

DARTMOUTH CITY COUNCIL

MARCH 7, 1989

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

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

MEMBER ABSENT: ALD. THOMPSON

CITY ADMINISTRATOR: J. BURKE  
CITY SOLICITOR: M. MOREASH  
DEPUTY CITY CLERK: G. D. BRADY  
DEPARTMENT HEADS & ASSISTANTS

INVOCATION

Following the Invocation, Mayor Savage welcomed to the meeting, the 9th Dartmouth Girl Guide troop, with their leader, Carole Hope.

POINTS OF PRIVILEGE

Points of privilege raised were as follows:

- 1) Ald. Connors: Requested that a letter be forwarded by the Mayor to CN, asking for information on the recent train derailment, and asking why there seems to be such a high incidence of derailment around the marshalling yards generally. Also, to request that CN representatives attend a Council meeting, to give some assurance that action is being taken by CN to prevent derailments in the City in future.
- 2) Ald. Billard: Indicated concern about the proposed discontinuation of transit service (Route 50) on Lakefront Road, at a time when the capital budget has already been finalized and there is no further opportunity to make funding provisions for upgrading that particular street. He asked that this concern be communicated by the Mayor to the Metropolitan Authority. Ald. Greenough advised that the change in service on Route 50 will be coming to Council, as a recommendation from the Transit Advisory Board.
- 3) Ald. Hetherington: Asked that a letter of congratulation be forwarded, on behalf of the City, to Ms. Tynes, a Prince Andrew student who participated in the Miss Teen Pageant.

- 4) Ald. MacFarlane: Commended the Mayor and those members of staff responsible for introducing the Recycling Program. The Mayor noted that Mark Bernard is to be commended in particular for his work on the Program.

1.0 APPROVAL OF MINUTES

MOTION: To approve the minutes of meetings held on Feb. 7, 14, 21, & 28th, with two corrections:

- 1) Feb. 7th minutes - Ald. Walton should have been recorded as present for the meeting.
- 2) Feb. 14th minutes (page 7) - The motion should have included the requirement for a signed copy of the license agreement, as referred to by Ald. Rodgers. (Burnside Inn & Marina item).

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

2.0 BUSINESS ARISING FROM THE MINUTES

3.0 DELEGATIONS & HEARINGS OF PROTEST

4.0 ORIGINAL COMMUNICATIONS

i) LETTER FROM ARTHRITIS SOCIETY - FUNDRAISING EVENT -  
MARCH 18, HALIFAX SHERATON

LETTER:  
ARTHRITIS  
SOCIETY

A letter has been received from the Arthritis Society (Nova Scotia Division), with information for members of Council on their upcoming fund-raising event on March 18th.

MOTION: To receive and file the letter of Feb. 21/89 from the Arthritis Society, regarding their fund-raising event of March 18th.

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

5.0 PETITIONS

PEITION:  
TRAFFIC  
SIGNALS

Ald. Sarto presented a petition from residents living in the Regal Road/Bayswater Road section of the Nantucket Subdivision, seeking to have traffic signals installed at the intersection of Regal Road and Portland Street. Ald. Sarto asked why the speed limit on the section of Portland Street in question, would not have been reduced to 50 kph. The Mayor referred his question to the T.M.G. for a response.

6.0 PRESENTATION

7.0 REPORTS

7.1 MAYOR

7.1.1 MARCH BREAK

MARCH BREAK

At the suggestion of the Mayor, Council agreed to take a one-week March break; the March 21st Council meeting will therefore be cancelled.

MOTION: To approve a one-week March break for Council, which means that the March 21st Council meeting will be cancelled.

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

7.2 CITY ADMINISTRATOR

7.2.1 APPLICATION FOR DEVELOPMENT AGREEMENT - 6 & 8 FAIRBANKS ST.

APPLICATION: Report from Mr. Burke (D. Bayer, G. L'Esperance) on an 6 & 8 FAIRBANKS ST. application for a Development Agreement to permit two units to be constructed on an undersized lot at 6 & 8 Fairbanks Street. It has been recommended that Council instruct staff to proceed with a Neighbourhood Information meeting in connection with this application.

MOTION: To adopt the recommendation that staff be instructed to proceed with a Neighbourhood Information meeting, in connection with the Development Agreement application for 6/8 Fairbanks Street.

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

7.2.2 USE OF CITY CREST - FIRE DEPT.

USE OF CITY CREST: FIRE DEPT. Report from Mr. Burke on a request from the Retirement Committee of the Dartmouth Fire Dept., for permission to use the City crest in the design for retirement gifts to be presented to retiring members of the Fire Dept. Mr. Burke has recommended in favour of the request for use of the City crest, as it has been outlined.

MOTION: To adopt Mr. Burke's recommendation in favour of the use of the City crest for purposes of a design for retirement gifts to be presented to retiring members of the Fire Dept.

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

7.2.3 COMPLETION OF GRADING - SITE 205B BROWNLOW AVE., CITY OF LAKES BUSINESS PARK

COMPLETION OF GRADING: SITE 205B BROWNLOW AVE.

Mr. Burke has submitted a report to Council, as prepared by Mr. Rath, on the development of Site 205B (Brownlow Ave.) in the City of Lakes Business Park. The Industrial Commission has approved a Site Development Proposal for this location, for a mixed-use hotel, retail & office space facility, and has recommended in favour of a request from the developer (the Armour Group) that the City undertake to give its best efforts to provide approx. 25,000 cu. yards of non-structured fill to Site 205B in 1989, at a cost of approx. \$90,000. to \$100,000. Two specific recommendations have been made in the report to Council on this item.

