sight, at the back of their stores.

Ald. MacFarlane requested information on the existing regulations applicable to the distribution of videos, and on the inspection procedures followed with respect to establishments that distribute videos.

8.2.6 MAINSTREET PROGRAM FUNDINGMAINSTREET
PROGRAM
FUNDING

A report was before Council from Mr. Burke (T. Rath, J. Lukan, B. Stevens) on the subject of Mainstreet Program funding, now that Provincial funding in the amount of \$59,850. has been received. A revised allocation of City funds for Mainstreet projects (Downtown and Wyse Road) has been recommended to Council.

MOTION: To approve the revised allocation of City funds for Mainstreet projects, as follows:

| | |
|--|--|
| Downtown Portland Street Tree Replacement & Planting Program | \$35,065. (recommended City allocation from 1988 budget) |
|--|--|

| | |
|--|--|
| Wyse Road/Boland Road Landscaping & Streetscape Improvements | \$38,235. (recommended City allocation from 1988 budget) |
|--|--|

Moved: Ald. Connors
Second: Ald. Withers
In Favour: All
Against: None
Motion Carried

Mr. Rath and Ald. Withers responded to questions from members of Council about the two projects being recommended.

8.2.7 APPLICATION FOR AMENDMENT TO LAND USE BY-LAW - 14 DAWN DR.SET DATE FOR
PUBLIC HEARING:
14 DAWN DR.

Council was asked to set the date for public hearing of an application to amend the Land Use By-law, for property at 14 Dawn Drive. The application is to rezone Lot M-A from I-2 to I-4 (Salvage) Zone. The date recommended by Mr. Burke is Sept. 27th.

MOTION: To set Sept. 27th as the date for public hearing of an application to amend the Land Use By-law, involving Lot M-A, 14 Dawn Drive.

Moved: Ald. Pye
Second: Ald. Sarto
In Favour: All
Against: None
Motion Carried

MOTION: To accept the David M. Jones Judges Tower for the City, as recommended.

Moved: Ald. McCluskey
Second: Ald. MacFarlane
In Favour: All
Against: None
Motion Carried

8.3 SOLICITORS

8.3.1 SEAMASTERS SERVICES LTD. - CONSENT TO ASSIGNMENT OF LEASE

SEAMASTERS
 SERVICES LTD.:
 ASSIGNMENT OF
 LEASE

The Solicitor has recommended approval by Council of Resolution 88-45, to permit the assignment of a lease on lands in the Wright's Cove area to Seamasters Services Ltd. (C & T Investments Ltd.) These lands were originally leased by the City to Guildfords Ltd.

RESOLUTION 88-45

MOTION: To approve Resolution 88-45, permitting the assignment of a lease on City lands in the Wright's Cove area, to Seamasters Services Ltd. (C & T Investments Ltd.), as recommended by the Solicitor.

Moved: Ald. Hetherington
Second: Ald. Withers

Ald. Hawley inquired about an escalator clause in the lease and preferred to have any decision on the assignment of the lease delayed until after this point is looked into by the Solicitor.

MOTION: To defer the lease assignment until the point raised about an escalator clause provision has been clarified.

Moved: Ald. Hawley
Second: Ald. Hetherington
In Favour: None
Against: All
Motion Defeated

The Solicitor advised that there is an escalator clause in the agreement, and members were in favour of proceeding with the lease assignment at this time, on the understanding that the annual rental fee and its escalation can still be discussed and negotiated anyway. The vote was therefore taken on the main motion.

8.2.8 TENDER FOR VARIOUS EQUIPMENT

TENDER: Report from Mr. Burke on tenders received for
 VARIOUS various equipment items, with recommendations for
 EQUIPMENT awarding of the tenders.

MOTION: To award tenders for thirteen items
 of equipment recommended, as follows:

| | | |
|--------------------------------|-----------|--------------------------|
| 1) 1 centrifugal pump | \$ 606.00 | (City Cycle |
| 2) 2 diaphragm pumps | 2,995.00 | (W.N.White |
| 3) 2 quick-cut saws | 1,658.00 | (W.N.White |
| 4) 1 tracked snow blower | 1,398.00 | (City Cycle |
| 5) 1 vibratory compactor | 2,250. | (Coastal Rent. |
| 6) 1 vacuum cleaner | 2,965.50 | (Advance Lab |
| 7) 1 bench grinder | 205. | (Titan Truck Parts |
| 8) 1 drill press | 837. | (Rideout Tools |
| 9) 1 60-ton push-pull press | 1,075. | (Commercial Equipment |
| 10) 1 high-pressure washer | 6,825. | (Battery & Electric |
| 11) 1 twin post lift | 5,970. | (Commercial Equipment |
| 12) 1 line paint spray machine | 3,240. | (LaHave Equipment |
| 13) 1 ambient air blower | 1,643. | (Safety Supply |

Moved: Ald. Sarto
Second: Ald. Pye
In Favour: All
Against: None
Motion Carried

Mr. Burke responded to questions from Ald. Hetherington about the tendering process in the case of small equipment items, where it may not be practical to call tenders in view of the cost involved. Mr. Burke advised that a complete review of our purchasing policies is being carried out and it is hoped that the review will have been completed by the end of this year. Points such as the one raised by Ald. Hetherington are being considered in this review.

8.2.9 TAKE-OVER of DAVID M. JONES JUDGES TOWER

TAKE-OVER:
 JUDGES TOWER

Council dealt with an item added to the agenda, being a report from Mr. Burke on the take-over by the City of the David M. Jones Judges Tower, located on Lake Banook. This new stand will be officially opened by the Governor General on August 20th. Mr. Burke has recommended that Council accept the judges tower for the City.

In Favour: All
Against: None
Motion Carried

8.3.2 LYNGBY AVE. LOT D-11

LYNGBY AVE:
LOT D-11

The Solicitor has recommended approval by Council of Resolution 88-46, authorizing the sale of Lot D-11 Lyngby Ave. to Mr. Brian J. Horner for the bid price of \$54,650., subject to the approval of the Minister of Municipal Affairs. The tender submitted by Mr. Horner was the only one received by the City for this property.

RESOLUTION 88-46

MOTION: To approve Resolution 88-46, authorizing the sale of Lot D-11 Lyngby Ave. to Brian Horner, for the bid price of \$54,650., subject to the approval of the Minister of Municipal Affairs, as recommended by the Solicitor.

Moved: Ald. Sarto
Second: Ald. Withers
In Favour: All
Against: None
Motion Carried

8.3.3 POLLUTION CONTROL - WASTE WATER MAINTENANCE CHARGE BY-LAW

POLLUTION CONTROL: The Solicitor has recommended that Council approve the proposed By-law C-660, which establishes a Pollution Control Charge and a Waste Water Maintenance Charge. The City Charter has been amended to permit the establishment of such charges in connection with the treatment facility planned to improve the water quality of Halifax harbour.

WASTE WATER
CHARGE:
BY-LAW C-660

MOTION: That leave be given to introduce the said By-law C-660 and that it now be read a first time.

Moved: Ald. Sarto
Second: Ald. McCluskey
In Favour: All
Against: None
Motion Carried

MOTION: That By-law C-660 be read a second time.

Moved: Ald. MacFarlane
Second: Ald. Withers

The main concerns of Council were about the location and administration of the treatment plant, and some guarantee that the pollution fund, once established, will not be used for any purpose other than the reinstatement of Halifax harbour and the future treatment of sewage entering the harbour.

The Mayor gave assurance to Ald. Levandier that Council will have an opportunity for input where decisions on the location and administration of the treatment plant, are concerned.

Ald. Pye proposed an additional section 6, to be included in the by-law, as further confirmation that funds derived from the pollution control charge and the waste water maintenance charge, will be applied only to the clean-up of Halifax harbour. He presented an amendment to this effect.

AMENDMENT: That a Section 6 be added to By-law C-660, with the following wording:

'The proceeds in the pollution control fund shall be used solely for the capital costs for the control of sewage pollution in Halifax harbour.'

Moved: Ald. Pye
Second: Ald. Connors

It was then decided that the Solicitor should have time to draft section 6 with appropriate wording, and that the by-law should be deferred for one week to give time for the drafting to be completed.

MOTION: To defer By-law C-660 in second reading, to give the Solicitor time (one week) to draft section 6 as an addition to the by-law.

Moved: Ald. Connors
Second: Ald. Hetherington
In Favour: All
Against: None
Motion Carried

8.3.4 LAND EXCHANGE - CITY AND CNR

LAND EXCHANGE:
CITY & CNR

The Solicitor has recommended that Council approve Resolution 88-49, authorizing the conveyance by the City to the CNR of land (Parcel CN5, CN6, A,B,C, and D), in exchange for a conveyance to the City of 51,000 sq. ft. of lands of CN, adjacent to Geary Street. A plan of the lands involved in the proposed exchange was available for viewing by members of Council.

RESOLUTION 88-49

MOTION: To approve Resolution 88-49, as recommended by the Solicitor, authorizing the conveyance of lands between the City and the CNR.

Moved: Ald. Withers
Second: Ald. Sarto
In Favour: All
Against: None
Motion Carried

9.0 MOTIONS

9.1 ALD. MACFARLANE

9.1.1 SIDEWALK CONSTRUCTION - CELTIC DR., SOMERSET ST.,
GLENWOOD AVE. & CHESTNUT LANE

MOTION: WHEREAS Celtic Dr., Somerset St., Glenwood Ave., and Chestnut Lane are busy streets, on which pedestrians, particularly children, must walk;
AND WHEREAS safety for pedestrians remains a permanent concern of residents;
AND WHEREAS cost estimates on these streets were completed in the past;
BE IT RESOLVED that these estimates be updated and referred to 1989 capital budget deliberations, under new Sidewalk Construction.

