

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

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

MEMBERS ABSENT: ALD. SARTO, MACFARLANE  
HETHERINGTON

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

INVOCATION

Mayor Savage opened the meeting with the Invocation.

AUDIO LOOP - COUNCIL CHAMBER

The Mayor commended the Telephone Pioneers of America (Acadia Chapter 49) for installing an audio loop in the Council Chamber, which will maximize sound capabilities for people with hearing difficulties. The audio loop has been appropriately identified with signage in the Chamber.

Ald. Billard acknowledged the attendance of Mr. Johns, an Honorary Alderman for the City, and welcomed him back to the Council meetings.

POINT OF PRIVILEGE

Ald. Pye rose on a point of privilege to express his concerns about a recent delivery of petroleum coke at the National Gypsum plant in north Dartmouth, and the deposits of this material left on roadways in the process of transporting it. He showed samples of the material, which breaks down easily and could possibly cause environmental damage if it gets into the soil and into brooks and marshlands in the area. He requested that Mr. Bernard and the Dept. of the Environment be contacted about the situation, to determine if there is any potential danger to the environment; also, that it be determined if there is to be another shipment at National Gypsum, and whether the Lafarge company is going to clean up the deposits left behind from this current shipment.

APPRECIATION - SEA SELL 1989

As one of the Dartmouth group who participated in Sea Sell 1989, Ald. Hawley expressed appreciation to all those who represented the City so well, noting that many favourable comments were received from people who met the Dartmouth representatives and saw the Dartmouth display. Both he and the Mayor acknowledged the work that Linda Hall-Williams put into the Sea Sell project. Also recognized were Syd Gosley, Bill Stevens and Faye Cote-McLean, who assisted as well.

1.0 APPROVAL OF MINUTES

MOTION: To approve the minutes of meetings held on April 4, 11, 18 and 25th.

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

2.0 BUSINESS ARISING OUT OF MINUTES3.0 DELEGATIONS & HEARINGS OF PROTEST4.0 ORIGINAL COMMUNICATIONSi) USE OF CITY CREST - TRI-MAR PROMOTIONS LTD.USE OF  
CITY CREST

A proposal has been received from Tri-Mar Promotions Inc. for their use of the City crest and logos on products for sale and for use of the City. Tri-Mar would become the official supplier of such products, under conditions set out in their letter of March 10/89.

MOTION: That the Legal Dept. be asked to draft an agreement with Tri-Mar, based on their proposal.

Moved: Ald. Levandier  
Second: Ald. McCluskey

The owner of Tri-Mar, Faye Cote-McLean, was present to answer any questions about her proposal from members of Council. Ald. Rodgers suggested that the City should maintain the right to go to tender where products with the crest and logo are concerned. Ald. Greenough asked about the designation of City representatives to check on a quality-control provision. The Mayor proposed

that Linda Hall-Williams and Linda Daly act in this capacity, since they are most familiar with items produced to date that make use of the City crest.

In general, the proposal had the support of Council, but Ald. Pye was opposed to it. He moved referral back to staff for further consultation before any decision is taken by Council; the motion did not receive a seconder.

The vote was taken on the motion of Ald. Levandier.

In Favour: All members except  
Against: Ald. Pye  
Motion Carried

ii) DARTMOUTH DOWNTOWN DEVELOPMENT CORPORATION

DART. DOWNTOWN  
DEVELOPMENT  
CORPORATION

The second letter before Council was from the Dartmouth Downtown Development Corp., requesting that the City act as guarantor for a mortgage on the property at 50 Queen Street, which the Corporation proposes to purchase from the Union Protection Company. The building on this property is to be restored with assistance of the Mainstreet Program and Canada Employment & Immigration. This is presently a registered heritage property.

MOTION: That the City agree to guarantee the mortgage for the property at 50 Queen Street, to be acquired by the Dartmouth Downtown Development Corp.

Moved: Ald. Levandier  
Second: Ald. Thompson

Ald. Rodgers asked to have two conditions required: (1) the City to maintain a second mortgage agreement; and (2) negotiations at any time should not supercede the City's position.

Mr. Montgomery, Executive Director for the Corporation, gave assurance to Council with respect to the upstairs tenants of the building at 50 Queen Street. They can either remain at that location, or, if they wish to opt out of their lease, the Corporation will facilitate a move for them elsewhere.

In Favour: All  
Against: None  
Motion Carried

5.0 PETITIONS6.0 PRESENTATIONi) MAYOR TO PRESENT CERTIFICATE TO "VOLUNTEER OF THE MONTH"PRESENTATION:  
VOLUNTEER PLAQUE

The Mayor presented a "Volunteer of the Month" plaque to Mr. Mel Larsen, a citizen who has been active in the Cleaner, Greener project and has contributed in other worthwhile ways to the benefit of the City. A resume of Mr. Larsen's background and community activities, prepared by Ald. MacFarlane, was read out to Council by the Mayor, prior to the plaque being presented. Council also acknowledged Mrs. Larsen who was present in the Council Chamber.

ii) CANADIAN CANCER SOCIETY - "THE LODGE THAT GIVES"PRESENTATION:  
CANCER SOCIETY

A presentation was made to Council by Mr. Paul Walker on behalf of the Canadian Cancer Society (Nova Scotia Division), in connection with a fund-raising campaign for the lodge they are planning to construct on South Street in Halifax, opposite the Cancer Treatment Centre. A five-minute video was shown to Council by way of explaining the need for such a facility and the services that would be provided at the lodge for cancer patients and their families. A commitment in the amount of \$75,000., to be paid over a ten-year period, is being sought from the City of Dartmouth as part of the municipal solicitation of financial support toward the project. An appropriate plaque will be displayed in the lodge, acknowledging the contribution from the City.

A motion was first presented by Ald. Pye and Billard, to have the request referred to the Grants Committee, but after Ald. Hawley had reported to Council that the matter has already been discussed by the Committee at a meeting earlier in the day, it was agreed that the motion should be changed to reflect the recommendation of the Committee, in favour of granting \$75,000. to the Cancer Society, over a ten-year period, starting in the year 1990. Ald. Hawley stressed, however, that in future, all such requests should come to the Committee before Council decisions are made on them. In this instance, the Committee had an opportunity to consider the request from the Cancer Society at a meeting just prior to this Council meeting.

MOTION: That Council approve the request from the Cancer Society for a financial contribution in the amount of \$75,000., to be paid over a ten-year period, beginning in 1990; approval having been recommended verbally by Ald. Hawley on behalf of the Grants Committee. This contribution is toward the capital cost of the lodge proposed by the Society for construction on South Street in Halifax.

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

7.0 REPORTS

7.1 TRANSIT ADVISORY BOARD

7.1.1 DARTMOUTH SHOPPING CENTRE BUS SHELTER

BUS SHELTER:  
DARTMOUTH  
SHOPPING  
CENTRE

The Transit Advisory Board has recommended approval of proposed changes at the Dartmouth Shopping Centre Terminal, which would improve the bus traffic flow at this location, and the safety of transit users, many of whom change buses at this location.

Ald. Woods did not feel that the sketch which accompanied the report from the Board adequately explains the traffic flow changes, and Ald. McCluskey raised concerns she has about the effect the changes will have on crosswalk safety on Nantucket Ave.

A motion presented by Ald. Pye and Greenough, to adopt the recommendation of the Board, was debated, but it was eventually decided that the two issues involved should be voted upon separately so as not to jeopardize the terminal improvements altogether, while at the same time, addressing traffic pattern concerns, including the crosswalk safety issue brought up by Ald. McCluskey. Two motions were therefore dealt with as follows:

MOTION: That terminal changes for the Dartmouth Shopping Centre transit point be approved.

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

MOTION: That the concerns raised about pedestrian safety at the crosswalk on Nantucket Ave., and traffic flow patterns in and out of the Shopping Centre (in relation to the terminal changes) be referred to the T.M.G. and to the Transit Advisory Board for further consideration and report

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

Ald. Woods asked that the report back to Council indicate clearly what buses are going where, and what streets are not to be used any more.

7.1.2 FERRY REPORT - FEBRUARY

FERRY REPORT:  
FEBRUARY

The Transit Advisory Board has forwarded the ferry operation report for the month of February to Council, recommending that it be adopted.

MOTION: To adopt the Ferry Operation report for February, as forwarded and recommended by the Transit Advisory Board.

Moved: Ald. Levandier  
Second: Ald. Hawley

Ald. Woods felt that this and other Transit Advisory Board reports are inadequate in content, and that in this particular instance, the Board should be addressing questions of a fare increase and other more substantive issues. He said he did not appreciate receiving such a trivial report. Discussion followed on the ferry ridership statistics and trends they reflect. Ald. Billard said it is not possible to determine specific

trends, based on ridership figures of only two or three months.

Ald. Woods asked why it is not possible to have ten-minute ferry service at peak periods of travel. The Mayor asked Mr. Burke to take the Alderman's question up further with Capt. Keddy.

The vote was taken on the motion.