MOTION: To approve the recommendations to Council, which are as follows:

- 1) that Council approve amending the existing grading contract for Phase 8-4 of the Burnside Ind. Park, awarded to Dexter Construction Ltd., to provide for the production and transportation of approx. 15,000 cu. yards of non-structural fill material to Site 205B, at a price of \$3.82 per cu. yd., or approx. \$57,300., and
- 2) that Council approve that further grading contracts in the Burnside Park specify the transportation of approx. 10,000 cu. yards of surplus non-structural fill material to Lot 205B, provided that this work does not exceed a cost of \$35,000.

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

### 7.3 SOLICITORS

#### 7.3.1 LIMITATION OF TAXICAB LICENSES

LIMITATION: The Dartmouth Taxi Commission has requested that Council TAXICAB LICENSES set a date for a public hearing on the limiting of taxicabs in the City of Dartmouth.

MOTION: That staff be directed to set a date for a public hearing, sometime after the March break.

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

### 7.4 TOURIST COMMISSION

#### 7.4.1 1989 INTERNATIONAL BUSKERS FESTIVAL

1989 BUSKERS  
 FESTIVAL

The Tourist Commission has considered a staff report on the subject of participation in the 1989 Buskers Festival, and has recommended against support for the Festival, in favour of directing the \$10,000. proposed

allocation to the encouragement of other festivals and events that would be more closely identified with the City of Dartmouth.

MOTION: To adopt the recommendation of the Tourist Commission, that the \$10,000. proposed allocation for the 1989 Buskers Festival, be directed instead to the encouragement of other festivals and events more closely identified with the City of Dartmouth.

Moved: Ald. Hetherington

Second: Ald. Levandier

Ms. Linda Hall-Williams was present to answer questions from members of Council, pertaining to this item. Ald. Connors also commented on Tourist Commission discussions when the item was being considered.

Ald. McCluskey suggested that perhaps the Buskers Festival would be more successful in Dartmouth at some location other than the waterfront. Ald. Rodgers felt it is short-sighted of the City not to participate in the Festival, but there should a contractual arrangement covering our funding assistance and the obligations of the Festival organizers. Ald. Pye was the other member of Council in favour of City participation. Remaining members tended to favour the recommendation of the Tourist Commission, and did not feel that what is basically a Halifax event should be pursued in Dartmouth; rather, we should concentrate on our own events, unique to our own community.

The vote was taken on the motion.

In Favour: All members of Council except

Against: Ald. Pye

Motion Carried

8.0 MOTIONS

8.1 ALD. CONNORS

8.1.1 REVIEW PRESENT STRUCTURE OF COUNCIL & ASSOCIATED BOARDS & COMMITTEES

MOTION: That the Finance & Program Review Committee review the present structure of Council and associated Boards and Committees, and make recommendations to Council to reform the system, to make a more efficient use of Aldermen.

Moved: Ald. Connors  
Second: Ald. Hetherington

Ald. McCluskey considered this motion to be basically the same as one she presented in 1985, with a referral to the Finance & Program Review Committee. Ald. Hawley suggested that the review called for in the motion should take into account that some committees are more significant than others, and aldermanic representation should be looked at accordingly. He also felt that particular degrees of expertise that individual members of Council are able to bring to individual committees, should be taken into consideration when appointments are being made.

In Favour: All  
Against: None  
Motion Carried

8.2 ALD. HETHERINGTON

8.2.1 REVIEW OF OUR LEGAL DEPT.

MOTION: BE IT RESOLVED that the Finance & Program Review Committee undertake a complete review and analysis of our Legal Dept., and advise Council of the options that would best serve the City of Dartmouth.

Moved: Ald. Hetherington  
Second: Ald. Connors

There was some debate on the motion and the merit in reviewing the City's legal services. Ald. Levandier felt that if there is to be a review, it should be carried out by the City Administrator, not by a committee. Ald. Connors noted that Mr. Burke attends meetings of the Finance & Program Review Committee, and Ald. Hetherington agreed that Mr. Burke should be involved in the review process.

In Favour: All members except  
Against: Ald. Billard, Levandier  
Motion Carried

8.3 ALD. MACFARLANE8.3.1 TWINNING PROCESS

MOTION: WHEREAS more than 100 Canadian municipalities are linked with sister cities, in a program intended to stimulate economic/cultural exchanges, and to promote trade and tourism;

BE IT RESOLVED that the City of Dartmouth pursue the 'twinning' concept as a vehicle for enhancing our endeavours in all the above areas;

And that the Mayor, in consultation with officials of the FCM, investigate options open to the City in this regard, reporting back to Council at the earliest possible time.

Moved: Ald. MacFarlane  
Second: Ald. Billard

Ald. Billard circulated information on a Swedish city, Östersund, a community similar in size to Dartmouth, which he suggested for twinning with our city. The other community proposed is Dartmouth, England; there have already been exchange visits between the Mayors of Dartmouth, England and Dartmouth, Nova Scotia. Ald. Hawley said it would be advisable to request information from FCM on twinning costs that could be involved, before any decision is made on a specific sister city.

In Favour: All  
Against: None  
Motion Carried

8.4 ALD. PYE8.4.1 EMPLOY SPECIAL CONSTABLE TO TICKET INDIVIDUALS LITTERING

MOTION: WHEREAS the City of Dartmouth has many lakes - City of Lakes;  
AND WHEREAS the lakes provide a variety of activities;



In Favour: All members except  
Against: Ald. Billard, Levandier  
Motion Carried

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In Favour: All  
Against: None  
Motion Carried

8.4 ALD. PYE8.4.1 EMPLOY SPECIAL CONSTABLE TO TICKET INDIVIDUALS LITTERING

MOTION: WHEREAS the City of Dartmouth has many lakes - City of Lakes;  
AND WHEREAS the lakes provide a variety of activities;

AND WHEREAS the City of Dartmouth has an on-going "Cleaner Greener Program";

AND WHEREAS environmental issues are a high priority with the public;

THEREFORE BE IT RESOLVED that the City of Dartmouth employ a Special Constable (s) with the power to issue tickets to individuals littering (the words 'our lakes' were deleted from the end of the motion).