Moved: Ald. MacFarlane
Second: Ald. Hetherington
In Favour: All
Against: None
Motion Carried

Ald. Levandier expressed his concerns, in connection with this and other motions, relating to the 1989 capital budget and items proposed for inclusion in it. He felt that this is not an appropriate way to deal with capital budget items, on what he described as a 'piecemeal' basis.

9.1.2 SIDEWALK RECONSTRUCTION - PORTLAND ST., HAWTHORNE ST.,
AND CANTERBURY STREET

MOTION: WHEREAS sidewalks on portions of Portland Street, Hawthorne St., and Canterbury Street, are in a deteriorated state;
AND WHEREAS these sidewalks are major pedestrian routes, particularly for school children;
BE IT RESOLVED that repair and replacement estimates be completed for consideration during the 1989 capital budget deliberations, under Sidewalk Reconstruction.

Moved: Ald. MacFarlane
Second: Ald. Hetherington
In Favour: All
Against: None
Motion Carried

9.1.3 MAINTENANCE OF PRIVATE LOTS

MOTION: WHEREAS the City of Dartmouth has numerous vacant lots which are privately owned;
AND WHEREAS the City also has numerous private properties, both new and established, which prominently display debris and rock.
AND WHEREAS existing legislation does not in any way restrict this practice;
BE IT RESOLVED that the City Legal Dept., in consultation with the City Inspection

Dept., draft legislation, as soon as possible, to require these property owners to landscape and maintain these properties in an acceptable condition.

Moved: Ald. MacFarlane
Second: Ald. Hetherington
In Favour: All
Against: None
Motion Carried

Points noted in debate were:

- 1) requirements for the maintenance and landscaping of properties should be applicable to publicly-owned lands, as well as those in private ownership.
- 2) property owners who construct their own dwellings should be required to landscape their properties within a specified period of time.
- 3) the maintenance and development of public lands (presently in an undeveloped state) should be given budget priority, beginning with the 1989 budget preparation.

9.1.4 SUBSTANDARD HOUSING

MOTION: WHEREAS the City of Dartmouth wishes to prohibit substandard housing;
AND WHEREAS existing legislation involves lengthy process of notice before prosecution;
AND WHEREAS those who live in these circumstances become the victims of inaction for protracted periods of time;
BE IT RESOLVED that the Legal Dept., in consultation with Minimum Standards officials for the City, draft legislation to accelerate this process of notice, requiring more evidence of substantive action by landlords to correct deficiencies in a shorter period of time.

Moved: Ald. MacFarlane
Second: Ald. Connors
In Favour: All
Against: None
Motion Carried

Ald. Withers asked about the status of a motion along these same lines that he presented some time ago. The Solicitor advised that a copy of the Halifax by-law, applicable to substandard housing, is being requested for comparison purposes with our own by-law.

Ald. Woods asked that the possibility of a night court be looked into as one means of speeding up legal procedures in these cases.

9.1.5 TRAFFIC CONCERNS - CELTIC DRIVE

MOTION: WHEREAS parking on Celtic Drive is unrestricted at the present time;
AND WHEREAS a dangerous situation exists for two lanes of traffic, with parked vehicles on both sides of the street;
AND WHEREAS there are no sidewalks at the present time, thereby adding a concern for pedestrian safety;
BE IT RESOLVED that the T.M.G. study this problem, with a view to improving safety by restricting parking to the downtown side of Celtic Drive.

Moved: Ald. MacFarlane
Second: Ald. Hetherington
In Favour: All
Against: None
Motion Carried

9.1.6 INADEQUATE GARBAGE RECEPTACLES

MOTION: WHEREAS existing provisions for garbage receptacles in public places is woefully inadequate;
AND WHEREAS outdoor community functions result in the accumulation of litter, which is collected by Works Dept. staff at taxpayers' expense;

BE IT RESOLVED that staff recommend a strategy for dealing with this problem, at the earliest possible time, with a view to insuring adequate coverage for public events, in public places, around lakes, on City streets, in the City's park and recreational areas, and indeed, in any location where the City has a responsibility for maintenance.

Moved: Ald. MacFarlane
Second: Ald. Hetherington
In Favour: All
Against: None
Motion Carried

Ald. McCluskey said there should be a requirement for the owners of corner stores, fast food outlets, etc., to clean up litter and debris from their establishments, that ends up on City streets in the immediate vicinity of their buildings. She referred to several specific instances where this is happening on a regular basis.

9.2

ALD. HETHERINGTON

9.2.1

LIGHTS - MORASH BALLFIELD AND LAWN BOWLING GREEN COURT

MOTION: WHEREAS the City needs more sport fields;
AND WHEREAS the cost to build sport fields is very expensive;

THEREFORE BE IT RESOLVED that Parks & Recreation Dept. include in the 1989 capital budget, to put lights on the Morash Ballfield, and lights also on the lawn bowling green court, to extend the playing time in the City.

Moved: Ald. Hetherington
Second: Ald. Pye
In Favour: All.
Against: None
Motion Carried

An amendment proposed by Ald. Hawley, to budget only for the Morash ballfield in 1989, and to leave the lawn bowling court for the 1990 budget, did not receive a seconder.

9.2.2 REPLACEMENT OF RETAINING WALL - NOVAWOOD DR.

MOTION: WHEREAS the retaining wall on Novawood Drive is falling down and could be dangerous to children in the area;

THEREFORE BE IT RESOLVED that the Engineering Dept. include in the 1989 capital budget, to replace this retaining wall with an appropriate wall.

Moved: Ald. Hetherington
Second: Ald. McCluskey
In Favour: All
Against: None
Motion Carried

9.3 ALD. MCCLUSKEY9.3.1 STREET SURFACE, CURBS & SIDEWALKS - FRANCES ST.

MOTION: WHEREAS the street surface, curbs and sidewalks on Frances Street are in a bad state of repair;

AND WHEREAS this street has not been improved over the last several years;

AND WHEREAS the sidewalks are in a dangerous condition for pedestrians;

THEREFORE BE IT RESOLVED that this street be added to the 1989 capital budget for consideration.

Moved: Ald. McCluskey
Second: Ald. Hetherington

AMENDMENT: That Murray Street be included for improvements, in addition to Frances Street.

Moved: Ald. Withers
Second: Ald. McCluskey
In Favour: All
Against: None
Amendment Carried

The vote was taken on the amended motion.

In Favour: All
Against: None
Motion Carried, as amended

9.3.2 ELECTION

MOTION: WHEREAS the Municipal Elections Act, Section 54, subsection 2, gives Council authority to direct the Returning Officer to grant a poll for the determination of any matter that the Council has directed him to put before the electors;

AND WHEREAS the electors of the City of Dartmouth should participate in matters which affect them;

THEREFORE BE IT RESOLVED that the Returning Officer be directed to put the following questions before the electors on Municipal Election Day, October 15, 1988:

- 1) Should Dartmouth City Council, like all other Nova Scotia municipal councils, have total control of its parks and common land?
- 2) Should the aquatic facilities at the Sportsplex be enlarged?
- 3) Should all the existing parking area at the Sportsplex be paved?
- 4) Should Thistle Street, from Wyse Road to Victoria Road, be closed to vehicular traffic?

Moved: Ald. McCluskey
Second: Ald. Hetherington

Some members questioned the appropriateness of a plebiscite to seek a public response to these particular questions; some were not willing to accept all of the questions the motion proposes; and other members would have preferred changes in wording that would produce a public response without any bias either in favour of or against the issue addressed by the motion.

Ald. McCluskey felt the questions she has proposed will give a true indication of public opinion, which will be helpful to Council, and she considered a plebiscite to be a satisfactory means of determining a true response from residents on a relevant issue.

Ald. Sarto said he could support question #1 if it referred only to the Dartmouth Commons and did not include parks. He was prepared to present an amendment to this effect, but since there were objections to the wording of the three remaining questions as well, it was suggested that a decision should be deferred for one week, for a re-drafting of all the questions in a form more acceptable for plebiscite purposes.

MOTION: To defer a decision on the motion for one week, to permit a re-drafting of the questions in a form that is more acceptable for plebiscite purposes.

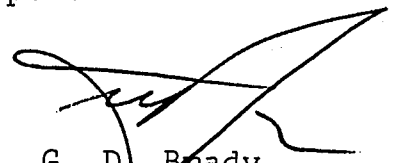
Moved: Ald. Connors
Second: Ald. Billard
In Favour: All
Against: None
Motion Carried

Council had agreed previously to meet in camera at the end of the regular meeting.

MOTION: To adjourn for the purpose of meeting in camera.

Moved: Ald. Levandier
Second: Ald. Hetherington
In Favour: All
Against: None
Motion Carried

Meeting adjourned at 10:45 p.m.


G. D. Brady,
Deputy City Clerk.

OCT 16 1988
SEP 16 1988

ITEMS:

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- 8.2.4 Mortgage - Dart. Senior Citizens Service Centre -
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- 8.2.7 Application for Amendment to Land Use By-law -
14 Dawn Dr., page 7.
- 8.2.8 Tender for various equipment, page 8.
- 8.2.9 Take-over of David M. Jones Judges Tower, page 8.
- 8.3 Solicitors, page 9.
- 8.3.1 Seamasters Services Ltd. - Consent to assignment of
(Res. 88-45) lease, page 9.
- 8.3.2 Lyngby Ave.: Lot D-11 - Res. 88-46, page 10.
- 8.3.3 Pollution Control - Waste Water Maintenance Charge
By-law (C-660), page 10. & 11.
- 8.3.4 Land exchange - City and CNR, page 12.(Res. 88-49)
- 9.0 Motions, page 12.
- 9.1 Ald. MacFarlane, page 12.
- 9.1.1 Sidewalk Construction - Celtic Dr., Somerset St.,
Glenwood Ave. & Chestnut Lane, page 12.
- 9.1.2 Sidewalk Reconstruction - Portland St., Hawthorne St.,
& Canterbury St., page 13.
- 9.1.3 Maintenance of private lots, page 13.
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- 9.1.5 Traffic concerns - Celtic Dr., page 15.
- 9.1.6 Inadequate garbage receptacles, page 15.