In Favour: All  
Against: None  
Motion Carried

7.2 DOWNTOWN DARTMOUTH BUSINESS IMPROVEMENT DISTRICT COMMITTEE

7.2.1 DOWNTOWN BUSINESS IMPROVEMENT DISTRICT - ANCHOR PROJECTS

ANCHOR PROJECTS: The Downtown B.I.D.C. has recommended Mainstreet  
DOWNTOWN B.I.D. Anchor Projects as follows, in order of priority:

- 1) installation of hanging planters & banners on Portland St. (\$15,600.)
- 2) a mural of the ship Alderney on the corner of Queen St. & Alderney Dr. (\$5,000.)
- 3) downtown border signage & ferry promotion signage (\$16,000.)
- 4) landscaping improvements to Wentworth Street parking lot (\$11,400.)

MOTION: To approve the above-noted Anchor Projects for the Downtown Mainstreet Program, and to instruct staff to submit the appropriate application to the Dept. of Small Business Development for their inclusion in the Mainstreet Program.

Moved: Ald. Connors  
Second: Ald. Levandier

Ald. McCluskey said she could not support <sup>the</sup> signage project or the gabion walls recommended for the slope between the parking lot and Wentworth St. (priority #4). She felt that signs at the entrances to Dartmouth are needed more than those recommended for downtown.

In Favour: All members except

Against: Ald. McCluskey

Motion Carried

7.3 WYSE ROAD BUSINESS IMPROVEMENT DISTRICT COMMITTEE

7.3.1 WYSE ROAD BUSINESS IMPROVEMENT DISTRICT - ANCHOR PROJECTS

ANCHOR PROJECTS: The Wyse Road B.I.D.C. has recommended Mainstreet  
WYSE RD. B.I.D. Anchor Projects as follows, in order of priority:

- 1) pedestrian crosswalk on Wyse Road at  
Faulkner St. (\$15,000.)
- 2) street furniture for Wyse Rd. (\$21,000.)
- 3) sidewalk design (\$10,000.)

MOTION: To approve the above-noted Anchor  
Projects for the Wyse Road Mainstreet  
Program, and to instruct staff to  
submit the appropriate application  
to the Dept. of Small Business Develop-  
ment for inclusion in their Mainstreet  
Program.

Moved: Ald. Connors

Second: Ald. Walton

In Favour: All

Against: None

Motion Carried

8.0 REPORTS

8.1 CITY ADMINISTRATOR

8.1.1 TENDER AUTOMATED BANKING MACHINES - FERRY TERMINALS

AWARD TENDER: Report to Council from Mr. Burke (B. Smith) on  
BANKING MACHINES submissions received for the installation of  
automated banking machines in ferry terminal buildings.  
Mr. Burke has recommended that the tender be awarded  
as follows for a three-year term:

- A) Halifax Terminal - Bank of Montreal  
\$7,500. per annum, plus utilities.
- B) Dartmouth Terminal - Bank of Nova Scotia  
\$3,000. per annum plus utilities.

MOTION: To approve the recommendation that  
tenders for automated banking machines  
in the ferry terminals, be approved  
as follows:

- A) Halifax Terminal - Bank of Montreal  
\$7,500. per annum, plus utilities.
- B) Dartmouth Terminal - Bank of Nova Scotia  
\$3,000. per annum, plus utilities.

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

8.1.2 TENDER - FERRY TERMINAL CONCESSIONS

AWARD TENDER:  
FERRY TERMINAL  
CONCESSIONS

Report to Council from Mr. Burke on tender proposals received for canteen concessions for the three ferry terminal buildings. These tenders are for a three-year term. It is recommended that the ferry terminal canteen concession be awarded to J.G.L. Ltd. Partnership, for a total tendered price, over the three-year period, of \$87,000.

MOTION: To approve the recommendation on the awarding of the tender for canteen concessions for the three ferry terminal buildings, to J.G.L. Ltd. Partnership, for a total tendered price, over a three-year period, of \$87,000.

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

8.1.3 TENDER - CONTRACT 89-05 - SIDEWALK CONSTRUCTION

TENDER:  
CONTRACT 89-05

Tenders have been received for Contract 89-05 (sidewalks on Alfred St., Jackson Road, Lahey Road, Leaman Drive & Primrose Street).

Report to Council from Mr. Burke (R. Fougere, E. Purdy) recommends that the tender be awarded to the lowest bidder, Ocean Contractors Ltd., with a bid price of \$115,067.50.; completion time: 8 weeks.

MOTION: To award the tender for Contract 89-05 (sidewalk construction) to the lowest bidder, Ocean Contractors Ltd., in the amount of \$115,067.50., as recommended.

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

Ald. Woods asked if any provision is included for a penalty clause in the event of this project being delayed in completion. Mr. Purdy advised that a liquidated damages clause has been included in the contract to address any possible delay problems.

8.1.4 TENDER - CONTRACT 89-07 - STREET CONSTRUCTION

TENDER:  
CONTRACT 89-07

Tenders have been received for Contract 89-07 (construction of curb & paving and related work on Rosehedge Lane and Woodside Ave.)

Report to Council from Mr. Burke (R. Fougere, E. Purdy), recommending that the tender be awarded to the lowest bidder, Basin Contractors Ltd., with a bid price of \$105,956.35.; completion time: 8 weeks.

MOTION: To award the tender for Contract 89-07 (curb & Paving, Rosehedge/Woodside Ave.) to the lowest bidder, Basin Contractors Ltd., with a bid price of \$105,956.35.

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

8.1.5 TENDER - CONTRACT 88504G - STREET CONSTRUCTION

TENDER:  
CONTRACT 88504G

RES. 89-20

Report from Mr. Burke (R. Fougere, E. Purdy) on tenders received for Contract 88504G (street construction, Burnside Industrial Park). The report was accompanied by Resolution 89-20, recommended for approval in conjunction with the awarding of the tender for Contract 88504G.

MOTION: That Council approve Resolution 89-20, adding \$455,200. to the approved 1989 capital budget, with funds to be withdrawn from the Burnside Sale of Land Account.

Further, that the tender for Contract 88504G (street construction, B.I.P., Phase 8 & Lot L-35) be

awarded to the lowest bidder,  
Steed & Evans Ltd., with a tender  
price of \$764,572.25; completion  
time: 4 months.

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

8.1.6 APPLICATION - RETAIL VIDEO OUTLET, PARMA GROCERY,  
200 PORTLAND ST.

APPLICATION: Council has been asked to indicate any objection to  
200 PORTLAND ST. an application for a retail video outlet at 200  
Portland Street (Parma Grocery).

MOTION: To indicate no objection by  
Council to an application for a  
video retail license for 200  
Portland Street (Parma Grocery).

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

8.1.7 APPLICATION - RETAIL VIDEO OUTLET, SAM THE RECORD MAN  
21 MICMAC BLVD.

APPLICATION: Council has been asked to indicate any objection to  
SAM THE an application for a retail video license for Sam  
RECORD MAN the Record Man, 21 MicMac Blvd.

MOTION: To indicate no objection by  
Council to an application for  
a video retail license for Sam  
the Record Man, 21 MicMac Blvd.

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

8.2 CITY CLERK-TREASURER8.2.1 APPEAL FROM GRANT OF MINOR VARIANCE - 75 CRICHTON AVE.APPEAL FROM  
GRANT OF MINOR  
VARIANCE

A report from Mr. Smith was before Council on an appeal made by Marjorie M. Matthews of 80 Tulip Street, in connection with a Planning Dept. decision to allow a reduction in side-yard clearance at 75 Crichton Ave., from fifteen feet to twelve feet, on the side of the property adjacent to Edgemere Tower House at 79 Crichton Ave.

A procedure for Council to follow in this appeal process has been outlined in an accompanying report from the Solicitor, and other related notices and items of correspondence, have been circulated.

Ald. Rodgers was not in favour of proceeding with the appeal until Council is able to see the Dept. of Housing plans for the abutting Edgemere property. Mr. L'Esperance advised that plans are not yet available from the Housing Dept.; otherwise, they would have been presented at this time for the information of Council.

MOTION: That the appeal hearing for the minor variance granted at 75 Crichton Ave., be adjourned until May 23rd at 7:30 p.m.

Moved: Ald. Rodgers  
Second: Ald. Thompson

Both Marjorie Matthews, who filed the notice of appeal, and Ken Langille, representing Mount Royal Developments Ltd., had the opportunity to address Council briefly. They were both willing to have the appeal hearing adjourned to the date proposed in the motion, provided the item is dealt with as the first item on that agenda.

In Favour: All  
Against: None  
Motion Carried

8.3 SOLICITOR8.3.1 STRUCTURE OF BOARDS OF HEALTHSTRUCTURE:  
HEALTH BOARDS

The Board of Health has discussed the present Health Act requirement which provides for the majority of

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In Favour: All  
Against: None  
Motion Carried

8.3 SOLICITOR8.3.1 STRUCTURE OF BOARDS OF HEALTHSTRUCTURE:  
HEALTH BOARDS

The Board of Health has discussed the present Health Act requirement which provides for the majority of

Health Board members to be Council members. Through the Solicitor for the Board, it has been requested that amendments to the Health Act be sought that would permit a majority of citizens on the Board, rather than a majority of Council members.