Moved: Ald. Pye  
Second: Ald. McCluskey

While Ald. Pye's original intention was to have the motion apply specifically to littering around the lakes, it was decided during debate that it should be applicable to littering generally, so that various approaches to the overall problem can be considered.

Several members felt that it is not practical to engage Special Constables to deal with littering problems. They preferred to concentrate instead on educational initiatives through the school system, and on other specific suggestions, such as the need for additional garbage receptacles in canteen areas and regular collection of garbage at those locations. It was felt that staff should look at all such possibilities for improving our approach to the littering problem, and a motion of referral was therefore presented.

MOTION: To refer the motion on the floor to staff for consideration and suggestions, as noted, with report back to Council in about six weeks time.

Moved: Ald. Pye  
Second: Ald. Walton  
In Favour: Ald. Pye, Woods Connors  
Billard, MacFarlane  
Rodgers, Walton  
Hetherington  
Against: Ald. Hawley, Greenough  
Levandier, Sarto, McCluskey  
Motion Carried

8.5 ALD. RODGERS

8.5.1 ENACTMENT OF A BY-LAW PROHIBITING FEEDING OF DUCKS OR  
ANY OTHER WATER BIRDS ON OR NEAR LAKE  
BANOOK

Further to the motion proposed by Ald. Rodgers, he noted that a report on the matter of water birds on City lakes, is expected shortly from the Lakes Advisory Board, and he therefore suggested deferral of his motion for two or three weeks, pending that report. Council agreed to defer the item.

Ald. Rodgers's second motion (Format for Capital Budget) was also deferred at this time, due to the lateness of the hour and the fact that Council was preparing to meet in camera to deal with additional items of business.

10.0 NOTICES OF MOTION

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

Ald. Billard

WHEREAS the City has enacted a by-law to deal with the use, abuse and placement of large garbage bins;

AND WHEREAS the by-law is only irregularly enforced and little heeded;

BE IT RESOLVED that the City move toward stronger enforcement of regulations, and initiate immediate discussions with all garbage bin service companies, with an objective of having them assist in the compliance with the by-law.

Ald. Levandier

WHEREAS the City of Dartmouth continues to give substantial financial support to the Dartmouth District School Board;

AND WHEREAS each year the School Board presses City Council for an increase of funds beyond the average rate of inflation;

AND WHEREAS a substantial portion of the total financial package is made up of discretionary funding;

AND WHEREAS there is a need for the Council and the School Board to establish a reasonable financial guideline for the next year, well in advance;

THEREFORE BE IT RESOLVED that City Council meet with the School Board no later than September 30th, to discuss and agree upon a school contribution guideline for 1990 and each year thereafter.

Ald. MacFarlane

WHEREAS the Province of Nova Scotia is in the process of embarking on a fine option program;

AND WHEREAS this program will result in a substantial increase in community service orders;

AND WHEREAS these orders might have substantial benefit to the City of Dartmouth and other municipalities;

BE IT RESOLVED that the City of Dartmouth, through staff, in consultation with the Province, pursue the feasibility of developing avenues for community service orders through City departments.

Following the Notices of Motion, Council agreed to meet in camera, on motion of Ald. Sarto and Levandier.

MOTION: To meet in camera for additional items of business.

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

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

MOTION: To ratify the action taken in camera on this date.

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

Meeting adjourned at 10:50 p.m.



G. D. Brady,  
Deputy City Clerk.

ITEMS:

- Invocation, page 1.
- Points of privilege, page 1 & 2.
- 1.0 Approval of minutes, page 2.
- 2.0 Business Arising from the Minutes, page 2.
- 3.0 Delegations & Hearings of Protest, page 2.
- 4.0 Original Communications, page 2.
  - i) Letter from Arthritis Society - Fund-raising event, page 2.
- 5.0 Petitions, page 3.
- 6.0 Presentation, page 3.
- 7.0 Reports, page 3.
  - 7.1 Mayor, page 3.
    - 7.1.1 March break, page 3.
  - 7.2 City Administrator, page 3.
    - 7.2.1 Application for Development Agreement - 6/8 Fairbanks St, pg. 3.
    - 7.2.2 Use of City crest - Fire Dept., page 4.
    - 7.2.3 Completion of Grading - Site 205B Brownlow Ave., page 4.
  - 7.3 Solicitors, page 5.
    - 7.3.1 Limitation of Taxicab Licenses, page 5.
  - 7.4 Tourist Commission, page 5.
    - 7.4.1 1989 International Buskers Festival, page 5 & 6.
- 8.0 Motions, page 6.
  - 8.1 Ald. Connors, page 6.
    - 8.1.1 Review present structure of Council & Boards & Committees, pg.6
  - 8.2 Ald. Hetherington, page 7.
    - 8.2.1. Review of our Legal Dept., page 7.
  - 8.3 Ald. MacFarlane, page 8.
    - 8.3.1 Twinning process, page 8.
  - 8.4 Ald. Pye, page 8.
    - 8.4.1. Employ Special Constable to ticket individual littering, pg. 8 & 9.
  - 8.5 Ald. Rodgers, page 10.
    - 8.5.1. Enactment of a by-law prohibiting feeding of ducks or any other water birds on or near Lake Banook, pg.10
- 10.0 Notices of Motion, page 10 & 11.

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

MEMBERS PRESENT: MAYOR SAVAGE  
ALDERMEN THOMPSON, WALTON  
BILLARD, MACFARLANE  
CONNORS, LEVANDIER  
RODGERS, MCCLUSKEY  
PYE, WOODS, HAWLEY  
GREENOUGH

MEMBERS ABSENT: ALD. SARTO, HETHERINGTON

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

POINT OF PRIVILEGE

Ald. Connors raised a point of privilege relating to information that members of Council received at the time of debate on the Little Nashville issue, indicating that information was communicated by W.D.C. staff to City staff on plans for development of the Dartmouth Cove area, and that information was not, in turn, communicated to Council. He questioned why information which was cogent to the subject before Council would have been withheld, and he requested a report from the City Administrator, with answers to the following questions:

- 1) what was conveyed in the way of information to City staff from the W.D.C. staff?
- 2) the date or dates when information was conveyed.
- 3) to whom was the information conveyed?
- 4) was there an agreement the information was to be withheld, and if so, why?