ITEMS:

- 9.2 Ald. Hetherington, page 16.
 - 9.2.1 Lights - Morash Ballfield & Lawn Bowling Green Court, pg. 16.
 - 9.2.2 Replacement of Retaining wall - Nova wood Dr., page 17.
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 - 9.3.1 Street surface, curbs & sidewalks - Frances St., page 17.
 - 9.3.2 Election, page 18 & 19.
-

SEP

SEPT

LOCATION: CITY COUNCIL CHAMBERS
TIME: 7:35 P.M.

MEMBERS PRESENT: MAYOR SAVAGE
ALDERMEN THOMPSON, BILLARD
MACFARLANE, CONNORS
LEVANDIER, WITHERS
MCCLUSKEY, PYE, WOODS
HAWLEY, BREGANTE, HETHERINGTON
MEMBERS ABSENT: ALD. SARTO, GREENOUGH

CITY ADMINISTRATOR: J. BURKE
CITY SOLICITOR: S. HOOD
CITY CLERK-TREAS.: BRUCE S. SMITH
DEPARTMENT HEADS & ASSISTANTS

PRESENTATION - ALD. WITHERS

At the opening of the meeting, Mayor Savage presented a gift to Ald. Withers, on behalf of Council, in honour of Ald. Withers' 30th wedding anniversary.

CANADIAN CANOE CHAMPIONSHIPS

Ald. Billard commended the success of the Canadian Canoe Championships held last week in Dartmouth, naming in particular three volunteers who worked, with others, to make this event a success. The volunteers acknowledged by Ald. Billard were: Mr. Art Russell, Mr. John MacGlashen and Mr. Alan Barry.

1.0 PRESENTATION

1.1.1 DARTMOUTH COMMONS COMMITTEE REPORT

DART. COMMONS
COMMITTEE REPORT

Members have received copies of the Dartmouth Commons Committee Report, circulated with the agenda for this meeting.

Presentation of the report to Council was made by the Hon. Roland Thornhill, M.L.A. for Dartmouth South, the Chairman of the Commons Committee.

Mr. Thornhill commended the work the Committee has done in preparing this report, and he acknowledged members of the Committee by name individually. He then explained why the Dartmouth Commons Bill was introduced and passed, in response to concerns expressed to him about the preservation of remaining Common lands in Dartmouth. He later noted that of the 150 acres of Common land originally granted in 1788, there are only fifteen acres left.

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Mr. Thornhill outlined to Council how the enhancement plan being recommended for the Commons has evolved through a process of seeking public response and input and drawing from that response, ideas and suggestions the Committee feel would fit in with suitable plans for the Commons and the policies for guiding future development of them. He noted that response to the questionnaire sent out to residents was very good; 62% of the questionnaires were returned, showing the interest of the public in future planning for the Commons.

Mr. Thornhill commended to Council the proposed policies and recommendations set out in the report from the Commons Committee.

At the conclusion of the presentation, members were given the opportunity to ask questions of Mr. Thornhill. Ald. McCluskey asked Mr. Thornhill for his opinion on a plebiscite, in conjunction with the upcoming municipal election, that would seek a public reaction to questions concerning the use of the Dartmouth Commons. Her particular concern was about the area of the Commons occupied by the Sportsplex, and the fact that expansion of this facility cannot take place because of the Commons legislation. Mr. Thornhill noted that the legislation was introduced as a response to public concerns about the protection of the Commons, and he felt these concerns have been communicated by citizens without the need for a plebiscite. He did not feel that a plebiscite is the proper forum for dealing with this kind of issue.

Ald. Woods' question concerned the possible application of the Commons legislation to other park land that may be in need of protection, such as the Pinehill Look-off. Mr. Thornhill said he felt the Committee would be willing to look at this suggested City-wide application of the legislation, if they are requested to do so.

Ald. Connors read to Council, a letter that has been forwarded by Mrs. Dillman, expressing her concerns about the condition of the Dartmouth Scenic Gardens, which Mr. Dillman worked for years to maintain.

A motion to adopt the recommendations of the Commons Committee report was then presented.

MOTION: To adopt the recommendations contained in the Commons Committee report. In summary, these are:

- 1) That Council adopt the "Policies to Guide Future Development of the Dartmouth Commons" as presented by the Commons Committee.
- 2) That Council set up legislation to establish a Committee of Trustees of the Commons for the object and purpose of overseeing the management and maintenance of the Dartmouth Commons lands. The Committee of Trustees to be composed of membership detailed on page 5 and 6 of the report.
- 3) This Committee to be appointed at the first meeting of City Council when all committee and board appointments are regularly made.
- 4) The Committee of Trustees to be given authority to exercise such powers as required to attain its object and purpose. Further details set out on page 6 of the Commons Committee report.
- 5) The Committee shall hold an annual public meeting, following which the Committee shall make an annual report to Council, or as is needed. Also, an annual financial statement and budget is to be submitted to Council at such time as Council may determine.
- 6) The initial mandate of this Committee shall be to direct and coordinate the production of a detailed enhancement plan by professional park-open space designers, using the "Policies to Guide Future Development of the Dartmouth Commons" as a basic terms of reference.

This mandate to be met within 8 months of the Committee's initial meeting.

Funding for development of the enhancement plan shall be provided by Dartmouth City Council.

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Moved: Ald. Connors
Second: Ald. Withers
In Favour: Ald. Connors, Pye, Woods
Billard, MacFarlane
Levandier, Hetherington
Bregante, Thompson, Hawley
Against: Ald. McCluskey
Motion Carried

2.1 CITY ADMINISTRATOR

2.1.1 1988 DEBT ISSUE

1988 DEBT ISSUE

A further report has been submitted to Council by Mr. Burke (L. Corrigan, B. Smith) on the subject of the 1988 debt issue, dealing in particular with the funding of the water portion from the Depreciation Fund of the Dartmouth Water Utility, rather than being included with the regular debt issue.

Having given this matter further consideration, staff is prepared to amend the recommendation made to Council originally. Amended recommendations are proposed to Council in Mr. Burke's supplementary report.

MOTION: To adopt the following recommendations relating to the 1988 debt issue:

- 1) That City Council authorize staff to proceed with funding arrangements with the Municipal Finance Corp. for long-term debt totalling \$6,008,000. relating to General Fund capital projects listed in the staff report of Aug. 10/88.
- 2) That City Council authorize the withdrawal of \$492,000. from the Depreciation Fund to pay for the Water Utility Capital projects listed in the staff report of Aug. 10/88 (subject to the approval of the Public Utilities Board).

Moved: Ald. Hetherington
Second: Ald. Bregante
In Favour: All
Against: None
Motion Carried

2.2 SOLICITORS2.2.1 POLLUTION CONTROL - WASTE WATER MAINTENANCE CHARGE
BY-LAW - SECOND READINGPOLLUTION
CONTROL BY-LAW
C-660
SECOND READING

Proposed By-law C-660 (Pollution Control/Waste Water Maintenance Charge By-law) has been re-drafted, as requested by Council, to include additional section 6, which specifies that the funds in the Pollution Control Account shall be used only for control of pollution, caused by sewage, in Halifax Harbour.

The revised by-law was before Council in second reading for approval, recommended by the City Administrator.

Ald. Levandier preferred to see the phasing timetable altered to three years, commencing in 1989, instead of 1988. It was noted by Mr. Burke that the collection of revenue for 1988 will already be short of what was originally planned, since it has taken longer than expected to get this legislation in place. He said Council would only be deferring costs that will ultimately have to be met later.

The vote was taken on second reading (from the August 16th meeting).

In Favour: All
Against: None
Motion Carried

MOTION: That By-law C-660 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.

Moved: Ald. Thompson
Second: Ald. Hetherington
In Favour: All
Against: None
Motion Carried

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3.0 MOTIONS

3.1 ALD. MCCLUSKEY

3.1.1 ELECTION

MOTION: BE IT RESOLVED that on Municipal Election Day, October 15, 1988, a question be put before the electors concerning who should have control over the use of the Dartmouth Commons; AND BE IT FURTHER RESOLVED that the Solicitors bring before Council for its approval, the wording of such question.

This motion is a revised version from one presented by Ald. McCluskey at the meeting of August 16th.

Moved: Ald. McCluskey

Second: Ald. Thompson

In Favour: Ald. Pye, McCluskey
Woods, Levandier
Hetherington

Against: Ald. Billard, MacFarlane
Connors, Bregante
Thompson, Withers
Hawley

Motion Defeated

3.2 ALD. SARTO

3.2.1 SIDEWALK CONSTRUCTION - CRANBERRY CRES., BELLEVISTA DR.
& TOPSAIL BLVD.

Ald. Sarto's motion was deferred in his absence until a future meeting.

3.3 ALD. PYE

3.3.1 PARKING AREA - BIG ALBRO LAKE

MOTION: WHEREAS Big Albro Lake is used by both sportsmen and bathers;
AND WHEREAS the parking area is presently of loose ground, which causes a dust bowl during the summer months, affecting residential households;

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THEREFORE BE IT RESOLVED that the Engineering Dept. prepare a cost estimate to have the parking area asphalted, with the intent of having it placed within the 1989 capital expenditure budget.