Ald. McCluskey had some concerns about the Board's request, but after discussion with other members of Council, she was prepared to move that the present reference to the majority of Board members being Aldermen, be deleted.

MOTION: That the reference to the majority of Board members being Aldermen, be deleted.

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

8.3.2 PESTICIDE BY-LAW

PESTICIDE  
BY-LAW C-675

An item added to the agenda, a re-drafted version of the Pesticide By-law (C-675) was dealt with by Council at this point. Accompanying reports from Mayor Savage and the Solicitor have explained the need for a revised by-law, and the Solicitor has explained changes from the original by-law, decided upon after meetings with industry representatives and others with particular interest in the subject. It has been recommended that Council give approval to the redrafted by-law, C-675.

MOTION: That leave be given to introduce the said By-law C-675 and that it now be read a first time.

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

MOTION: That By-law C-675 be  
read a second time.

Moved: Ald. Levandier  
Second: Ald. Thompson

Ald. McCluskey and Rodgers were not satisfied that the by-law provides for adequate warning to be given by pesticide applicators before they begin spraying in a neighborhood. Their particular concern was for children playing in yards, where an adult may not be present to bring them inside, so as to avoid any drift of the pesticide spray from one yard to another. Ald. Rodgers asked to have a clause drafted and included in the by-law that would require the notification of an adult at the homes located on properties adjacent to one being sprayed. Ald. McCluskey maintained throughout the debate that 48-hour signs should be posted wherever any pesticides are being used. It was noted that a differentiation has been made between toxic and non-toxic sprays. Also, it was pointed out by the Mayor that property owners themselves are able to purchase many types of pesticide sprays in stores and then proceed to use them on their own properties.

The Mayor said that if Council wished, he would arrange to have some industry representatives present to provide additional information on pesticides for the members. A motion to defer, for this purpose, and to have the amendment requested by Ald. Rodgers, drafted for inclusion in the by-law, was presented.

MOTION: To defer By-law C-675 in  
second reading to the next  
Council meeting, at which  
time, industry represent-  
atives will be present;  
also, for drafting of the  
amendment clause requested  
by Ald. Rodgers.

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

8.4 PARKS & RECREATION DEPT.8.4.1 1987 PARKS & RECREATION MASTER PLANPARKS & REC.  
MASTER PLAN

The Parks & Recreation Master Plan was deferred for consideration at the May 9th Council meeting.

8.5 DARTMOUTH COMMONS COMMITTEE8.5.1 REQUEST FOR A DARTMOUTH COUNTRY JAMBOREE & BARBECUEREQUEST:  
COUNTRY  
JAMBOREE &  
BARBECUE

A report has been submitted to Council by the Dartmouth Commons Committee on a request received from N.G.M. Productions, to hold a one-day music festival and barbecue on the ballfields, which form part of the Commons.

Because of the fact that an admission charge would be levied to attend the event, on Commons land, the Committee has recommended that Council endorse their decision to decline permission for the event to take place at that location.

Council agreed to hear from Garfield Hendrickson and Nancy Posiak, who are proposing the jamboree and barbecue. They explained why the ballfield location would be particularly well-suited for the event they have planned, and it was indicated to Council that a portion of the revenue received would be contributed to future Commons improvement projects. In this way, there would be a return to the City from the event, plus it would be a tourism attraction for the July date that is planned.

The Solicitor was asked for an opinion on the use of Commons land for the purpose requested. He advised that any such element of private enterprise would not be permitted on Commons land, and further, there is the question of denying a right of public access to that particular section of the Commons, once an admission charge is imposed.

MOTION: To adopt the recommendation of the Dartmouth Commons Committee.

Moved: Ald. Connors

Second: Ald. Woods

While several members of Council felt the proposal from N.G.M. Productions should receive favourable consideration, it was recognized that the Commons legislation prohibits the charging of admission for any event held on Commons land. Ald. Hawley expressed concern that use of the Commons is being prevented for activities that citizens would enjoy and that would be of benefit to the City. Ald. McCluskey also felt that the existing legislation is overly restrictive. Ald. Connors noted that plans for the Commons are in progress and in due course, these will come to Council.

Council wished to have this item deferred for one week, for confirmation of the legal opinion given by the Solicitor. It was further suggested to the N.G.M. representatives that they seek a letter of support from the Tourism Minister in the meantime.

MOTION: To defer a decision on the request from N.G.M. Productions until the May 9th Council meeting.

Moved: Ald. Greenough  
Second: Ald. Hawley  
In Favour: All members except  
Against: Ald. Billard  
Motion Carried

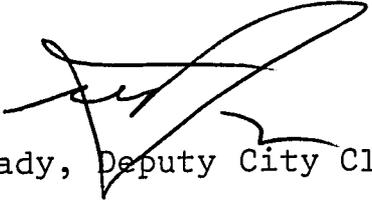
(On motion of Ald. Pye and Thompson, Council agreed to continue meeting beyond the hour of 11:00 p.m.)

Council adjourned to meet in camera and after reconvening in open meeting, the action taken in camera was ratified.

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

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

Meeting adjourned at 11:30 p.m.

  
G.D. Brady, Deputy City Clerk.

ITEMS:

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    - 8.3.2 Pesticide By-law (C-675), page 13 & 14
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    - 8.5.1 Request for a Dartmouth Country Jamboree & Barbeque, pg. 15. & 16.

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

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

MEMBERS ABSENT: ALD. THOMPSON AND MACFARLANE

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

1.0 REPORTS

1.1 PARKS & RECREATION

1.1.1 1987 PARKS & RECREATION MASTER PLAN

1987 PARKS &  
RECREATION  
MASTER PLAN

The 1987 Parks and Recreation Master Plan was before Council for review. Mr. Atkinson commenced his presentation by showing slides which illustrated the variety of activities carried on by the Recreation Department.

He gave a history of previous plans related to recreation, emphasizing that these plans primarily dealt with facilities not programing and staffing.

Mr. Stevens gave a review of the actual planning process followed which eventually led to the development of this Master Plan. The plan had not been previously presented to Council so that it might coincide with the publication of the M.P.S. Due to the time lag additions have had to be made to the Plan which were circulated to Council for inclusion in their report. The recommendations contained in the report have been used since 1987 in the preparation of the Capital Budget.

The floor was opened to questions on the overall report.

Ald. Walton felt that the Plan must be outdated by now and should be updated. He suggested once updated its title should be changed to "1989 Parks and Recreation Master Plan". He noted that since this Plan was printed the Acadia Ball Field has been lost. He also expressed concern about the lack of recreation facilities in new subdivisions, particularly Portland Estates. Some lands have been designated for conservation purposes, plus park land at the end of Russell Lake, but the Development Officer will have to contact Ald. Walton to clarify what other lands have been set aside for recreation purposes.

Ald. Woods noted that while it is stated that a minimum of 714 acres of park land is required to meet the recreation needs of Dartmouth's population, only 466 acres are presently available. He would like to see something in the report pertaining to a strategy to obtain these additional acres. Secondly, Ald. Woods noted that no reference is made to the study conducted by students in 1986 regarding the recreational needs of Ward 5.

A motion was put forward.

MOTION: The Master Plan be referred back to staff so that information requested by alderman can be included.

Moved: Ald. Woods  
Second: Ald. Billard

Ald. Woods also felt more specific policies related to tree planting programs should be included. He was assured that there is \$10,000 in this year's budget to do a study and establish programs for the next five years.

Mr. Stevens emphasized that this Master Plan is scheduled for a complete updating in two years time.

Ald. McCluskey noted that no mention has been made to city owned land in the vicinity of Horizon Estates which was acquired in a land swap. Mr. Atkinson was unaware that the City owned park land in this area.

Her biggest concern was the fact that no mention is made of any policies regarding the provision of recreational opportunities to children whose families can't afford the fees. She felt this group has been neglected, although Ms. Kaiser outlined the reciprocal agreement the department has with Social Services. Minor hockey doesn't fall under this program, however.

Ald. Sarto referred to 68 acres of land between Main Street and Mount Edward Road. No recommendation has been made for this parcel of land and he requested that one be developed.

Mr. Burke cautioned about becoming too specific in the Plan, as it was intended to be only a broad framework of where the City wishes to go in the future. If changes are to be made, he would like to see the Plan brought back to Council as soon as possible, so the Plan is in place before the next budget year.

Ald. Connors felt the obvious inconsistencies between the Plan and policies adopted by City Council re the Commons should be looked at by staff. He also requested particulars, such as how many soccer fields can be developed a year, relative to how many soccer fields are actually needed to meet demand. He would also like more facts and figures to justify the hiring of more staff.

Ald. Greenough requested what the cost implications are for the five year plan, i.e how much has already been budgeted for and how much more money will be required to meet the objectives.