1.0 REPORTS

1.1 MAYOR

1.1.1 HAZARDOUS WASTE

HAZARDOUS  
WASTE

The Mayor presented a report to Council from Mr. Burke (R. Fougere, M. Bernard) on the subject of a hazardous waste removal service for the Burnside

Industrial Park, further to a motion presented by Ald. Woods & MacFarlane at the Jan. 3/89 meeting of Council. The report makes two recommendations on the subject.

MOTION: To adopt the two recommendations on the feasibility of establishing a hazardous waste storage/transfer facility, as a pilot project; these are as follows:

- 1) that the Engineering Dept. be directed to select a consultant to conduct the market analysis to determine the requirements of a hazardous waste storage/transfer/recycling facility in the Burnside Ind. Park, as outlined in the terms of reference prepared.
- 2) that a formal request for the funding of the analysis be submitted to the Nova Scotia Dept. of the Environment immediately.

Moved: Ald. McCluskey

Second: Ald. Walton

Mr. Windsor of the Environment Department was in attendance and available to answer questions from members of Council. Ald. Woods asked him about the feasibility of collection and immediate removal of hazardous wastes, without storing them for any length of time in a transfer facility. Mr. Windsor was not hopeful that such a service could be accomplished, but the Mayor said it will be looked at as a possible option. Ald. Woods also requested from Mr. Bernard, a report to Council on the collection of hazardous household products recently carried out in Dartmouth by Ecology Action, with assistance from the City.

Ald. Pye felt there should be an opportunity for public participation in the hazardous waste study process, especially before any site is selected for a facility in the Burnside Park. The Mayor agreed that the point raised by Ald. Pye will be taken into consideration.

At the conclusion of debate, the vote was taken on the motion.



In Favour: All  
Against: None  
Motion Carried

The Mayor commended the Environment Department for their quick and generous response to the City's initiative on hazardous waste removal, and thanked Mr. Windsor for his assistance.

1.2 CITY ADMINISTRATOR

1.2.1 AIDS POLICY

AIDS POLICY

Mr. Burke has submitted the City of Dartmouth AIDS Policy for the Workplace, as prepared by Departmental staff. He has recommended that the Policy be approved by Council.

In presenting the Policy to Council, Mr. Burke pointed out that it is a policy and not a procedural manual. Procedural details will come as a follow-up, after the policy has been accepted. He explained the policy review, at the staff level, advising that each department head had the opportunity to circulate the document among their own staff members to whatever level they chose, for consultation purposes.

MOTION: To approve the City of Dartmouth AIDS Policy for the Workplace, as presented to Council.

Moved: Ald. Levandier  
Second: Ald. Pye

The general response of Council was that the AIDS Policy for City workers is a progressive step, in keeping with the Healthy City concept that has been undertaken for Dartmouth. It was felt by most members, however, that the Policy is likely to be implemented more successfully with the support of the employees themselves, and therefore, they should have more opportunity for input before the Policy is adopted. They wanted to see more involvement by both union and non-union staff at this point in the process.

A number of points were also raised about specific items and about the wording in the Policy statement. A summary of these points follows.

- 1) Page 1: objection to the words 'unusual' and "full-blown", both found in the last paragraph on page 1.
- 2) Page 2: objection to the wording 'confirmation of rumors' in section 1.2.
- 3) Page 3: it was requested that the words 'in writing' be inserted in the sentence which reads 'The employee in question shall be notified before any action is initiated'.
- 4) Page 4: the word 'employee' (last paragraph on the page) should read 'employer'.
- 5) Page 5: Ald. Rodgers requested a review of existing insurance policies to see if the City is presently covered for AIDS illness, and, if not, that the cost of providing such a rider be looked into and this information provided to Council.
- 6) Page 6: Section 1.7 - Ald. Walton felt that employees should have been properly educated about AIDS before this point.
- 7) Page 7: Ald. Walton felt that injuries to Works Dept. staff should have been taken into account

Several points were also made about the importance of education and awareness programs for employees. Ald. Woods said there should have been some provision for the encouragement of any employee with AIDS to protect fellow workers as much as possible, including disclosure on the part of the employee. The Mayor explained some of the problems in trying to document such a provision.

Ald. Walton was one of the members of Council who favoured referral of the Policy to staff for their input, and he presented a motion to refer.

MOTION: To refer the Policy back to staff for the input of union and non-union employees; the Policy is to come to Council again before the end of April.

Moved: Ald. Walton  
Second: Ald. Billard

Ald. Billard saw the involvement of employees as amounting to approval in principle on their part, with an opportunity to offer comments and suggestions. Ald. Greenough said the process of input would be one of consultation and not negotiation. Ald. Levandier and McCluskey did not support the referral motion.

In Favour: All members except  
Against: Ald. Levandier & McCluskey  
Motion Carried (to refer)

1.2.2 PROVINCIAL/MUNICIPAL AGREEMENT - HALIFAX HARBOUR CLEAN-UP  
SIGNING OF AGREEMENT

HARBOUR CLEAN-  
UP AGREEMENT

Council has been asked to adopt Resolution 89-04, authorizing the signing for Dartmouth of the revised agreement for the Halifax Harbour Cleanup project. The revised agreement has addressed the previous concern about cost-sharing in cost overruns on the project, and provides for the completion of studies and assessments before any final decision is taken on the number and location of treatment plants.

RESOLUTION 89-04

MOTION: To adopt Resolution 89-04, authorizing the signing of the revised agreement for the Halifax Harbour Cleanup project.