Moved: Ald. Pye
Second: Ald. Woods
In Favour: Ald. Pye, Woods, Withers
 Hawley, Connors, Billard
 MacFarlane, McCluskey
 Bregante, Hetherington
 Thompson
Against: Ald. Levandier
Motion Carried

Ald. Levandier objected to this and all of the other similar motions calling for capital budget expenditures for 1989. He did not consider this to be an appropriate way of dealing with future capital expenditures.

3.3.2 RECONSTRUCTION OF STREET & CONCRETE SIDEWALKS - CATHERINE ST.

MOTION: WHEREAS Catherine Street is in need of reconstruction;

AND WHEREAS Catherine Street is the primary street to Harbour View Elementary School;

THEREFORE BE IT RESOLVED that the Engineering Dept. prepare a cost estimate for reconstruction of the street and concrete sidewalks to replace existing asphalt sidewalks, with the intent of having it placed within the 1989 capital expenditure budget.

Moved: Ald. Pye
Second: Ald. Woods
In Favour: All
Against: None
Motion Carried

3.4 ALD. HAWLEY

3.4.1 INTEREST - OVERPAID TAXES

SEP 1 1988

The motion presented by Ald. Hawley was in a revised form from the notice of motion previously given, the wording having been prepared in conjunction with the City Solicitor.

MOTION: WHEREAS there is no requirement in the Assessment Act for interest to be paid on a refund of taxes which were overpaid as a result of an assessment which was subsequently successfully appealed;

AND WHEREAS interest is charged on the entire balance of unpaid taxes where an assessment is appealed and subsequently reduced;

BE IT THEREFORE RESOLVED that the Solicitors approach the Minister of Municipal Affairs about an amendment to the Assessment Act, to provide for the payment of interest on a refund of overpaid taxes and to provide that interest shall be charged on unpaid taxes only on the amount subsequently determined on appeal to be the amount payable;

AND BE IT FURTHER RESOLVED that if an amendment to the Assessment Act cannot be obtained, that an amendment to the Dartmouth City Charter be made, to allow for such treatment of interest.

Moved: Ald. Hawley
Second: Ald. Thompson

While Council generally supported the intent of the motion, some members were not willing to give it approval until it has been determined what the impact would be in terms of lost revenue to the City. Referral of the motion to the Finance & Program Review Committee was therefore suggested, for report and recommendation back to Council. A motion to refer was presented.

MOTION: To refer to the Finance & Program Review Committee.

Moved:
Second:
In Favour: Ald. Thompson, Hawley
MacFarlane, Bregante
Connors, Levandier, Withers
Pye, Woods, Hetherington
Against: Ald. McCluskey, Billard.
Motion Carried

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3.5 ALD. CONNORS3.5.1. CURB & SIDEWALK REPAIRS - FAIRBANKS ST.

Ald. Connors was permitted to introduce three motions at this time, all pertaining to curb and/or sidewalk construction in his ward. All three motions were presented at one time, with one seconder.

MOTION: WHEREAS Fairbanks Street is a long-established and revitalized residential community;

AND WHEREAS significant curb & sidewalk work has not been undertaken on this street for some considerable time;

BE IT RESOLVED that the Engineering Dept. review the state of these curbs and sidewalks, and prepare estimates for their repair and replacement, on a multi-year basis, if necessary, and refer them to the 1989 capital budget deliberations.

3.5.2 CURB & SIDEWALK REPAIRS - MAPLE ST.

MOTION: WHEREAS Maple Street is a long-established street in the City, used by a great number of pedestrians of all ages, on a daily basis.

AND WHEREAS much of the curb and sidewalk is in deplorable condition, and in many instances, dangerous to young and old alike.

BE IT RESOLVED that the Engineering Dept. review the state of these curbs and sidewalks, and prepare estimates for their repair and replacement (on a multi-year basis, if necessary), and refer those estimates to the 1989 capital budget deliberations.

3.5.3 SIDEWALK CONSTRUCTION - MYRTLE ST.

MOTION: WHEREAS the Engineering Dept. has received requests for the construction of sidewalks in the areas of Myrtle Street (north side), and Oak Street (near Crichton Ave.);

AND WHEREAS those areas are reasonably well-travelled by pedestrians, and have not had sidewalks before;

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BE IT RESOLVED that cost estimates be prepared and referred to the 1989 capital budget deliberations, under New Sidewalk Construction.

Moved: Ald. Connors
Second: Ald. Hetherington
In Favour: All
Against: None
Motions Carried

3.5.4 PARKING - HAZLEHURST ST.

At the request of Ald. Connors, his final motion - Parking - Hazlehurst Street - was deferred for one month.

4.0 ENQUIRIES & ANSWERS

ALD. HETHERINGTON The following enquiries were made by Ald. Hetherington:

- 1) he asked if any permits have been taken out for the Pleasant Street Plaza. Mr. Turner advised that the permit originally taken out has expired, and no other permit is in force.

Ald. Hetherington asked about hydroseeding that was to have taken place on the land in question. Mr. L'Esperance said the developer intends to proceed with the project and will be coming in to renew it. Ald. Hetherington asked to be kept further informed by staff on this matter.

- 2) he asked about the reflectors for the jersey barrier on Highway 111. Mr. Fougere to bring this inquiry to the attention of Paul Connors.
- 3) Ald. Hetherington expressed concerns he has about the present lack of police patrols on residential streets throughout the City.. At present, he said, patrols appear to be only on main arteries and never on the residential streets off those main arteries.
- 4) he asked that the Federal and/or Provincial Government be approached with a request that approx. 5½ acres of land near the Coast Guard Base (adjacent to their land) be expropriated so that it can be retained in a park-land state. He noted that the land in question also has historic significance, which is another reason for retaining it.

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BE IT RESOLVED that cost estimates be prepared and referred to the 1989 capital budget deliberations, under New Sidewalk Construction.

Moved: Ald. Connors
Second: Ald. Hetherington
In Favour: All
Against: None
Motions Carried

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ALD. LEVANDIER

Ald. Levandier requested that a crosswalk be painted on the street in the vicinity of Bligh Street and Dawson Street. Mr. Burke said this item could be included in the next T.M.G. agenda.

ALD. PYE

Ald. Pye asked about an inquiry he made previously about the order of Council agendas, and giving a higher priority to the item Motions. The Mayor said he would have an answer for Ald. Pye by next week.

Ald. Pye's second inquiry pertained to the stocking of Albro Lake with fish, and the cost of a clean-up that is needed after the fishing season. He asked if the Dept. of Lands & Forests, responsible for stocking Albro Lake with fish, would also assume responsibility for the clean-up after fishermen. Mr. Atkinson responded to questions about other lakes in the City that are stocked with fish, and he advised that Maynards Lake is no longer stocked, at the request of area residents, who had similar problems.

ALD. MCCLUSKEY

Ald. McCluskey made the following inquiries:

- 1) she asked about the at-grade intersection for Woodland Ave. & MicMac Blvd. Mr. Fougere said there will be a report on the tender next week for Council. The intersection itself will be completed this fall, but the traffic lights will not be in operation until controllers are ready.
- 2) she asked why the soccer fields are in such poor condition. Mr. Atkinson said it is difficult to find any time to work on them when they are not in use. He said his department does what it can.
- 3) Ald. McCluskey 's next inquiry was about Section 167 (1) (d) of the City Charter, as it applies to the payment of registration fees for the spouses of Aldermen, who are attending the Union of Nova Scotia Municipalities Conference. She did not feel the section covers this expenditure, although the Solicitor's opinion was that such expenses would be valid under the provision.

Ald. McCluskey was not satisfied with the interpretation given Section 167 by the Solicitor. She also asked if a resolution is required to permit Aldermanic attendance at such conferences. She asked for a response to this question as well.

- 4) Ald. McCluskey asked about the land use for which the waterfront parking lot was expropriated; she wanted to know if the current use is in keeping with the purpose for which it was expropriated. The Solicitor agreed to check on the inquiry.

ALD. MACFARLANE

Ald. MacFarlane made the following inquiries:

- 1) he asked about the status of the rooming house legislation. Mr. L'Esperance advised that the public hearing date is August 30th.
Ald. MacFarlane asked if non-profit group home facilities are included in the by-law. Mr. L'Esperance said this category has not been included, but it will be considered as part of the M.P.S. review.
- 2) concerning a traffic problem at Cottage Hill and Prince Albert Road; Mr. Burke said he would put the item on the T.M.G. agenda.
- 3) he requested that the crosswalk at Maynard Street and Old Ferry Road be put in the right location before the start of the school year.
- 4) he asked when the position of Traffic Engineer will be filled. Mr. Burke said the position will likely be filled by November of this year.
- 5) Ald. MacFarlane inquired about audible sounding equipment as part of new signalized systems; Mr. Burke will check on the inquiry.
- 6) Ald. MacFarlane raised a concern that residents have brought to his attention, with respect to the crosswalk at Dartmouth Inn/Graham's Grove; there are no overhead warning signals at this location.
- 7) Ald. MacFarlane asked how many fines have been imposed this summer for littering; Mr. Burke to check on the inquiry.
- 8) Ald. MacFarlane asked what is being done about the duck population at Sullivan's Pond; is it being looked at by any particular department. Mr. Burke agreed to respond to this inquiry.
- 9) Ald. MacFarlane asked about a reported sighting of turtles in Lake Banook. Ald. Hetherington said that to his knowledge, there are no turtles in the lake.