Ald. Hetherington noted that no recommendations have been included for the lands bordering the railway tracks from Newcastle Street to the Nova Scotia Hospital. He noted the historic significance of the lands and the harbour views. Secondly, he wondered if any thought has been given to adopting a fee to raise money for recreation maintenance purposes and acquisition of recreational land when Building Permits are applied for. Mr. Burke indicated that some provinces permit such a development charge or lot levy but the N.S. Planning Act and City Charter don't permit such charges. During the Corporate Planning Review this matter will be further discussed. He felt it would be more appropriate that changes come through the Planning Act versus the City Charter. The revenues generated could help offset costs associated with upgrading of the City's infrastructure.

Ald. Hawley identified a residential area between Shubie Park and Lake Charles which has no playground facilities for small children. He would like to see recommendations made in the Plan for this area.

He also felt that the concept of issues has not been dealt with in the report, i.e. how to help reduce the cost of some sports such a figure skating and competitive swimming. He also felt some reference should be made in the Plan to tourism.

Ald. Woods did not feel the report should come back to the M.P.S.R.C. but Planning staff should be requested to review its contents to ensure there are no conflicts with the M.P.S. He also referred to a meeting of Wards 4 and 5 residents, Monday, May 15th when proposals for the Albro Lake Lands are to be presented.

Ald. Rodgers requested that reference to 'visiting bars' be deleted from the Plan.

Ald. Billard felt more effort should be made by staff to develop a framework for working hand in hand with present private recreational clubs to develop more active recreational opportunities for the citizens of Dartmouth. This would save money and serve the residents needs better.

The vote was taken on the motion.

In favour: All

Against: None

Motion Carried

1.2 SOLICITORS1.2.1 PESTICIDE BY-LAW C-675 - SECOND READINGPESTICIDE  
BY-LAW C-675

At the May 2nd Council meeting, there was a motion that By-law C-675 be read a second time. Subsequent to this motion it was moved to defer By-law C-675 in second reading to the next Council meeting, at which time, industry representatives will be present; also, for drafting of the amendment clause requested by Ald. Rodgers.

The members were in receipt of a memorandum dated May 9 from the Solicitor to which was attached the by-law which was amended to take into account concerns Ald. Rodgers had raised at the previous meeting.

Debate of the outstanding motion followed. Ald. McCluskey indicated that she did not feel the amendments addressed her concerns. She noted that by-laws adopted in both the Province of Quebec and British Columbia are stricter than the one proposed for Dartmouth. She felt this issue was very important to the health of the community. Ms. Hood assured Ald. McCluskey that should further problems arise, this by-law can be changed further.

Ald. Connors felt that children should be defined as persons under the age of 16 rather than 19. An amendment to the By-law in second reading was proposed.

AMENDMENT: Section 1 (a) should be amended to change the definition of children to mean any person or persons actually or apparently under the age of 16 years.

Moved: Ald. Connors  
Second: Ald. Pye  
In Favour: All members except  
Against: Ald. McCluskey  
Amendment carried

Ald. Hawley suggested a further amendment. He suggested that the sign(s) to be erected should be uniform in color and shape to those used to identify dangerous substances. Ms. Hood indicated she could not write such an amendment into the by-law this evening as it was more complicated than the previous change, but she will convey to Mr. Moreash Ald. Hawley's suggestion.

The vote was taken on the amended by-law C-675.

In Favour: All members except  
Against: Ald. McCluskey  
Amended By-law Carried

**MOTION:** That by-law C-675 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. Hetherington  
In Favour: All members except  
Against: Ald. McCluskey  
Motion Carried

1.3 DARTMOUTH COMMONS COMMITTEE

1.3.1 REQUEST FOR A DARTMOUTH COUNTRY JAMBOREE AND BARBECUE

REQUEST:  
COUNTRY  
JAMBOREE &  
BARBECUE

At the May 2 Council meeting there had been a motion to adopt the recommendation of the Dartmouth Commons Committee to decline granting of permission to N.G.M. Productions to hold a County Jamboree and Barbeque on a section of the Commons. A decision on this motion was deferred at the request of N.G.M. Productions until today's meeting. In the interim the Solicitor was requested to give his legal opinion. In Mr. Moreash's memorandum of May 9th on the N.G.M. Productions proposal, he advises that it is his opinion that the proposed use for the Dartmouth Common would be contrary to the Dartmouth Common Act.

Debate of the original motion commenced. Both Ald. McCluskey and Ald. Hawley spoke in support of the event being held on the Commons, as this use doesn't conflict with the intended uses for the Commons. Ms. Hood explained the trust arrangement and why land being held in trust can't be used for an individual's profit. It was noted that if Council votes in favour of the event on these lands, the Province may challenge the decision in court. The challenging of the validity of the provincial legislation was supported by some members.

It was emphasized that the use of the lands by non-profit organizations is permissible. The lands simply can't be closed off from the citizens of Dartmouth, by individuals running an event for private profit.

Ald. Connors emphasized that it is not the City of Dartmouth who owns the Commons but the residents. Ald. Hetherington argued that the trustees are accountable to Dartmouth City Council and funding for maintenance of the land is to be provided by Dartmouth City Council, thus Council should have the right to make decisions on its use.

A vote was taken on the motion held over from last week's meeting to adopt the recommendation of the Dartmouth Commons Committee.

In Favour: Ald. Billard, Ald. Connors, Ald. Rodgers  
Against: All members except the above.  
Motion Defeated

MOTION: That Council approve the request from N.G.M. Productions to hold an event on the Commons.

Moved: Ald. Hetherington  
Second: Ald. Pye

Ald. Connors questioned whether the City has a policy about closing city owned park lands for a fee. Ms. Hood referred to Section 157, Sub-section (c). She felt this section would apply to normal park lands but not the Dartmouth Commons which is under different legislation. There is nothing in the City Charter dealing with the Commons. A resolution is drafted in instances involving normal park lands. A discussion ensued regarding the need to draft such resolution beforehand. Ms. Hood indicated she did not feel there was a distinction between motions and resolutions.

Deputy Mayor Levandier left the Chair, turning it over to Ald. Greenough and spoke against the motion on the floor. He emphasized that Council was duty bound to uphold the sacred trust they had been empowered with. He felt by passing this motion the first step towards erosion of the principles of the Common would be taken.

Ald. Levander resumes the Chair.

Referring to earlier remarks about the possible challenge being given to the Provincial Government if the motion is adopted, Ald. Greenough, Ald. Woods and Ald. Hetherington indicated they did not see such a decision as a challenge. It was Ald. Greenough's interpretation of the Act that it was broad enough to permit such events taking place on a small portion of the Commons. Ald. Connors noted that it is not the Provincial Government who will be challenged but the people of Dartmouth, who have a right to free access to the Commons.

In Favour: All members except  
Against: Ald. Connors, Ald. Billard and Ald. Rodgers  
Motion Carried

5.1 CITY ADMINISTRATOR

5.1.1 FESTIVAL FUNDING RECOMMENDATIONS

FESTIVAL  
FUNDING  
RECOMMEND-  
ATIONS

A report dated May 3, 1989 from Mr. Burke re Tourist Commission Festival Funding Recommendations was before Council. Mr. Burke recommends that funding previously allocated to the Buskers Festival be reallocated to the Tour of Dartmouth Festival of Cycling (Sept. 24), in the amount of \$4,000.00 and to the Dartmouth Street Festival (July 26-30), in the amount of \$6,000 for a total of \$10,000.

MOTION: To approve the reallocation of funds from the Buskers Festival to the two above-noted events.

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

5.1.2 TENDER - RESODDING BEAZLEY FIELD

AWARD TENDER:  
RESODDING.  
BEAZLEY FIELD

Report to Council from Mr. Burke on submissions received for the resodding of Beazley Field. Mr. Burke has recommended that the tender be awarded to the lowest bidder, Turf Masters Landscaping Limited with a bid price of \$32,972.60.

MOTION: To approve the recommendation that the tender for resodding of Beazley Field be awarded to Turf Masters Landscaping Limited with a bid price of \$32,972.60.

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

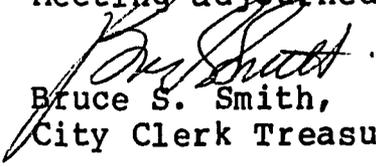
Council went in camera at 10:30 p.m., on motion of Ald. Hetherington and Pye.

Council reconvened in open meeting and the actions taken in camera were ratified.

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

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

Meeting adjourned at 11:00 p.m.