Moved: Ald. Connors  
Second: Ald. MacFarlane

Ald. Rodgers raised a concern about Section 7 (b) of the agreement, and subsequent delays that could occur if one of the local municipalities is able to hold up the project by objecting to the selected treatment plant location (s). Ald. Billard asked about assistance for any City residents who are unable to pay for their water rate increases. He felt the City should be willing to help anyone placed in those circumstances, and discussed the point with Mr. Burke.

In Favour: All  
Against: None  
Motion Carried

1.2.3 BORROWING RESOLUTION 89-10

BORROWING  
RESOLUTION 89-10

Council was asked to approve Borrowing Resolution 89-10, presented by Mr. Burke (L. Corrigan, B. Smith), prepared in accordance with Section 265 (1) of the City Charter, as amended.

Approval of Resolution 89-10 has been recommended.

MOTION: To approve Borrowing Resolution 89-10, as recommended.

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

1.2.4 APPLICATION - RETAIL VIDEO OUTLET, BANDITO VIDEO  
590 PORTLAND ST.

APPLICATION:  
VIDEO OUTLET  
590 PORTLAND  
STREET

Report to Council from Mr. Burke (B. Smith) on an application for a retail video outlet (Bandito video) at 590 Portland Street. Council was asked to indicate any objection to the application.

MOTION: To indicate no objection to the application for a retail video outlet at 590 Portland Street.

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

1.3 TRANSIT ADVISORY BOARD

1.3.1 FERRY REPORT - JANUARY

FERRY REPORT:  
JANUARY

The Transit Advisory Board has approved the Ferry operation report for January and forwarded it to Council for approval.

MOTION: To adopt the Ferry operation report for January, as recommended by the Transit Advisory Board.

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

1.3.2 SERVICE REDUCTION ROUTE 50SERVICE  
REDUCTION  
ROUTE 50

The Transit Advisory Board has recommended to Council that concern be expressed to the Metropolitan Authority (Metro Transit) about the proposed transit service reduction on Route 50, by deleting service on Lakefront Road.

MOTION: To adopt the recommendation of the Transit Advisory Board that concern be expressed to the Metropolitan Authority (Metro Transit) about the proposed transit service reduction on Route 50, by deleting service on Lakefront Road.

Moved: Ald. MacFarlane

Second: Ald. Billard

Ald. Billard pointed out to Council that this is not a budget-related service reduction, unlike some of the other reductions being carried out in Dartmouth. He felt that Council should have been made aware of the Lakefront Road situation before budget decisions were made, so that improvements to the street could have been provided for at budget time. He requested that budget item 23433 (\$155,200.) be looked at, to see if there would be sufficient funding available to upgrade Lakefront Road from that budget allocation. He also circulated copies of a street map, showing the Ward 2 streets served by Route 50 and the Lakefront Road stop in particular. He presented a letter from a concerned citizen, with a suggested alternative routing for service on Route 50, and asked that it be forwarded to the Metropolitan Authority with the recommendation. Ald. MacFarlane was concerned that the aldermen for the ward were not consulted about this item prior to this point.

In Favour: All

Against: None

Motion Carried

The Mayor left the meeting at this point and the remainder of the meeting was chaired by Deputy Mayor Levandier.

1.3.3 SERVICE REDUCTION ROUTES 51 & 53: COMBINING ROUTES 54 & 55

BUS ROUTES 51 & 53, COMBINING OF ROUTES 54 & 55 The Transit Advisory Board has recommended to Council that the Metropolitan Authority (Metro Transit) be asked to reconsider service reductions proposed for Routes 51 and 53, and the ramifications of combining service on Routes 54 and 55.

MOTION: To adopt the recommendation of the Transit Advisory Board that the Metropolitan Authority (Metro Transit) be asked to reconsider service reductions proposed for Routes 51 & 53, and the ramifications of combining service on Routes 54 & 55.

Moved: Ald. Greenough

Second: Ald. Pye

Ald. Pye and Greenough supported the motion and explained to Council the impact of proposed bus service changes in their respective wards. Other members of Council objected to the manner in which service changes and reduction decisions are made, without providing in advance, the ridership figures to justify such decisions on the part of Metro Transit. Ald. Rodgers noted that he specifically requested a print-out of ridership figures and percentages from Metro Transit, but to date he has not received them.

Deputy Mayor Levandier suggested that perhaps members of Council would like to have a representative from Metro Transit attend a meeting to explain the route review process and decisions affecting individual routes in Dartmouth. Members indicated they would like to have someone from Metro Transit present for a meeting, as suggested, and it was further requested that the ridership print-out, asked for at this time by both Ald. McCluskey and Rodgers, be provided to all members of Council in advance of the Metro Transit presentation.

An amendment to the motion on the floor was presented.

AMENDMENT: As an addition to the motion of the words: 'specifically as it relates to reductions from thirty-minute to sixty-minute service during peak hours (7:00 to 9:00 and 4:00 to 6:00) for Breeze Dr. to the City limits'. (The reference is to the combination of service on Routes 54 and 55.)

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

The vote was taken on the amended motion.

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

NOTICE OF MOTION: ALD. CONNORS

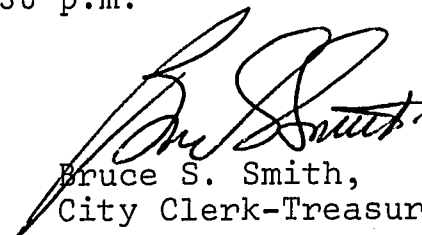
Ald. Connors received the concurrence of Council to present a notice of motion for the next regular Council meeting.

Ald. Connors

That Dartmouth District Soccer Assn. be granted 10 to 12 acres of land in Burnside Industrial Park, for recreational soccer purposes. It is understood that the District Soccer Assn. will present designs and financing plans to City Hall in the near future.