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ALD. THOMPSON

Ald. Thompson asked about the status of the tender for upgrading Woodlawn Road and Portland Street. Mr. Fougere will get back to Ald. Thompson on this inquiry.

Ald. Thompson asked about protective measures in place for Works Dept. crews on City streets. Mr. Burke said he will be addressing this matter immediately.

ALD. BILLARD

Ald. Billard said it was unfortunate that the expenditure projected for capping the duck population at Sullivan's Pond, did not receive approval. He felt that the problem will not be resolved until that measure is taken.

Ald. Billard's second inquiry pertained to a legal question about occupying a house, without an occupancy permit having been legally issued. The Solicitor responded in general terms, and Ald. Billard requested information on a specific situation which prompted the inquiry.

ALD. CONNORS

Ald. Connors referred to recent newspaper articles with respect to alleged human rights violations in the hiring practices of Metro Transit. He asked about the position the City is placed in when we are expected to fund a deficit for a body that will not permit an investigation of their records, as the Human Rights Commission has requested. The Mayor agreed to take the matter up further and seek a response for Council.

ALD. WOODS

Ald. Woods' inquiry concerned appointments to the Board of Directors for the Dartmouth Housing Authority. He said he understood that there is a vacancy on the Board at present, and asked the Mayor if the City could have some input into the appointment. The Mayor agreed to look into this possibility and report back to Council.

ALD. HAWLEY

Ald. Hawley was concerned that the City is not receiving the number of performers promised as part of our participation in the Buskers Festival. The Mayor advised that performances are being monitored by a member of the Tourism staff, and a report will be prepared after the Festival.

Ald. Hawley requested that Council receive information on the background, qualifications and other relevant information on the new staff member in the Economic Development Dept. Mr. Burke was willing to provide a profile of the individual and information on what is entailed in the job that has been filled.

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5.0 NOTICES OF MOTION

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

1) Ald. BillardCity Owned Land - Maintenance

WHEREAS the City owns a considerable number of acers of "undeveloped land", but which is grassed and irregularly tended;

AND WHEREAS some of this land is in park area (eg. Maynards Lake & Silver's Hill), and is heavily used by residents as parkland;

AND WHEREAS land owners are required to keep land presentable;

BE IT THEREFORE RESOLVED that an inventory of such parkland, now designated as "undeveloped", be made, and prioritized as to when such City-owned land should become developed and maintained on a regular and law-abiding basis.

2) Ald. Withers

WHEREAS Woodland Ave. is a heavily-travelled main artery of the City of dartmouth;

AND WHEREAS Woodland Ave. is unquestionably one of the gateways to this City;

AND WHEREAS asphalt sidewalks installed over twenty years ago were regarded as a temporary solution toward enhancing the safety of our citizens.

AND WHEREAS that in spite of periodical repairs, such sidewalks continue to be in deplorable and unsafe condition;

THEREFORE BE IT RESOLVED that the Engineering Dept. prepare cost estimates for installation of concrete sidewalks for consideration of inclusion in the 1989 capital budget.

3) Ald. Connors

- (a) WHEREAS the maintenance of sidewalks, curbs, and streets is a fundamental responsibility of the City, which ought to be of high priority.

AND WHEREAS there are many, many sidewalks, curbs, and streets throughout the whole City in need of significant repair;

AND WHEREAS although money is spent annually and some work is done, the City has not shown leadership nor carried out its full responsibilities in this regard, because there is apparently no organized system of street, curb, and sidewalk maintenance, allowing decisions to be made on the basis of political ad hocery;

BE IT RESOLVED THAT:

- (a) the Engineering Dept. prepare an inventory of all City streets, curbs, and sidewalks, including an assessment of present condition and expected lifespan, and replacement costs.
- (b) that this inventory be used as the basis for the creation of a system of long-term planned maintenance and replacement.
- (c) that upon presentation of this inventory and maintenance and replacement schedule to Council, Council will adopt policies for its periodic review.
- (b) WHEREAS the presence of the Sternwheeler and Portland Landing Taverns in the downtown, their hours of operation, entertainment and general operation, have adversely affected the Downtown Dartmouth business and residential community;

AND WHEREAS at a recent meeting attended by City Aldermen, the Police Dept., Downtown business and residents, it was reaffirmed that problems including vandalism, rowdiness, indecency, occur in and around these establishments, with alarming frequency;

AND WHEREAS their continued operation is in direct conflict with:

- a) the residential community.
- b) promotion of retail and other legitimate business and
- c) the development of tourism

BE IT RESOLVED:

- (1) that Council request the Nova Scotia Liquor License Board to review the licenses and operation of both these establishments at the earliest opportunity, at a public meeting.
- (2) that in the interim, the Police Dept. improve response times and take steps to increase effective police presence in that area of the downtown, so as to deter the problems complained of.

- (c) WHEREAS there are large numbers of children of pre-school age living in the Dartmouth Housing Authority properties located on Nova Court, Scotia Court, and adjacent streets;

AND as there is presently inadequate playground equipment for school-age children, and nothing for pre-schoolers;

BE IT RESOLVED that the City, through the Dept. of Parks & Recreation, approach the Dartmouth Housing Authority to share in the establishment of a proper playground, including tot equipment, in time for the summer of 1989.

4) Ald. Pye

WHEREAS Ward 5 has in the past been a victim of poor planning;

AND WHEREAS areas of past developments are now showing visible signs of deteriorating, and are in need of revitalization;

AND WHEREAS Ward 5 contributes more than its fair share in revenue to the City;

THEREFORE BE IT RESOLVED that City Council authorize the expenditure of one million dollars from the capital budget, to be spent each year for the next ten years,

on an Urban Renewal Program for Ward 5.

AND BE IT FURTHER RESOLVED that after the expiration of the ten-year program, there will be a review to determine whether the program will continue.

AND BE IT FURTHER RESOLVED that this capital expenditure will in no way affect Ward 5 in relation to other capital expenditures placed within a capital budget.

2.0 REPORTS

2.1 CITY ADMINISTRATOR

2.1.1 CONTRACT 87518B

CONTRACT
87518B

Report from Mr. Burke (R. Fougere, E. Purdy) on tenders received for Contract 87518B, Site Improvements, City of Lakes Business Park.

Mr. Burke recommends that the tender be awarded to the lowest bidder, Ocean Contractors Ltd., with a bid price of \$97,220.20, and a completion time of 3 months.

MOTION: To award the tender for Contract 87518B (Site Improvements, City of Lakes Business Park) to the lowest bidder, Ocean Contractors Ltd., as recommended. Their bid price is in the amount of \$97,220.20; completion time: 3 months.

Moved: Ald. McCluskey
Second: Ald. Woods
In Favour: All
Against: None
Motion Carried

2.1.2 CONTRACT 88531

CONTRACT
88531

Report from Mr. Burke (R. Fougere, E. Purdy) on tenders received for Contract 88531, Burnside Industrial Park Street Improvements.

Mr. Burke recommends that the tender be awarded to the lowest bidder, Standard Paving Maritime Ltd., with a bid price of \$367,926., and a completion time of 2 months.

MOTION: To award the tender for Contract 88531 (B.I.P. Street Improvements) to the lowest bidder, Standard Paving Maritime Ltd., as recommended. Their bid price is in the amount of \$367,926.; completion time: 2 months.

Moved: Ald. Thompson
Second: Ald. Withers
In Favour: All
Against: None
Motion Carried

2.1.7 RECONSTRUCTION OF HESTER ST. - ADDENDUM TO CONTRACT 88-14

ADDENDUM TO
 CONTRACT 88-14

Council dealt with an item added to the agenda - reconstruction of Hester Street (Elmwood Ave. to Stairs Street): addendum to Contract 88-14

Report from Mr. Burke (R. Fougere) on Contract 88-14 and a proposed addendum to the contract with Ocean Contractors, in order to reconstruct Hester St. from Elmwood Ave. to Stairs Street, at an additional cost of \$35,000.

Mr. Burke has recommended the addendum to the main contract be approved, to form part of the current agreement with Ocean Contractors Ltd., at a cost of \$35,000.

MOTION: To approve the addendum to Contract 88-14 (reconstruction of Hester St.) at an additional cost of \$35,000.

Moved: Ald. McCluskey
Second: Ald. Withers
In Favour: Ald. Withers, McCluskey
 Thompson, MacFarlane
 Hawley, Pye, Woods
 Bregante, Hetherington
 Connors.
Against: Ald. Billard, Levandier

2.2 SOLICITORS

2.2.1 RAYMOR CONSTRUCTION - AGREEMENT

RAYMOR
 CONSTRUCTION:
 AGREEMENT

The Solicitor has submitted a report on the agreement worked out between the City and Raymor Construction Ltd., with respect to lands on the northeast side of Manor Park, the conveyance of a strip of land to the City, and the reimbursement of Raymor Construction for street construction costs they have incurred.

SEPT

RESOLUTION
88-50

It has been recommended that Council approve Resolution 88-50, authorizing the City to enter the agreement negotiated with Raymor in substantially the form contained in the agreement described as Schedule "A", with additional clauses described as Schedule "B".

A plan of the land holdings in question was available for viewing by Council with the Solicitor present to answer questions. Mr. Gene Marchand of Raymor Construction was present also, and he responded to several questions from Ald. Billard and Ald. MacFarlane.

MOTION: To approve Resolution 88-50, as recommended by the City Solicitor. The resolution authorizes the City to enter into an agreement with Raymor Construction re lands on the northeast side of Manor Park.

Moved: Ald. Levandier
Second: Ald. Thompson
In Favour: All
Against: None
Motion Carried

2.2 RETURNING OFFICER2.2.1 ADVANCE POLLS - OCTOBER 5 & 11, 1988ADVANCE
POLLS

The Returning Officer, Mr. Smith has recommended to Council that advance polls for the Dartmouth Municipal Election be set as Wed., October 5th, and Tues., October 11th, 1988, from 12:00 noon through 8:00 p.m. in the evening.