  
Bruce S. Smith,  
City Clerk Treasurer

ITEMS:

- 1) 1987 Parks and Recreation Master Plan, pages 1- 3
- 2) Pesticide By-law C-675, pages 4 & 5
- 3) Request County Jamboree and Barbecue, pages 5 & 6
- 4) Festival Funding Recommendations, pages 6 & 7
- 5) Tender - Resodding Beazley Field, page 7

DARTMOUTH CITY COUNCIL

MAY 16, 1989

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

MEMBERS PRESENT: MAYOR SAVAGE

ALDERMEN      LEVANDIER, HAWLEY  
                 BILLARD, CONNORS  
                 RODGERS, MCCLUSKEY  
                 PYE, MACFARLANE  
                 GREENOUGH, WALTON  
                 HETHERINGTON, WOODS  
                 SARTO

MEMBERS ABSENT:      ALD. THOMPSON

ACTING CITY ADMINISTRATOR: T. RATH  
CITY SOLICITOR:                      M. MOREASH  
CITY CLERK-TREASURER:              B. SMITH  
DEPARTMENT HEADS & ASSISTANTS

With the approval of Council, the following changes were made to the agenda. Item no. 5 pertaining to correspondence from the Attorney General was moved up. Four items were added, one had been previously deferred by Council and dealt with the Dartmouth Soccer Association Proposal, a new motion introduced by Ald. Greenough re Bus Gate Columbo Drive and numbered 1.5, and items pertaining to Municipal Awareness Week and an Emergency Conference.

MUNICIPAL AWARENESS WEEK

As part of Municipal Awareness Week, Mayor Savage welcomed Ernie Rafuse, Drug Education Officer for the City schools and two members of the PEER education group. Tina was from Prince Andrew and Craig from Dartmouth High. Mr. Rafuse gave an overview of what the drug education program, in its second year of operation, is attempting to do, i.e. raise awareness of the use of drugs and alcohol. He outlined the programs which are being used, for example T.A.D.D., Keep Your Dreams Alive, None for the Road, etc. He referred to the establishment of a Teen Help Line starting this fall and distributed copies of a new booklet entitled "Questions Little Kids Ask and Big Kids Answer".

EMERGENCY CONFERENCE IN HALIFAX

Mayor Savage advised that at a conference held this morning in Halifax re Emergency Measures, the City of Dartmouth's Community Awareness and Emergency Response Organization received an award. This award is a particular tribute to Ms. Osborne, E.M.O. Coordinator and her accomplishments. The above noted organization consists of 25 companies which produce chemicals and seek to improve their emergency response.

Ald. Hetherington noted that this past Saturday, Imperial Oil, a member of the above noted organization, held an open house at their South Woodside facility, as part of the community awareness program. He commended, Imperial Oil, the South Woodside Community Centre and Ms. Osborne for making this event possible.

PROCLAMATION - 1989 NATIONAL TOURISM AWARENESS WEEK

The following proclamation was made by Mayor Savage.

I, Mayor Savage, do hereby declare May 15 to 21, 1989 National Tourism Awareness Week in Dartmouth.

I call on all Dartmouthians to join their fellow Canadians to commemorate and celebrate this country's 3rd Annual Tourism Week. The theme will be Canada Grows With Tourism.

I join with Dartmouth's tourism industry in reminding you of the economic importance of an industry that contributes over \$38 million a year to our local economy.

Tourism is a renewable resource that enriches our country, our province and our city, supporting the preservation of our historical heritage and culture, enhancing the lives of residents and visitors alike.

Tourism brings thousands of visitors to experience our great community and its people.

Finally, and perhaps most important of all, travel has a part to play in the growth of the human soul; to educate, to entertain, and to provide a much needed respite from the stresses of day-to-day life.

I urge each and every Dartmouth resident to join all of Canada in a salute to the tourism industry and a celebration of National Tourism Awareness Week!

DISCOVER DARTMOUTH DAY

Ald. Connors, a member of the Tourism Commission, drew the members' attention to the second annual Discover Dartmouth Day which was held by the Chamber of Commerce this week. This annual event involved 100 individuals, who are employed in front line locations where visitors direct questions. They were taken on a tour of Dartmouth to familiarize them with the City. This event will be expanded to 200 next year.

Secondly, Ald. Connors noted that a Tourism Office will be opened in Center Court, Mic Mac Mall this week. Two additional centers will be opened at the Shubenacadie Canal Interpretive Center in the Downtown and in the Halifax Ferry Terminal.

DARTMOUTH SOCCER ASSOCIATION PROPOSALDARTMOUTH  
SOCCER ASSOC.  
PROPOSAL

A memorandum dated May 10th from Mr. Rath and minutes of a recent Industrial Commission re a request for 10 to 12 acres of land in the Burnside Industrial Park was circulated. The following motion was passed by the Industrial Commission:

"It is the Commission's recommendation to Council that the Commission has no objection to the use of the recreational land designated, with the proviso that it is not in violation of the agreement with Leon's Furniture Limited and provided that a thorough investigation of the site is carried out first, and that the wishes of the Burnside Park Committee are taken into consideration; furthermore, that the cost of this should be borne by the City and not by the Burnside Sale of Land Account."

At the April 4th meeting Ald. Connors presented the following motion, seconded by Ald. Hetherington.

MOTION: That 10 to 12 acres of lands in Burnside Industrial Park be committed for recreational soccer purposes on the understanding that the District Soccer Association will present design and financing plans to the City in the near future.

Based on comments made by staff through the Master Plan, i.e. one soccer field per year for the next five years is required, one of which should be located in Burnside and by the Industrial Commission, the following amendment was made to the motion.

AMENDMENT: That staff be instructed to carry out soil testing of the site as quickly as possible.

Moved: Ald. Connors  
Second: Ald. Sarto

In response to a question from Ald. Hetherington, it was noted that the soil test recommended would cost \$5,000 to \$10,000. Mayor Savage indicated that Mr. Burke would be recommending that this expenditure come from the Industrial Commission Funds. Ald. Hetherington felt a decision should be deferred until the exact figure is known.

Reference was made by Ald. Pye to an organizational committee consisting of Mr. Rath, Mr. Atkinson and three soccer association representatives. Mr. Atkinson noted that they looked favourably at the site and the only thing negative was a report from C.B.C.L. indicating that it had been a dump site, thus the need for the soil test. Ald. Pye felt other areas of

the City should be investigated as sites for the proposed field.

Ald. Greenough emphasized that this motion is essentially only giving approval in principle, subject to the results of soil testing. Specifics will be dealt with later.

In addition to the cost of the soil testing, concern was expressed that the City might also be expected to cover other costs, such as grubbing the land, etc. How much money, over and above the donation of the site by the City, was requested before Council made a decision.

Ald. Woods suggested an environmental assessment of the site is required, particularly as it relates to the release of methane gas. If gasses are being released, the soil testing need not be done.

Ald. Hawley expressed additional concerns regarding the provision for parking, who will receive rental revenues if the field is rented and if security aspects, as they relate to the Industrial Park, have been studied. He also noted that by using this land for a soccer field, a large chunk of land which could have been used for the recreational needs of the employees of the Industrial Park will be lost.

Ald. Hetherington suggested that it isn't so much the motion which is the problem, but the amendment. He moved deferral of the item until next week's Council meeting to allow acquisition of more information from staff and the Soccer Association. This deferral was seconded by Ald. Pye.

MOTION: To defer dealing with the previous motion and amendment for one week in order to obtain additional information.

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

1.0

MOTIONS:

1.1

ALD. LEVANDIER

1.1.1

TRAFFIC RELATED PETITIONS TO BE REFERRED TO T.M.G.TRAFFIC  
RELATED  
PETITIONS

A motion was proposed by Ald. Levandier that since the City has a Traffic Management Group, the full benefit of professional opinions on traffic matters should be obtained, thus all public petitions that relate to traffic matters (i.e. parking and vehicular movement) be automatically referred to the T.M.G. for analysis and report, with recommendation, before Council gives a final decision on such matters. There was no seconder to this motion.

1.2

ALD. SARTO

1.1

UPGRADING OF WOODLAWN ROAD FROM MOUNT EDWARD TO PORTLAND STREETUPGRADING  
WOODLAWN RD.

Due to the condition of Woodlawn Road, drainage problems and the traffic using this road, Ald. Sarto proposed the following motion which was seconded by Mr. Connors.

MOTION: Since preparatory engineering work has been completed for the upgrading of Woodlawn Road, from Mount Edward to Portland Street, the project be completed in three phases thereby lessening the cost to the capital budget in one year.

Phase 1 of the project recommended for consideration in the 1990 Capital Budget. The project to be completed as follows:

- 1) In three phases:
  - a) Phase 1 - Mt. Edward Rd. to Ellenvale Ave.
  - b) Phase 2 - Ellenvale Ave. to Kelly Dr.
  - c) Kelly Dr. to Portland St.
  
- 2) Phase 1 project recommended for consideration in the 1990 capital budget.

Moved: Ald. Sarto  
Second: Ald. Connors

During debate of the motion, the question of the appropriate phasing sequence was raised. Ald. Sarto indicated it is immaterial to him which portion was done first and he was prepared to leave this in staff's hands.

In Favour: All  
Against: None  
Motion Carried

Following this item, Mayor Savage requested an update from Mr. Bayer on efforts to obtain someone of fill the Traffic Engineer's position.