Council went in camera at 10:30 p.m., on motion of Ald. Thompson and Pye.

Meeting adjourned at 10:30 p.m.

  
Bruce S. Smith,  
City Clerk-Treasurer.

ITEMS:

- Point of privilege, page 1.
  - 1.0 Reports, page 1.
  - 1.1 Mayor, page 1.
  - 1.1.1 Hazardous Waste, page 1 to 3.
  - 1.2 City Administrator, page 3.
  - 1.2.1 AIDS Policy, page 3 to 5.
  - 1.2.2 Provincial/Municipal Agreement - Hfx. Harbour clean-up, pg. 5  
Resolution 89-04, page 5.
  - 1.2.3 Borrowing Resolution 89-10, page 5.
  - 1.2.4 Application - Retail Video Outlet, 590 Portland St., page 6.
  - 1.3 Transit Advisory Board, page 6.
  - 1.3.1 Ferry report - January, page 6.
  - 1.3.2 Service reduction Route 50, page 7.
  - 1.3.3 Service reduction Routes 51 & 53: Combining Routes 54 & 55, pg8  
Notice of Motion, Ald. Connors, page 9.
-



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

MEMBERS PRESENT: MAYOR SAVAGE  
ALDERMEN SARTO, THOMPSON  
BILLARD, MACFARLANE  
CONNORS, LEVANDIER  
MCCLUSKEY, RODGERS  
PYE, WOODS, HAWLEY  
GREENOUGH, WALTON  
HETHERINGTON

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

POINT OF PRIVILEGE

Ald. McCluskey rose on a point of privilege to protest representation made by Ald. Connors at the Liquor License Board hearing for the Little Nashville relocation. She took exception to his reference to the decision of Council on this issue, and felt that decisions made by Council should not be commented upon in the manner of Ald. Connors' presentation. She said she had no objection to him appearing before the Board as a private citizen, but he should not have been speaking as an Alderman and commenting, in that capacity, on a Council decision.

1.0 PUBLIC HEARING

i) APPLICATION TO AMEND LAND USE BY-LAW - 359 PLEASANT ST.

PUBLIC HEARING: This meeting of Council constituted the public hearing for an application to rezone property at 359 Pleasant Street, from H. Zone to C-1 Zone to permit a small commercial development, consisting of a convenience store, general office uses, and personal service commercial uses. All members of Council were present for the public hearing, with the exception of Ald. Connors.

The Planning Dept. presentation was made by Mr. L'Esperance. He described the site location and the development proposed, advising that the land use is in compliance with M.P.S. policies for the area. The Planning Dept. recommends in favour of this rezoning request.

There being no questions to the Planning Dept. staff from members of Council, the Mayor proceeded to call three times for any speakers in favour of the rezoning application. There were no speakers in favour, and he then called three times for any speakers opposed. Again, there was no one wanting to be heard, and he declared the public hearing closed. A motion to close the public hearing was presented.

MOTION: To close the public hearing on the application to rezone lands at 359 Pleasant St.

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

BY-LAW C-674

Council proceeded to give three readings to By-law C-674, which will accomplish the amendment to the Land Use By-law.

MOTION: That leave be given to introduce the said By-law C-674 and that it now be read a first time.

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

MOTION: That By-law C-674 be read a second time.

Moved: Ald. Hetherington  
Second: Ald. Walton  
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-674 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. Hetherington  
Second: Ald. Sarto  
In Favour: All  
Against: None  
Motion Carried

VIDEO PRESENTATION: TOXIC & HAZARDOUS WASTE DISPOSAL

A video presentation was made to Council at this point in the meeting, on the waste treatment centre and disposal operation in Swan Hills, Alberta. The Mayor said at the conclusion of the video, that he hopes to have other presentations for future Council meetings.

2.0 FINANCIAL STATEMENTS

i) REVIEW WITH AUDITORS

FINANCIAL  
STATEMENTS

Ald. McCluskey stated her objection to the lateness with which members of Council received their Financial Statements, and to the fact that accompanying material from the Audit Committee was only placed on the desks of members just prior to this meeting. She questioned the function of the Audit Committee in reviewing the statements and making amendments to them before Council had the opportunity to see the statements in their original form. Similar concerns were later noted by Ald. Pye and Rodgers.

Mr. Jamieson and Mr. Mallowney of Doane Raymond were present to review the 1988 audited Financial Statements with Council. An overview presentation was given, during which details were explained by Mr. Mallowney. Members of staff were also present to assist with additional information, as required. One particular point made by Mr. Mallowney was the need for a review of the ferry operation's financial situation, an item that was also referred to several times in discussion with members of Council. The Mayor later advised that this matter will be coming to Council at a future meeting for consideration

Ald. McCluskey requested that next year, members of Council be provided with the draft financial report that the Audit Committee first receives, and that the Audit Committee report be sent out to Aldermen at least a week prior to the date when it is to be considered formally by Council.

(Ald. Connors was present from a point in the

general discussion of the Financial Statements, which followed the Doane Raymond presentation.)

Points that came out of the discussion period were as follows:

- 1) Ald. McCluskey requested a follow-up by staff on the suggestion she made some time ago that a larger water deposit be required of contractors to cover outstanding accounts they incur for water bills after they make water connections.
- 2) Ald. Billard requested clarification of a point he raised about the accounting differences between treatment of surplus and deficit figures for the Sportsplex operation, as compared with those for the Ferry operation.
- 3) The main point of concern that received most attention was the impact of assessment appeal losses on the City's financial position, and the inability of the City, to date, to redress this financial disadvantage, created by the department of another government level. It was noted, in the discussion, that the financial loss to the City over two years has been significant, amounting to \$2,841,000. Members who spoke on this point felt very strongly about it, and while efforts have been made at the staff level and by the Mayor, members wanted to see a more forceful position taken with the Province by Council. A motion was later presented by Ald. Greenough in this connection.
- 4) The need for a review of the Ferry operation and consideration of a possible fare increase, already referred to on page 3 of these minutes.