MOTION: To approve the dates recommended by the Returning Officer for the advance polls for the Dartmouth Municipal Election, these being Wed., Oct. 5th and Tues., Oct. 11th, from 12:00 noon to 8:00 p.m.

Moved: Ald. Thompson
Second: Ald. Bregante
In Favour: All
Against: None
Motion Carried

OCT
SEPT

As previously agreed, Council adjourned at the hour of 10:10 p.m. to meet in camera.

MOTION: To adjourn for the purpose of meeting in camera.

Moved: Ald. Hetherington
Second: Ald. Bregante
In Favour: All
Against: None
Motion Carried

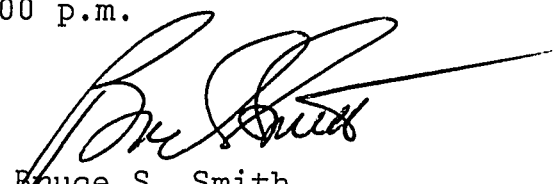
RATIFY ACTION
TAKEN IN CAMERA

Council later reconvened in open meeting to ratify the action taken while meeting in camera.

MOTION: To ratify action taken in camera, both prior to and following the regular Council meeting.

Moved: Ald. Hawley
Second: Ald. Hetherington
In Favour: All
Against: None
Motion Carried

The meeting adjourned at 11:00 p.m.


Bruce S. Smith,
City Clerk-Treasurer.

ITEMS:

- Presentation - Ald. Withers, page 1.
Canadian Canoe Championships, page 1.
- 1.0 Presentation, page 1.
- 1.1.1 Dartmouth Commons Committee report, page 1 to 4.
- 2.1 City Administrator, page 4.
- 2.1.1 1988 Debt Issue, page 4.
- 2.2 Solicitors, page 5.
- 2.2.1 Pollution Control - Waste Water Maintenance Charge By-law -
Second reading, page 5
- 3.0 Motions, page 6.
- 3.1 Ald. McCluskey, page 6.
- 3.1.1 Election, page 6.
- Ald. Sarto, page 6.
- 3.2.1 Sidewalk Construction - Cranberry Cres., Bellevista Dr.,
& Topsail Blvd., page 6.
- 3.3 Ald. Pye, page 6.
- 3.3.1 Parking area - Big Albro Lake, page 6.
- 3.3.2 Reconstruction of street & concrete sidewalks - Catherine
Street, page 7.
- 3.4 Ald. Hawley, page 7.
- 3.4.1 Interest - Overpaid taxes, page 7 & 8.
- 3.5 Ald. Connors, page 9.
- 3.5.1 Curb & sidewalk repairs - Fairbanks St., page 9.
- 3.5.2 " " " - Maple St., page 9.
- 3.5.3 Sidewalk construction - Myrtle St., page 9.
- 3.5.4 Parking - Hazlehurst St., page 10.
- 4.0 Enquiries & Answers, page 10 to 13.
- 5.0 Notices of Motion, page 14 to 17.
- 2.0 Reports, page 17.
- 2.1 City Administrator, page 17.
- 2.1.1 Contract 87518B, page 17.
- 2.1.2 Contract 88531, page 17.
- 2.1.7 Reconstruction of Hester St. - Addendum to Contract 88-14,
page 18.
- 2.2 Solicitors, page 18.
- 2.2.1 Raymor Construction - Agreement, page 18. (Res. 88-50).
- 2.2. Returning Officer, page 19.
- 2.2.1 Advance Polls - October 5th & 11th, 1988, page 19.
Ratify action taken in camera, page 20.

OCT
SEPT

LOCATION: CITY COUNCIL CHAMBERS
TIME: 7:30 P.M.

MEMBERS PRESENT: DEPUTY MAYOR HETHERINGTON
ALDERMEN SARTO, THOMPSON
BILLARD, MACFARLANE
LEVANDIER, CONNORS
WITHERS, MCCLUSKEY
PYE, WOODS, HAWLEY
BREGANTE, HETHERINGTON

MEMBER ABSENT: ALD. GREENOUGH

CITY ADMINISTRATOR. J. BURKE
CITY SOLICITOR: M. MOREASH
CITY CLERK-TREASURER: BRUCE S. SMITH
DEPARTMENT HEADS & ASSISTANTS

At the opening of the meeting, several members rose on points of privilege.

STORAGE OF PCB'S

Ald. Pye's point of privilege concerned the storage of PCB's in the Province generally, and in Dartmouth in particular. He was advised by the Deputy Mayor that the Fire Dept. have information on file for the Dartmouth locations, and members of Council could probably go through this information at the office where it is kept. He questioned whether or not such information should be circulated, however. Ald. Pye maintained that Council should be provided with the information.

DECISION - LIQUOR LICENSING BOARD

Ald. Connors noted that in the recent Liquor License Board hearing of the Burnside Holdings Ltd. application for 23 Alderney Drive, the decision of the Board was to dismiss the application. He thanked Council for supporting the City intervention, and requested that copies of the Board's decision be made available to all members of Council. Mr. Smith later had copies distributed as Ald. Connors requested.

POLICE PATROLS - SUMMER MONTHS

Ald. Connors indicated concern to Council about a newspaper article in today's edition of the Halifax Mail-Star, in which the Chief of Police explains why regular police patrols cannot be carried out during summer months, due to a lack of manpower for them.

Ald. Connors felt that this and other matters pertaining to the operation of the Police Dept. should be discussed at regularly-called meetings of the Police Commission. He questioned whether, in fact, the Commission has been appointed since the new Police Act was proclaimed, and requested that minutes of Council meetings be checked to determine the status of Police Commission appointments. He also requested a meeting of the Police Commission as soon as possible.

MOTION: To determine the status of the Police Commission appointments and if these have not been made, to do so at the next regular Council meeting; in the meantime, a date to be set for a Police Commission meeting in September.

Moved: Ald. Connors
Second: Ald. Billard
In Favour: All
Against: None
Motion Carried

REDUCTION - BREAK & ENTER CRIMES

Ald. Billard referred to another newspaper story of this date, dealing with the recent reduction in break and enter crimes in the City (particularly in Wards 1 and 6), as the result of police investigation and action. He commended the Youth Division especially and the police constables involved for the results they have achieved through their work.

1.0 PUBLIC HEARINGS

i) QUEEN STREET CLOSURE

QUEEN ST.
CLOSURE

Council has set this date for public hearing in connection with the closure of a portion of Queen Street below Alderney Drive, required to allow for the Civic Centre Complex. Resolution 88-44 has been prepared to accomplish the street closure, and was before Council.

Mr. Moreash presented the Solicitor's report, after which the public hearing was opened. The Deputy Mayor called for speakers in favour, and Council heard Mr. Colin May of 10 Dahlia Street. Mr. May said he was pleased that the City does business by resolution and not by implication.

OCT
SEPT

The Deputy Mayor called twice more for speakers in favour, and when there were none, he called for speakers opposed to the street closure.

Mr. John MacLeod inquired about the zoning and about the viewplanes affecting Queen Street. Mr. Bayer advised that the zoning boundary is the centre line of Queen Street, and with respect to viewplane restrictions, he said there is no by-law applicable to corridor views in this area.

Having called twice more for speakers opposed and hearing none, the Deputy Mayor declared the public hearing to be over, and a motion to this effect was adopted.

MOTION: To close the public hearing for the closure of a portion of Queen Street.

Moved: Ald. MacFarlane
Second: Ald. Withers
In Favour: All
Against: None
Motion Carried

RESOLUTION
88-44

A motion was then presented for the approval of Resolution 88-44.

MOTION: To adopt Resolution 88-44, closing Queen Street below Alderney Drive.

Moved: Ald. Withers
Second: Ald. Sarto

Ald. McCluskey suggested that consideration be given to the advertising of information meetings and public hearings on radio and not just through the print media. In that way, more people will be informed.

Questions from members pertained to traffic considerations and the impact on traffic patterns when Queen Street is closed. Ald. Pye also inquired about the present viewplane restrictions and a review of viewplanes in the M.P.S. process. Mr. Bayer was available to respond to these questions.

The vote was taken on the motion.

SEPT

In Favour: All
Against: None
Motion Carried

ii) AMENDMENTS TO M.P.S. & LAND USE BY-LAW (LODGING HOUSES)

AMENDMENTS:
M.P.S. AND
LAND USE
BY-LAW

This date was set by Council for public hearing of both M.P.S. amendments and Land Use By-law amendments with respect to Lodging Houses. Two By-laws prepared in this connection, By-law C-658 (M.P.S. amendments) and C-657 (Land Use By-law amendments) were before Council, accompanied by Planning Dept. reports and other related documents pertaining to the changes being proposed.

As required, two separate public hearings were held, the first being for the M.P.S. amendments, stated as Policy H-8 and Policy H-9. The Planning Dept. presentation was made by Mr. L'Esperance. He read both policy statements aloud in their entirety, advising that with the M.P.S. amendments in place, Council will be enabled to give consideration to the detailed provisions, as set out in the Land Use By-law amendments to follow.

The Deputy Mayor opened the public hearing and called three times for any speakers in favour. When there were no representations from the public, he called for speakers opposed to the M.P.S. amendments.

Mr. Allan Otto of 36 Hawthorne Street was concerned that the regulations being proposed are not applicable to non-profit group homes in R-2 zones. He requested that they be made applicable. Mr. L'Esperance explained why this is a separate issue, not covered in the by-laws presently before Council.