1.3  
1.0.1  
ALD. CONNORS

INFORMATION FROM OUTSIDERS RECEIVED BY STAFF - SECRET FROM COUNCIL

INFORMATION  
- SECRETS

Ald. Connors moved a motion that Council adopt the following policy, namely that staff shall not agree to requests from outsiders to keep information conveyed to staff secret from Council. He felt that it can't be in the best interests of the citizens of Dartmouth if their elected representatives are kept in the dark. He felt that confidential matters should be handled in camera. If leaks of confidential information result, Council will have to deal with the situation.

MOTION: That Council adopt a policy that staff shall not agree to requests from outsiders to keep information conveyed to staff secret from Council.

Moved: Ald. Connors  
Second: Ald. Pye

Those arguing against the motion, noted instances in the past where leaks have resulted in negative consequences for the City and the effect such a policy would have when developers come forth with preliminary ideas for the Industrial Park, for example. It was noted that when information is directly asked for by aldermen, staff has made it available. It was felt that it is simply a matter of timing when information is presented, i.e. at what point should Council be informed.

Ald. Connors suggested passing this motion would be a first step, followed by the setting up of some clear disclosure guidelines.

In Favour: All members except  
Against: Ald. Hawley, Rodgers,  
Woods, Hetherington,  
McCluskey  
Motion Carried

Ald. McCluskey moved a Notice of Reconsideration.

MOTION: A Notice of Reconsideration of the above-noted motion.

Moved: Ald. McCluskey  
Second: Ald. Hetherington

1.4  
ALD. WALTON

1.4.1  
OBJECTION TO INCREASE IN POWER RATES

POWER RATE  
INCREASE  
OBJECTION

Ald. Walton made a motion that the City present an objection to the increase in power rates, over what was requested, by writing to the P.U.B.

MOTION: That the City present an objection to the increase in power rates, over what was requested, by writing to the P.U.B.

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

1.5

ALD. GREENOUGH

1.5.1

BUS GATE ON COLUMBO DRIVE

COLUMBO DR.

In order to facilitate better transit service to one of the City's fastest growing areas, Montebello and have new service incorporated in the May 25th pick, Ald. Greenough proposed the following.

MOTION: That Council authorize the installation of a bus gate on Columbo Drive in order to permit transit service to be extended to Montebello Subdivision and that the cost of approximately \$30,000 be provided from the funding allocation approved for Rosehedge Lane.

Moved: Ald. Greenough  
Second: Ald. Hawley

During debate of the motion, the situation respecting negotiations with the developer was referred to by the City Engineer. The present barricade was constructed by mutual consent, it was noted. Due to the narrowness of Columbo Drive, it is not practical or safe to open it up to general traffic.

Although agreeing that transit should go through here, Ald. Pye felt a decision should be deferred for a couple of weeks, so the area aldermen can further negotiate with the developer and the subject could be discussed at the Transit Advisory Board.

MOTION: To defer this item for two weeks.

Moved: Ald. Pye  
Second: Ald. Hetherington

Concern was expressed that a precedent might be set if the funding proposed was permitted. Ald. Woods wondered if surplus funds from a Leaman Drive sidewalk fund could be used to fund a bus gate in his ward?

Mr. Smith noted that an amendment to the Capital Budget Program is required. A motion, such as presented above, would be required.

Ald. Greenough felt there was no reason to defer the matter, as five aldermen sit on the Transit Advisory Board and no further cooperation from the developer can be expected. There are only two choices, open up Breeze Drive at a substantial cost, i.e. \$500,000 or spend \$30,000 for the bus gate.

The vote was taken on the deferral.

In Favour: Ald. Pye  
Against: All members except the above  
Motion to defer defeated

The vote on the motion was taken.

In Favour: All members except  
Against: Ald. Pye  
Motion carried

5.

CORRESPONDENCE FROM ATTORNEY GENERAL, PROVINCE OF N.S. -  
DARTMOUTH COMMON

DARTMOUTH  
COMMON

Council was in receipt of a copy of a letter dated May 11, 1989 from the Attorney General of the Province of Nova Scotia, re the motion passed by Council which would permit the closure of a part of the Dartmouth Common for a country jamboree and barbecue. He felt this action would be contrary to the Act and it would be appropriate that Council revoke their decision.

Ms. Posiak of N.G.M. Productions, the company proposing the event, indicating that they wished to withdraw their proposal to allow the City and the Province time to reach an agreement.

Ms. Posiak thanked the Commons Committee and Council for their patience and cooperation and Ald. Billard, Chairman of the Commons Committee thanked N.G.M. for going through the appropriate channels.

Ald. McCluskey proposed the following:

MOTION: That Council receive and file the  
May 11th correspondence from the  
Attorney General.

Moved: Ald. McCluskey  
Second: Ald. Hetherington

Ald. Pye couldn't understand why N.G.M. Productions is withdrawing their proposal when Dartmouth City Council approved the proposal at the last Council meeting.

Mr. Smith noted that an amendment to the Capital Budget Program is required. A motion, such as presented above, would be required.

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The vote was taken on the deferral.

In Favour: Ald. Pye  
Against: All members except the above  
Motion to defer defeated

The vote on the motion was taken.

In Favour: All members except  
Against: Ald. Pye  
Motion carried

5.

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 DARTMOUTH COMMON

DARTMOUTH  
 COMMON

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Moved: Ald. McCluskey  
Second: Ald. Hetherington

Ald. Pye couldn't understand why N.G.M. Productions is withdrawing their proposal when Dartmouth City Council approved the proposal at the last Council meeting.

Ald. Levandier expressed concern that Council was in effect proposing to challenge the Act by breaking the law. He felt that the Commons Committee members and the solicitors must be insulted that their recommendations were ignored. He would like to see Council's motion rescinded.

For clarification purposes, it was noted that if this motion is passed, a letter will be written to the Attorney General indicating that the proposal from N.G.M. Productions has been withdrawn, thus rescinding of Council's action is not required. Council isn't intending to pursue this matter at this time.

Comments were made on the way the Province imposed legislation on the City of Dartmouth, while having in the past contributed to the diminished size of the Commons, by the construction of low income housing, the Sportsplex, etc. It was noted that profit making events can be held on the Halifax Commons. It was noted that the correspondence states "it appears to me that the closure of even part of the common to allow for the staging of an event for paying patrons only would be contrary to the Act".

Ald. MacFarlane acknowledged that the way the legislation came about is offensive to some members of Council, but the majority of residents support it and they don't care where it originated. He felt it important that the Attorney General be told Council made a mistake and acknowledge that the legislation is really compatible with the objectives of Council.

In Favour: All members except  
Against: Ald. Connors, Levandier  
Rodgers, MacFarlane and  
Billard  
Motion carried

3. NOTICES OF MOTION

NOTICES OF  
MOTION

Notices of motion given for the next regular Council meeting were as follows:

Ald. MacFarlane

WHEREAS the City of Dartmouth is in need of revenue generators to continue an efficient, economical ferry service;

BE IT RESOLVED that the Transit Advisory Board examine the sale of advertising in the terminals and on the ferries, reporting on its findings and recommendations at the earliest possible time.

- ii) WHEREAS the City of Dartmouth wishes to encourage a cleaner, greener community

AND WHEREAS this aspiration is shared by many individuals, groups, organizations and businesses with environmental concerns,

BE IT RESOLVED that the City of Dartmouth acknowledge special efforts in these various categories through an awards ceremony once a year. Nominations to be submitted by anyone in the community and selected by a panel of representatives of the Lakes Advisory Board and Cleaner Greener Committee.

Ald. Thompson

To request that staff reassess the current limitations of the existing Sign By-law (i.e. setback, size, etc.), giving consideration to safety and attractive signs.

Ald. Levandier

WHEREAS service stations require special permission from City Council to locate in the City;

THEREFORE AND BE IT RESOLVED that when a service station in it's true form (meaning the selling petroleum products) ceases to be such that the property be turned back to its previous use.

Ald. Woods

WHEREAS the Cole Harbour and Eastern Passage areas are experiencing rapid residential growth and;

WHEREAS this growth affects several facets of Dartmouth life such as volumes of traffic, development and population and;

WHEREAS effective planning is vital if the City of Dartmouth, Cole Harbour and Eastern Passage are to continue to grow and develop into attractive, viable communities;

BE IT RESOLVED that the staff of the Dartmouth Planning and Development Department initiate formal and regular meetings with staff of the County Planning Department with a view of each coming to understand the other's short-term and long-range objectives;

AND BE IT FURTHER RESOLVED that Planning Staff report at least semi-annually to Council on major issues of City-wide interest.

**\*\* NOTICE OF MOTION ADDED TO MINUTES AS PER JUNE 6 MINUTES \*\***

Ald. Walton

WHEREAS the City of Dartmouth has shown responsibility and awareness with respect to the general appearance of the City and environment, and

WHEREAS the City has shown leadership by implementing programs such as "Cleaner is Greener", "Michael Recycle" as well as Standard By-laws and Land Use By-laws, and

WHEREAS there have been deficiencies identified with the by-laws with respect to the conditions of fencing, landscaping, and unkempt mounds of soil, gravel, etc. on residential properties or commercial property abutting residential property

THEREFORE BE IT RESOLVED that the Solicitor's Department draft amendments to the appropriate by-laws to include the above mentioned areas, stating time limits to have such conditions remedied.