MOTION: To accept and approve the Financial Statements of the City for the year ended Dec. 31/88, as recommended by the Audit Committee (Finance & Program Review Committee).

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

Ald. Connors advised that Management Letters from the Auditors will be coming to Council in due course.

Members of staff and the Auditors were commended for their work in preparing the Financial Statements, and staff, for their work throughout the year in looking after the finances of the City.

Ald. Greenough was given the opportunity to present a second motion, relating to the financial implications for municipalities of assessment appeal losses.

MOTION: That the City of Dartmouth work in conjunction with the City of Halifax, Bedford, and the County of Halifax, as well as the Province, to determine whether the process of assessment appeal can be reviewed, amended, altered, etc. to correct the substantial losses that have accrued to municipalities as a result of successful assessment appeals.

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

3.0 REPORTS

3.1 CITY ADMINISTRATOR

3.1.1 APPLICATION - PLACE OF AMUSEMENT, FUN WORLD, PENHORN MALL

The Mayor advised that this item has been withdrawn for the time being.

3.1.2 APPLICATION - PLACE OF AMUSEMENT, ELMWOOD AMUSEMENT CENTRE  
223 WYSE ROAD

APPLICATION:  
 223 WYSE RD.

Council was requested to indicate any objection to an application for a Place of Amusement license for the proposed Elmwood Amusement Centre, 223 Wyse Road.

MOTION: That Council indicate an objection to the Place of Amusement application for 223 Wyse Road.

Moved: Ald. McCluskey  
Second: Ald. Hetherington

Ald. Woods said that in future, where such applications are concerned, he would like to see more complete statements from the Police Dept. The Mayor said this request will first have to be discussed with the Police Chief.

Most members of Council supported the motion, but several members preferred to have each application considered on its own, rather than making any blanket decision that would apply to all arcade applications. Ald. Pye felt that decisions should not be biased by past experiences with other arcade operations.

The vote was taken on the motion.

In Favour: All  
Against: None  
Motion Carried

The Mayor asked the Solicitor to check on the review of these applications that follows decisions on them.

3.1.3 APPLICATION - RETAIL VIDEO OUTLET, BHARAT GROCERY, 68 QUEEN ST.

APPLICATION:  
68 QUEEN ST.

Council was requested to indicate any objection to an application for a retail video outlet at Bharat Grocery, 68 Queen Street.

MOTION: To indicate no objection to the application for a retail video outlet at Bharat Grocery, 68 Queen Street.

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

3.1.4 TENDER FOR SCHOOL BUSES

TENDER:  
SCHOOL BUSES

Report from Mr. Burke (H. George, W. Garron) on tenders received for the supply of one wheelchair bus and 3 66-passenger buses. Tender recommendations have been made to Council.

MOTION: That recommended tenders be awarded as follows for school buses:

- 1) 1 only wheelchair bus, to the lowest evaluated bidder, Kiley Distributors Ltd., to supply 1 wheelchair bus at a total price of \$39,790.00
  - 2) 3 only 1989 66-passenger school buses, to the lowest evaluated bidder, Kiley Distributors Ltd., at a bid price of \$39,598.00 each.
- Total cost: \$158,584.00

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

3.1.5 APPLICATION TO AMEND LAND USE BY-LAW - 43 DAWSON ST.

APPLICATION:  
 DAWSON ST.

A staff report has been prepared on a request from Tim Horton Donut Ltd. to rezone property at 43 Dawson Street from R-2 to C-2 Zone, to permit a lot consolidation and replacement of the present Tim Horton outlet with an enlarged facility. It has been recommended that Council instruct staff to proceed with a neighbourhood information meeting.

MOTION: That the application to rezone property at 43 Dawson Street be denied.

Moved: Ald. Connors  
Second: Ald. Woods

Ald. Connors felt the R-2 designation for the subject property should be maintained, and he was not in favour of any further commercial intrusion into the abutting residential area. Members of Council in favour of the motion shared this opinion, but members opposed took the position that the application should at least be allowed to go to a neighbourhood information meeting stage, instead of being rejected outright by Council. The vote was taken on the motion.

In Favour: Ald. Connors, Woods, Rodgers  
 McCluskey MacFarlane  
 Hetherington, Thompson, Sarto  
Against: Ald. Pye, Greenough, Billard  
 Hawley, Walton, Levandier  
Motion Carried

3.1.6 GRADING SITE - 205B BROWNLOW AVE., CITY OF LAKES PARK

GRADING SITE: A report was before Council from Mr. Bayer, Acting City Administrator (T. Rath), on the required amendment to the 1989 capital budget, in order to be able to proceed with the grading of Site 205B on Brownlow Ave. in the City of Lakes Business Park. It has been recommended that the 1989 approved capital budget be amended accordingly.

MOTION: To adopt the recommendation that Council amend the 1989 approved capital budget for the City, by adding an amount of \$100,000. for grading of Site 205B on Brownlow Ave. in the City of Lakes Park, with the funds for this project to be drawn from the Burnside Sale of Land Account.

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

3.1.7 CONTRACT 89-02, SIDEWALK CONSTRUCTION, KELLY DR.

CONTRACT 89-02: Tenders have been received for Contract 89-02 (Sidewalk construction, Kelly Drive). It has been recommended to Council that the tender be awarded to the lowest bidder, Duron Atlantic Ltd., with a bid price of \$67,855.00; completion time, 6 weeks.

MOTION: To award the tender for Contract 89-02 (Sidewalk, Kelly Dr.) to the lowest bidder, Duron Atlantic Ltd., with a bid price of \$67,855., as recommended.

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

3.1.8 CONTRACT 89-03 STREET CONSTRUCTION

CONTRACT 89-03: Tenders have been received for Contract 89-03 (Street construction on Esson Road, Faulkner Street and Rodney Road. It has been recommended to Council that the tender be awarded to the lowest bidder, Municipal Contracting Ltd., with a bid price of \$146,526.; completion time, 6 weeks.