Mr. Colin May of 10 Dahlia Street commented on the number of lodging house rooms in Ward 3, giving a figure of 44% of the 290 rooms in the City. He did not consider that the owners of such establishments are paying anywhere near what they should be, in terms of taxation, based on the income they are receiving from these units. He said lodging houses should only be allowed in C-2, C-4 and multiple-family zones.

Mrs. Shirley Harris, the owner of a lodging house in Dartmouth, presented arguments in favour of this type of accommodation, pointing out that it is required by a segment of the population, and that not all lodging house operators behave in an irresponsible way.

Ald. Woods had a number of questions for Mrs. Harris about operating a lodging house and the degree of control she maintains over the roomers who occupy her premises in Dartmouth. She explained some of the problems that operators of lodging houses have to deal with, and she pointed out that people living in these accommodations often have nowhere else to live and would be homeless otherwise. She maintains her building in good condition on a regular basis, and felt that not all owners should be accused of negligence, as inferred in statements made about lodging houses generally.

When there were no further speakers wanting to be heard, the public hearing was declared to be over.

MOTION: To close the public hearing for M.P.S. amendments pertaining to Lodging Houses.

Moved: Ald. Pye
Second: Ald. Sarto
In Favour: All
Against: None
Motion Carried

BY-LAW C-658

Proposed By-law C-658 was presented for Council's approval.

MOTION: That leave be given to introduce the said By-law C-658 and that it now be read a first time.

Moved: Ald. Sarto
Second: Ald. Thompson
In Favour: All
Against: None
Motion Carried

MOTION: That By-law C-658 be read a second time.

Moved: Ald. Pye
Second: Ald. Sarto

Ald. Levandier supported the by-law, but Ald. Billard had reservations about the effectiveness of any amendments that will not be applicable to existing lodging houses where we already have problems. He was concerned that buildings with a number of deficiencies take so long to be corrected, and had questions for Mr. Turner about the process followed in trying to make the owners comply

with our regulations. Also, he could not understand how lodging houses can continue to be operated when they do not comply with regulations enough to even qualify for a license.

Ald. Withers asked about the number of lodging houses that will become non-conforming use properties after this by-law comes into effect. Mr. L'Esperance said the majority of them will become non-conforming. Ald. MacFarlane was concerned that the by-law is not applicable to group homes, and felt they should have been considered as well. Mr. L'Esperance explained why group homes and lodging houses are not considered to fall into the same category for purposes of the by-law.

The vote was taken on the motion for second reading.

In Favour: All
Against: None
Motion Carried

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

MOTION: That By-law C-658 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.

Moved: Ald. Sarto
Second: Ald. Thompson
In Favour: All
Against: None
Motion Carried

LAND USE BY-LAW
AMENDMENTS

Mr. L'Esperance proceeded with the Planning Dept. presentation in connection with the Land Use By-law amendments, with respect to Lodging Houses, outlining for Council the new requirements that will apply; these are set out in By-law C-657, still to be approved by Council.

The Deputy Mayor called for speakers in favour of the Land Use By-law amendments. Mr. Allan Otto of 36 Hawthorne Street was the only speaker heard by Council. After calling twice more for speakers in favour, Deputy Mayor Hetherington called three times for speakers opposed. When there were no speakers wanting to be heard in opposition to the amendments, the public hearing was declared to be closed.

OCT
SEPT

MOTION: To close the public hearing
for Land Use By-law amendments
pertaining to Lodging Houses.

Moved: Ald. Levandier
Second: Ald. Withers
In Favour: All
Against: None
Motion Carried

BY-LAW C-657

Proposed By-law C-657 was presented for Council's approval.

MOTION: That leave be given to introduce
the said By-law C-657 and that
it now be read a first time.

Moved: Ald. McCluskey
Second: Ald. Thompson
In Favour: All
Against: None
Motion Carried

MOTION: That By-law C-657 be read
a second time.

Moved: Ald. Thompson
Second: Ald. Withers

Ald. Hawley and McCluskey asked about the adequacy of the parking requirement - one space for every two rooms. Mr. L'Esperance considered this provision to be adequate, pointing out that there have not been problems with adequate parking in the past.

Ald. Billard again expressed his objections to the length of time it takes to have building deficiencies corrected, and to ^{the} fact that lodging houses are able to operate without licenses in the meantime. He felt that penalties under the zoning by-law are not sufficient at present to deter violations. Mr. Moreash noted that prosecutions in these cases would take place under the Lodging House By-law, which provides for a \$2,000. fine. This is higher than the \$1,000. maximum under the Zoning By-law.

Ald. MacFarlane also stated a disappointment with the by-law, in that it will not deal with some of the existing problems, and therefore, will not lead to any substantial improvement, except where new lodging houses are concerned.

SEPT

Ald. Connors proposed an amendment to Section 29D g) of By-law C-657, with regard to the parking requirement, whereby one parking space for every room would be required, instead of one space for every two rooms. The Solicitor explained why an amendment would not be in order in the case of a by-law advertised for public hearing. Ald. Connors presented his amendment and was not willing to withdraw it.

AMENDMENT: To amend Section 29D g) of By-law C-657, to require one parking space for every room.

Moved: Ald. Connors
Second: Ald. Hawley

The Deputy Mayor made a decision to allow the amendment to stand as presented. The vote was then taken on the amendment.

In Favour: All
Against: None
Amendment Carried

The vote was taken on second reading, as amended.

In Favour: All
Against: None
Motion Carried, as amended

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

MOTION: That By-law C-657 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.

Moved: Ald. Withers
Second: Ald. McCluskey
In Favour: All
Against: None
Motion Carried

RATIFY ACTION TAKEN IN CAMERA

A motion was presented at this point in the agenda to ratify the action taken in camera on this date, prior to the regular meeting.

MOTION: To ratify action taken in camera prior to the regular meeting.

SEPT

Moved: Ald. McCluskey
Second: Ald. Withers
In Favour: All
Against: None
Motion Carried

Council agreed to deal next with the Lodging House By-law amendments, relating to the action that has already been taken in approving By-laws C-658 and C-657. The agenda item for the Lodging House By-law (item 4.2.1) was therefore moved up on the agenda.

4.2 SOLICITORS

4.2.1 LODGING HOUSE BY-LAW AMENDMENTS - BY-LAW C-664

LODGING HOUSE
BY-LAW AMEND-
MENTS
BY-LAW C-664

Proposed By-law C-664, which amends the present Lodging House By-law with new provisions and consolidation, has been prepared by the Solicitor, and was presented for the consideration of Council. The Solicitor has recommended approval of the by-law.

Council proceeded with first reading of By-law C-664.

MOTION: That leave be given to introduce said By-law C-664 and that it now be read a first time.

Moved: Ald. Sarto
Second: Ald. Thompson
In Favour: All
Against: None
Motion Carried

MOTION: That By-law C-664 be read a second time.

Moved: Ald. Withers
Second: Ald. Thompson

Ald. Hawley questioned the enforceability of the by-law in its application to existing buildings that are deficient. The Solicitor said the by-law will be enforced to the extent that it legally can be, but there may be some provisions that cannot be applied in certain individual situations.

Ald. Connors felt that staff should be directed to start laying charges under the by-law as soon as it is possible to do so. He wanted to see a stronger stand taken to bring prosecutions to court faster in the future.

Ald. Sarto proposed an amendment to Section 1. (c) of By-law C-664, which would reduce the number of rooms to '. . . not fewer than two rooms', instead of three, as presently stated in the by-law.

AMENDMENT: To amend Section 1. (c) of By-law C-664, by changing the wording to read '. . . in not fewer than two rooms', from the present 'three' rooms.

Moved: Ald. Sarto
Second: Ald. Thompson
In Favour: All
Against: None
Amendment Carried

Ald. MacFarlane questioned the legal position the City is put in when rent is paid through social assistance for unlicensed premises, in the case of clients who are living in lodging houses that are below the standards of the municipality. Mr. Greene was asked to respond and pointed out that his department is not able to withhold rent for clients in these situations, and cannot tell clients where they may or may not live. However, there is a liaison between the Social Services and Building Inspection Departments in trying to address this accommodation problem, as it affects social assistance recipients.

Mr. Turner also responded to a number of questions about procedures followed by his department in the continuing effort to have deficient buildings brought up to standard, even though the process may take some time to accomplish. He explained some of the problems that would be faced in trying to apply the new by-law retroactively to all deficient lodging house buildings, including the adequacy of staff to carry out the necessary duties. Ald. MacFarlane said this matter of resource availability should be addressed as part of the overall problem.

During the course of the debate, the Solicitor made reference to a particular problem associated with prosecutions that he would prefer to have discussed with Council in camera. Ald. Billard requested that the problem to which reference has been made, be addressed by the Solicitor as quickly as possible, and then brought back to Council for in-camera discussion.

OCT
SEPT

MOTION: To defer By-law C-664 in second reading for three weeks, at which time Council will discuss in camera with the Solicitor, the problem to which he has made reference in debate.

Moved: Ald. Withers
Second: Ald. Connors
In Favour: Ald. Sarto, Pye, Woods
 McCluskey, Withers
 Hawley, Bregante
 Connors, Levandier
 Billard, MacFarlane
Against: Ald. Thompson
Motion Carried

By-law C-664, amended in second reading, has therefore been deferred in second reading for three weeks.

Ald. Sarto requested further consideration of a point raised by him about the number of rooms that can be rented in R-1 residences at the present time. He felt that Council should have a report on this subject for further discussion. The Deputy Mayor suggested that Ald. Sarto could present a notice of motion on the subject at a later time.