- ii) WHEREAS we are experiencing a surplus in the Ward 5 portion of the 1989 Capital Budget and
- WHEREAS Metro Transit wishes to install a bus gate between Highfield Park Drive and Pinecrest Drive but does not have sufficient funds to proceed with the installation at this time,
- BE IT RESOLVED that the Transit Advisory Board negotiate the bus gate project with Metro Transit and report back to Council with a view of funding the cost within the Ward 5 1989 Capital Budget allocation.

#### 4.0 REPORTS

#### 4.1 MAYOR

#### 4.1.1 UNION OF NOVA SCOTIA MUNICIPALITIES

UNION OF N.S. MUNICIPALITIES Council was in receipt of a memorandum dated April 6 from Mayor Savage re a memorandum from the Union of Nova Scotia Municipalities on the subject of a draft discussion paper on the Union's objectives and priorities. This document was to provide the principal item for discussion at the spring round of regional meetings.

MOTION: To receive and file the correspondence.

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

Ald. Connors requested a copy of the draft document referred to in the April 4th memorandum.

#### 4.2 CITY ADMINISTRATOR

#### 4.2.1 TENDER - CONTRACT 89-06, STREET RECONSTRUCTION

TENDER: Report to Council from Mr. Burke on tenders for street  
 CONTRACT reconstruction of Francis Street (Cairn Street to  
 89-06, STREET Victoria Road) and Murray Street. Mr. Burke has  
 RECONSTRUCTION recommended that the tender for Contract 89-06 be awarded to the lowest bidder, Municipal Contracting Ltd. with a bid price of \$121,005.00 and a completion time of five (5) weeks.

MOTION: To award for Contract 89-06 (street reconstruction) to the lowest bidder, Municipal Contracting Ltd., in the amount of \$121,005.00., as recommended.

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

4.3 ECONOMIC DEVELOPMENT DEPARTMENT4.3.1 BURNSIDE INDUSTRIAL PARK - PHASE 4 AND LOT 109A

BURNSIDE  
INDUSTRIAL  
PARK - PHASE  
4 and LOT 109A

Report to Council from Mr. Rath on recommendations approved at the Industrial Commission's May 8th meeting re Phase 4 and LOT 109A.

RESOLUTION  
89-25

Resolution 89-25 has been prepared to accomplish the recommendation.

MOTION: That Resolution 89-25 be adopted, authorizing the withdrawal of an amount of \$2,582,500.00 from the Burnside Sale of Land Account, for servicing of Phase IV and Lot C-109A.

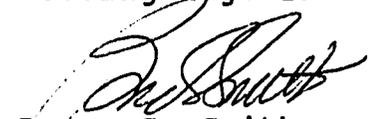
Moved: Ald. Hetherington  
Second: Ald. Levandier  
In Favour: All  
Against: None  
Motion Carried

At 10:30 p.m., Council adjourned to meet in camera, on motion of Ald. McCluskey and Walton. After having reconvened in open meeting, the action taken in camera was ratified by Council.

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

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

Meeting adjourned at 10:45 p.m.

  
Bruce S. Smith,  
City Clerk-Treasurer

ITEMS:

- Municipal Awareness Week, page 1
- Emergency Conference in Halifax, pages 1 & 2
- Proclamation - 1989 National Tourism Awareness Week, page 2
- Discover Dartmouth Day, page 2
- Dartmouth Soccer Association Proposal, pages 3 & 4
- 1.0 Motions, page 4:
- 1.1 Ald. Levandier
- 1.1.1 Traffic Related Petitions to be referred to T.M.G., page 4
- 1.2 Ald. Sarto:
- 1.2.1 Upgrading of Woodlawn Rd. from Mt. Edward to Portland St., page 5
- 1.3 Ald. Connors:
- 1.3.1 Information from Outsiders received by staff - secret from Council, page 6
- 1.4 Ald. Walton:
- 1.4.1 Objection to increase in Power Rates, pages 6 & 7
- 1.5 Ald. Greenough:
- 1.5.1 Bus Gate on Columbo Drive, pages 7 & 8
- 3.0 Notices of Motion: Ald. MacFarlane, pages 9 & 10  
Ald. Thompson, page 10  
Ald. Levandier, page 10  
Ald. Woods, pages 11 & 12
- 4.0 Reports, page 11
- 4.1 Mayor, page 11
- 4.1.1 Union of N.S. Municipalities, page 11
- 4.2 City Administrator, page 11
- 4.2.1 Tender - Contract 89-06, Street Reconstruction, page 11
- 4.3 Economic Development Department, page 12
- 4.3.1 Burnside Industrial Park - Phase 4 and Lot 109A, page 12
- 5.0 Correspondence from Attorney General, Province of N.S. re Dartmouth Common, pages 8 & 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: M. MOREASH  
ACTING CITY CLERK: L. CORRIGAN  
DEPARTMENT HEADS & ASSISTANTS

Two changes were suggested to the order of this evening's agenda. It was suggested that the video presentation re the Participation Challenge, item 4 (i) be dealt with first and the items related to the Investment Committee, 6.5 be dealt with after the Appeal of Minor Variance, item 3.1.1. Council agreed to these changes.

POINTS OF PRIVILEGE

Members rose on points of privilege for the following:

1) Ald. Hetherington: a) requested that a policeman be sent, early tomorrow morning, to monitor the Highfield, Burnside intersection where new traffic lights were installed today and are causing problems.

b) expressed concern that the population shown for Dartmouth in a new Tourism brochure is indicated to be 95,000 people. Mayor Savage suggested this figure relates to Dartmouth and surrounding areas.

2) Ald. McCluskey: asked that there be a one minute prayer in memory of Mrs. Elinor Walker who died recently. She had served on the Heritage Advisory Committee and was involved with the Quaker House through the Museum Society.

4.0 PRESENTATION

i) PARTICIPATION CHALLENGE VIDEO

PARTICIPATION  
CHALLENGE  
VIDEO

Ald. Woods co-chairman of the Participation Challenge scheduled for May 31st addressed Council. He noted that Ms. Tays co-chaired this Committee. He referred to a brochure outlining events scheduled for May 31st and advised that the City is being challenged by Sherbrooke, P.Q, and Grodno, U.S.S.R. A short video on events which took place May 25th, 1988 was presented to Council. Both he and Mayor Savage encouraged the aldermen and citizens of Dartmouth to participate and referred to how this participation fit into the Healthy Communities concept.

1.0 NOTICE OF RECONSIDERATIONi) ALD. MCCLUSKEY - MOTION OF ALD. CONNORS - REPORTS KEPT SECRETREPORTS KEPT  
SECRET MOTION

In support of her Motion of Reconsideration, seconded by Ald. Hetherington last week, re Ald. Connors' motion regarding the adoption of a policy that staff shall not agree to requests from outsiders to keep information conveyed to staff secret from Council, Ald. McCluskey read excerpts from correspondence received from members of the business community. Concerns were raised in correspondence from the Chamber of Commerce, Homburg International Limited, Maplehurst Apartments Ltd. and D.S. Jenkins & Associates. She also referred to a conversation she had with former Mayor Zatzman about the effect such a policy would have had on transactions re the acquisition of Burnside lands.

(Ald. Billard arrived)

MOTION: That the decision on a policy that staff shall not agree to requests from outsiders to keep information conveyed to staff secret from Council, be reconsidered.

Moved: Ald. McCluskey  
Second: Ald. Hetherington  
In Favour: All except  
Against: Ald. Billard, Connors, Pye and MacFarlane

Debate of Ald. Connors' motion, seconded by Ald. Pye re secrecy was resumed. Ald. Connors suggested that perhaps there has been a misinterpretation of the intent of his motion. He stressed that the motion doesn't imply that staff must immediately bring confidential matters to Council's attention and in the event this was necessary, an in camera format would be utilized. He felt Council has to be trusted to keep confidences and should not be kept in the dark about matters, particularly when they might be relevant to topics being addressed by Council. There have been very few information leaks in the past.

Those arguing against the motion requested a reaction from Mr. Burke and Mr. Rath on the effect this motion would have the City's operation. In some situations the conducting of business matters re Burnside might be affected adversely, Mr. Rath indicated.

Commenting on the motion from staff's perspective, Mr. Burke felt this was not a staff matter but political debate. After listening to the tapes of last week's Council meeting, he expressed embarrassment, as a member of staff. There was an impression that staff could not be trusted and required clear guidance. This matter is clearly an issue of trust and he wished it had been addressed privately.

Both Ald. McCluskey and Ald. Hetherington emphasized that before any agreements are finalized, Council will receive any information that is required, upon which to base their decisions.

Reference was made to the concerns expressed in the correspondence previously noted and Council was urged to seriously consider what the business community has said.

Several alderman noted that they were confident they received pertinent information, as required, and Mayor Savage will ensure they are kept informed.