MOTION: To award the tender for Contract 89-03 (Street construction) to the lowest bidder, Municipal Contracting Ltd., with a bid price of \$ 146,526 as recommended.

\*\* Change made as per Apr. 4 minutes.

\*\*See note

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

3.1.9 RENOVATIONS - 65 & 67 OCHTERLONEY ST.

RENOVATIONS:  
 65 & 67  
 OCHTERLONEY ST.

Tenders have been received for renovations to the building at 65 & 67 Ochterloney Street. It has been recommended that the tender be awarded to the low bidder, Priority Builders, with a bid price of \$34,524.00; completion time, 5 weeks.

MOTION: To award the tender for renovations to the building at 65 & 67 Ochterloney Street, to the low bidder, Priority Builders, with a bid price of \$34,524.00.

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

RES. 89-16

In connection with this item, Council was also asked to adopt Resolution 89-16, authorizing the withdrawal of funds from the Special Reserve Fund, in the amount of \$38,000. for renovation purposes.

MOTION: To adopt Resolution 89-16, as required in order to withdraw funds from the Special Reserve Fund, for the above-noted renovations.

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

3.2 CITY SOLICITOR3.2.1 TAKEOVER OF CITY STREETSTAKEOVER OF  
CITY STREETS

Report from the Solicitor, recommending the adoption of resolutions for the takeover of City streets, as follows:

Resolution 89-12: Woodside Ave.  
89-13: Mayfield Drive  
89-14: Elwood Ave.  
89-15: Tidewater Lane

Council proceeded to deal with each resolution separately.

RESOLUTION 89-12            MOTION: To adopt Resolution 89-12, taking over Woodside Ave. as a City street.

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

RESOLUTION 89-13            MOTION: To delete Resolution 89-13 (Mayfield Drive) from the list of streets to be taken over by the City.

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

RESOLUTION 89-14            MOTION: To adopt Resolution 89-14, taking over Elwood Ave. as a City street.

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

RESOLUTION 89-15            MOTION: To adopt Resolution 89-15, taking over Tidewater Lane as a City street.

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

Ald. Sarto requested that Adeor Street in Ward 1 be added to the list of streets for future take-over by the City.

3.2.2 DARTMOUTH MARINA LEASE AMENDMENTS

The Mayor advised that this item has been withdrawn from the present agenda, but several members spoke on the Dartmouth Marina agreement anyway.

CONFLICT OF INTEREST

Since members were speaking on the item, Ald. Billard declared a conflict of interest and withdrew from his place on Council. He is a partner in a company who are Marina tenants.

Ald. Woods referred to a sketch included with the agreement, noting that the type of boat ramp shown is not suitable for harbour waters and that the ramp should be constructed to Canadian standards and not American standards.

3.3 DARTMOUTH TOURIST COMMISSION

3.3.1 REPRESENTATION ON COMMISSION

REPRESENTATION: Council was requested to approve the appointment of TOURIST COMMISSION Maj. Wm. J. Clair as the replacement representative for the Canadian Armed Forces, on the Tourist Commission. Maj. Clair will replace Maj. Kenneth Eliason on the Commission.

MOTION: To approve the appointment of Maj. Wm. J. Clair as the Canadian Armed Forces representative on the Tourist Commission; his term will expire in November, 1989.

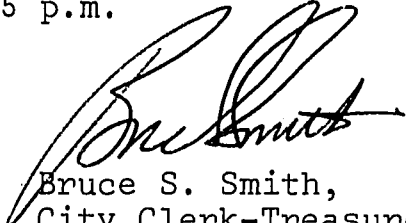
Moved: Ald. Hetherington  
Second: Ald. Walton  
In Favour: All  
Against: None  
Motion Carried

Council adjourned to meet in camera and after having reconvened in open meeting, ratified the action taken while meeting in camera.

MOTION: To ratify the action taken while  
meeting in camera on this date.

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

Meeting adjourned at 11:15 p.m.

  
Bruce S. Smith,  
City Clerk-Treasurer.

ITEMS:

- Point of Privilege, page 1.
  - 1.0 Public Hearing, page 1.
    - i) Application to amend Land Use By-law, 359 Pleasant St., pg.1 & 2  
By-law C-674, page 2.  
Video Presentation: Toxic & hazardous waste disposal, page 3.
  - 2.0 Financial Statements, page 3.
    - i) Review with Auditors, page 3 to 5.
  - 3.0 Reports, page 5.
  - 3.1 City Administrator, page 5.
    - 3.1.1 Application - Place of Amusement, Fun World, Penhorn Mall, pg.5.
    - 3.1.2 Application - Place of Amusement, Elmwood Amusement Centre,  
223 Wyse Rd., page 5 & 6.
    - 3.1.3 Application - Retail video outlet, Bharat Grocery, 68 Queen  
Street, page 6.
    - 3.1.4 Tender for school buses, page 6.
    - 3.1.5 Application to amend Land Use By-law, 43 Dawson St., page 7.
    - 3.1.6 Grading Site - 205B Brownlow Ave., City of Lakes, page 8.
    - 3.1.7 Contract 89-02, Sidewalk construction, Kelly Dr., page 8.
    - 3.1.8 Contract 89-03, Street construction page 8.
    - 3.1.9 Renovations - 65 & 67 Ochterloney St., page 9.  
Resolution 89-16, page 9.
  - 3.2 City Solicitor, page 10.
    - 3.2.1 Takeover of City streets, page 10.  
Resolution 89-12, page 10  
89-13, page 10  
89-14, page 10  
89-15, page 10
    - 3.2.2 Dartmouth Marina lease amendments, page 11.
  - 3.3 Dartmouth Tourist Commission, page 11.
    - 3.3.1 Representation on Commission, page 11.
-