2.0 MONTHLY REPORTS

MONTHLY
 REPORTS

The monthly reports, forwarded to Council without recommendation from Committee, were before Council for approval.

2.i) Social Services - Caseload & Expenditures (July)

MOTION: To approve the Social Services Caseload & Expenditures report for July, 1988.

Moved: Ald. Thompson
Second: Ald. McCluskey
In Favour: All
Against: None
Motion Carried

Ald. Pye asked about the progress of the job performance of the Eligibility Review Officer, and whether Council can expect a report. Mr. Greene said he felt that an opportune time for such a report to Council would be at budget time; one will be given then.

MOTION: To defer By-law C-664 in second reading for three weeks, at which time Council will discuss in camera with the Solicitor, the problem to which he has made reference in debate.

Moved: Ald. Withers
Second: Ald. Connors
In Favour: Ald. Sarto, Pye, Woods
 McCluskey, Withers
 Hawley, Bregante
 Connors, Levandier
 Billard, MacFarlane
Against: Ald. Thompson
Motion Carried

By-law C-664, amended in second reading, has therefore been deferred in second reading for three weeks.

Ald. Sarto requested further consideration of a point raised by him about the number of rooms that can be rented in R-1 residences at the present time. He felt that Council should have a report on this subject for further discussion. The Deputy Mayor suggested that Ald. Sarto could present a notice of motion on the subject at a later time.

2.0 MONTHLY REPORTS

MONTHLY
REPORTS

The monthly reports, forwarded to Council without recommendation from Committee, were before Council for approval.

2.i) Social Services - Caseload & Expenditures (July)

MOTION: To approve the Social Services Caseload & Expenditures report for July, 1988.

Moved: Ald. Thompson
Second: Ald. McCluskey
In Favour: All
Against: None
Motion Carried

Ald. Pye asked about the progress of the job performance of the Eligibility Review Officer, and whether Council can expect a report. Mr. Greene said he felt that an opportune time for such a report to Council would be at budget time; one will be given then.

Mr. Greene agreed to contact Ald. Thompson with information on the rise in the number of disabled cases over this time last year.

2.ii) Development Officer (July)

MOTION: To approve the Development Officer's report for July, 1988.

Moved: Ald. McCluskey
Second: Ald. Withers
In Favour: All
Against: None
Motion Carried

Ald. Woods made an inquiry about the notification of intent section of the report, as it applies to developments in the County of Halifax, particularly in the Cole Harbour and Eastern Passage areas. He requested that in future, when such developments are reported, the Development Officer include a comment on the future impact that can be expected from the additional pressures on City services, as a result of the proposed development (ie. Highways, any service extensions to the County, etc.)

2.iii) Building Inspection (July)

MOTION: To approve the Building Inspection report for July, 1988.

Moved: Ald. Hawley
Second: Ald. Withers
In Favour: All
Against: None
Motion Carried

Ald. Thompson asked about the status of a motion he introduced on the licensing of contractors. Mr. Turner commented on some of the difficulties that are presented in trying to come up with licensing procedures, when it is not possible to single out contractors and other trades groups have to be taken into account as well.

OCT
SEPT

2.iv) Minimum Standards (July)

MOTION: To approve the Minimum Standards report for July, 1988.

Moved: Ald. McCluskey
Second: Ald. Hawley
In Favour: All
Against: None
Motion Carried

2.v) Fire Chief (July)

MOTION: To approve the Fire Chief's report for July, 1988.

Moved: Ald. MacFarlane
Second: Ald. Bregante
In Favour: All
Against: None
Motion Carried

Ald. Levandier said he wished to have recorded, his opposition to the way in which fire apparatus are presently responding to fire calls. The Fire Chief was available to respond to this point and to a question from Ald. Hawley.

2.vi) Dog Control - (June & July)

MOTION: To approve the Dog Control reports for June & July, 1988.

Moved: Ald. MacFarlane
Second: Ald. McCluskey
In Favour: All
Against: None
Motion Carried

Ald. Thompson inquired about the number of dog licenses issued so far this year; discussed with Mr. Burke.

2.vii) Summary of Revenue & Expenditures to July 31/88 with
Year-End Forecast

MOTION: To receive and file the Summary of Revenue & Expenditures to July 31/88, with Year-End Forecast.

Moved: Ald. Sarto
Second: Ald. Thompson
In Favour: All
Against: None
Motion Carried

Responding to a question from Ald. Levandier about what measures may have been taken so far to deal with a possible deficit, Mr. Burke advised that staff have been alerted to spend only what funds are absolutely necessary. If present trends continue, we should not have a deficit by year-end.

MOTION: To continue meeting beyond the hour of 11:00 p.m.

Moved: Ald. McCluskey
Second: Ald. Withers
In Favour: All
Against: None
Motion Carried

- 3.0 REPORTS
- 3.1 CITY ADMINISTRATOR
- 3.1.1 TENDER - POLICE VEHICLE REPAIR

TENDER: POLICE
VEHICLE REPAIR

Proposals have been received for Police vehicle repair, and following a trial period of service by Canadian Tire Corp. (April 10 to June 21/88), Mr. Burke has recommended to Council that the contract be awarded to Canadian Tire Corp. for the repair and maintenance of all City police units, for the period to run until Dec. 31/89. The report to Council from Mr. Burke on this subject substantiates his recommendation, with the concurrence of the Fleet Manager, Insp. E. Fraser, and Harry George.

MOTION: To adopt Mr. Burke's recommendation that the contract for repair and maintenance of all City police vehicle units, be awarded to Canadian Tire Corp., for the period to run until Dec. 31/89.

Moved: Ald. McCluskey
Second: Ald. Thompson

SEPT

Ald. Pye did not support the motion, and Ald Connors was not convinced that there will be any saving in contracting out police vehicle repairs to an outside company, without any corresponding decrease in manpower within our own City Works Dept.

Ald. Sarto had concerns about the disturbance that noise from the Canadian Tire service centre is causing at night-time in the residential neighbourhood nearby. Mr. Burke agreed to take this point up with the Canadian Tire people, to make sure they are not working on City-owned vehicles during night-time hours.

The vote was taken on the motion.

In Favour: Ald. Hawley, Woods, Bregante
Billard, MacFarlane
Withers, McCluskey
Levandier, Sarto, Thompson

Against: Ald. Pye, Connors

Motion Carried

3.1.2

FUNDING FOR HIGH SCHOOL HOCKEY PROGRAM

FUNDING: HIGH
SCHOOL HOCKEY
PROGRAM

A report has been presented by Mr. Burke (L. Atkinson) on the subject of funding for high school hockey, this item having been discussed at the June 28th meeting of Council.

Council decided to defer consideration of the report until the next regular meeting.

MOTION: To defer consideration of the report on funding for the high school hockey program, until the next regular Council meeting.

Moved: Ald. Connors

Second: Ald. Woods

In Favour: Ald. Connors, Woods, Hawley
Bregante, Levandier
Billard, Withers, Sarto

Against: Ald. Pye, McCluskey,
Thompson, MacFarlane

Motion Carried

4.0 REPORTS4.1 CITY ADMINISTRATOR4.1.2 APPLICATION FOR DEVELOPMENT AGREEMENT - 7/7A MOUNTAIN AVE.

APPLICATION:
DEVELOPMENT
AGREEMENT
7/7A MOUNTAIN
AVE.

Report from Mr. Burke (D. Bayer, G. L'Esperance) on a Development Agreement application for 7/7A Mountain Ave. It is recommended that staff be instructed to proceed with a neighbourhood information meeting in connection with this application.

MOTION: To adopt the recommendation that staff proceed with a neighbourhood information meeting in connection with a Development Agreement application for 7/7A Mountain Ave.

Moved: Ald. Hawley
Second: Ald. Thompson
In Favour: All
Against: None
Motion Carried

4.1.3 CONTRACT 88-16 - WOODLAND/MICMAC INTERSECTION

CONTRACT 88-16:
WOODLAND/MICMAC
INTERSECTION

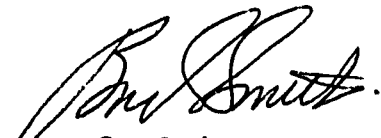
Report from Mr. Burke (R. Fougere, E. Purdy) on tenders received for Contract 88-16 (Woodland/MicMac intersection).

It is recommended to Council that the tender for Contract 88-16 be awarded to the lowest bidder, Standard Paving Mar. Ltd., with a bid price of \$183,080.; completion time: 8 weeks.

MOTION: To approve the awarding of the tender for Contract 88-16 to the lowest bidder, Standard Paving Mar. Ltd., with a bid price of \$183,080., as recommended. Completion time: 8 weeks.


Moved: Ald. Withers
Second: Ald. McCluskey
In Favour: All
Against: None
Motion Carried

Meeting adjourned at 11:35 p.m.


Bruce S. Smith,
City Clerk-Treasurer.

SEPT

Meeting adjourned at 11:35 p.m.



Bruce S. Smith,
City Clerk-Treasurer.

SEPT

ITEMS:

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- Decision - Liquor License Board, page 1.
- Police patrols - Summer months, page 1.
- Reduction - Break & enter crimes, page 2.
- 1.0 Public Hearings, page 2.
- 1.i) Queen Street closure, page 2. (Res. 88-44)
- ii) Amendments to M.P.S. & Land Use By-law (Lodging Houses) pg. 4.
 - By-law C-658, page 5.
 - Land Use By-law amendments, page 6.
 - By-law C-657, page 7.
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- 4.2.1 Lodging House By-law amendments - By-law C-664, page 9.
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- 2.i) Social Services - Caseload & Expenditures (July), page 11.
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- 4.0 Reports, page 16.
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page 16.
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