Although he supported the motion last week, Ald. Greenough felt in light of the problems with interpretation this isn't an appropriate motion.

In reply to a question from Ald. Greenough, the Solicitor confirmed that if this motion is passed, staff can not give absolute assurance of confidentiality to a developer and is obliged to inform the developer that Council has a right to know the details of his proposal.

Ald. Pye did not feel this is an issue of trust but simply a matter of policy. He felt as an elected official he can be trusted and has the right to access of information, so as to protect the interests of the community. Council functions in the best interests of the business community and is only asking for information in in camera sessions.

In conclusion, Ald. Connors summarized that it is not a question whether staff can be trusted but an issue as to whether Council can be trusted. Keeping matters secret from Council is contrary to any good business practice.

MOTION: That Council adopt a policy that staff shall not agree to requests from outsiders to keep information conveyed to staff secret from Council.

Moved: Ald. Connors

Second: Ald. Pye

In Favour: Ald. Connors, Billard, Pye & MacFarlane

Against: All members except the above

Motion defeated

2.0

PUBLIC HEARING

2 (i)

DEVELOPMENT AGREEMENT - 6 & 8 FAIRBANKS STREET - DEVELOPMENT ON UNDERSIZED LOT

DEVELOPMENT  
AGREEMENT  
6 & 8 FAIR-  
BANKS

This meeting of Council constituted the public hearing re an application to enter into a Development Agreement to permit the construction of two residential dwelling units at 8 Fairbanks Street and to allow the resubdivision of undersized lots at 6 and 8 Fairbanks Street. All members of Council were present for the public hearing.

The Planning Department's presentation was made by Mr. L'Esperance. Mr. L'Esperance referred to a March 1987 amendment to the M.P.S. and Land Use By-law to prohibit construction of two residential units on undersized R-2 lots, as of right. At the same time, Council approved a process whereby the owner of an undersized R-2 lot may apply for a Development Agreement.

He described the proposal being made by Mr. & Mrs. Marshall. They wish to build a 2 unit building on their lot. They are proposing to attach this building to their present building on lot 6. Details of the development are contained in the Development Agreement attached to staff's report. This agreement would permit construction of the 2 unit residential building; allow the applicant to attach to the existing building by means of a fire resistant wall; permit the relocation of part of the common lot boundary and allow the new building to cover up to 46 percent of the lot.

It was noted that the area presently consists of single family dwellings, duplexes and apartment buildings. Mr. L'Esperance referred to the beneficial work the Marshalls have done in the area. It was noted the building proposed is compatible and complies with the policies of the M.P.S. It is therefore recommended that the proposed Development Agreement be approved and Resolution 89-22.

There being no questions to the Planning Department staff from members of Council, the Mayor called for speakers in favour of the Development Agreement.

Mr. Jeffrey Marshall, the owner of the above noted property, addressed Council. He noted that he and his wife have lived in the area since 1978 and have renovated three buildings in the area. They have both a personal and financial commitment to the Harbour View area. By asking for the variations, it is hoped that the resultant development will be better than what was permissible under the standard regulations. Mr. Corrigan displayed a model of the development to Council. Mr. Marshall felt this development should have a positive influence on the neighbourhood.

Mayor Savage called three times for any other speakers in favour of the proposal. There were none. He called three times for speakers against the proposal. There being no one wanting to be heard, he declared the public hearing closed. A motion to close the public hearing was presented.

MOTION: To close the public hearing on the application for a Development Agreement for a development on a undersized lot at 6 & 8 Fairbanks Street.

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

RESOLUTION 89-22

MOTION: To approved Resolution 89-22.

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

Both the area aldermen indicated their support of the project and congratulated the Marshall's on their efforts to upgrade the area. Ald. Levandier tabled with the Clerk a petition signed by area residents in favour of their development. Mayor Savage indicated that he also felt this kind of infilling was exemplary.

(Ald. Levandier departs to represent Mayor Savage at a function.)

3.0 REPORTS3.1 CITY CLERK-TREASURER3.1.1 APPEAL FROM GRANT OF MINOR VARIANCE - 75 CRICHTON AVE.

APPEAL FROM  
GRANT OF  
MINOR VARIANCE

On May 2nd, Council adjourned an appeal hearing for the minor variance granted at 75 Crichton Ave. until this date.

A report from Mr. Smith was again before Council on an appeal made by Marjorie M. Matthews of 80 Tulip Street, in connection with the Planning Department decision to allow a reduction in side-yard clearance at 75 Crichton Avenue, from fifteen feet to twelve feet, on the side of the property adjacent to Edgemere Tower House at 79 Crichton Ave.

Mayor Savage once again reviewed the procedure to be followed in this appeal which had been outlined in an accompanying report from the City Solicitor. Other related notices and items of correspondence, had been circulated.

The hearing had been adjourned May 2nd to allow time to obtain copies of building plans from the Housing Department. Mr. L'Esperance noted that these plans are still not available. Ms. Matthews indicated she did not feel the Province's plans made any difference.

Ms. Matthews outlined to Council, with the aid of the slide projector, problems already existing in the area and concerns she has about them getting worse if the project should proceed. Of particular concern was a water problem in the area of an old fountain. She indicated to Council the location of both above ground and underground streams in the area. She felt any disruption of the area may worsen the water problem.

Secondly, she referred to the existence of a dirt road and problems associated with snow removal and its lack of maintenance. There are also noise and fumes emanating from an auto body shop in the neighbourhood.

She also noted that the developer had to buy land owned by the Provincial Government from their Edgemere site to obtain the necessary street frontage for the proposed development.

The Development Officer, Mr. L'Esperance, addressed Council on the reasons why the minor variance was granted. He noted that the land is zoned R-4. The required side yard is 15 feet, but by reducing the requirement to 12 feet, the developer would have more flexibility in design. He noted that even if a building was constructed on Edgemere, within 15 feet of their property line, a combined side yard of 30 feet vs 27 feet would be insignificant.

Several times during the course of the hearing, it was noted that the subject of traffic and water problems are irrelevant to the granting of a Minor Variance.

Mr. Bill Young, representing Mount Royal Developments addressed Council. He sympathized with the problems noted by Ms. Matthews and indicated that there may be some way they could help in their resolution, however he did not feel these matters related to the granting of the Minor Variance.

He reviewed with Council the history of his firm's ownership of the land. The lot has been owned by Mount Royal Developments for a couple of years and they applied to the Housing Commission for a piece of their land to make construction possible of a small condominium building suitable for older residents. The area is particularly desirable due to its location, proximity to parks, bus routes, etc. The plans call for three units to have ground floor access. Nine units in total are planned, with underground parking. Visitor parking is above ground. The minor variance was applied for so that the building's foundation could be designed to maximize underground parking. He noted that the R-4 Zoning permits 15 to 18 units on this piece of land. Whether or not the variance was granted, a building would have been constructed. He felt the project would enhance the neighbourhood.

Replying to a query from Ald. Woods, Mr. Young noted that they had originally asked to purchase 10 lineal feet not 5 feet from the Province, in addition to the triangle. With the five additional feet and triangle, the lot has sufficient width at the street. If the variance request isn't granted, Mr. Young intends to sell the land back to the Province, if they paid him the same, as Mt. Royal Developments paid for the property.

Ms. Matthews expressed surprise that the land in question included a strip to the back of the property line, as well as the triangle illustrated on the map. This five feet had not been clearly defined on the map accompanying the Notice of Minor Variance. Mr. L'Esperance noted that an additional three feet is required even after the lineal five feet strip is taken into account.

Ms. Matthews also questioned the number of units being proposed. Mr. L'Esperance noted that the size of the lot determines the maximum number of units permitted and the variance has nothing to do with this total. Mr. L'Esperance has the preliminary plans for the development in his office. These plans indicated nine units.

Although Mr. Young made reference to fixing the water problems, Ms. Matthews noted he did not say how.

In conclusion, Ms. Matthews indicated that she objects to the minor variance, as she feels the development will ruin this block of single family residences.

Ald. Woods questioned Mr. L'Esperance on how the City intends to address the drainage problem referred to. Mr. L'Esperance agreed this is a matter which the Engineering Department will have to address.

Although agreeing that the problems of water, snow removal, etc. don't have a direct bearing on the decision whether to grant a minor variance, Ald. Connors felt that Council should direct staff to deal with these matters, which are legitimate concerns. He felt there must be assurance that the construction or placement of the building will not further worsen the water problem associated with the streams. Mayor Savage indicated that whatever decision is reached, the water problem will be looked at.

Dr. Odense of 73 Crichton Avenue spoke in opposition to the granting of the minor variance. He expressed concerns about the peculiar way this development is progressing.

(Ald. Pye had left during the course of the appeal and could not resume his seat until its conclusion)

He made particular reference to the traffic problems at the intersection of Hawthorne and Crichton Avenue and noted that Mr. Boomer, Chairman of the Transportation Subcommittee of the M.P.S. classified this street as a collector and indicated he would not like to see increased volumes of traffic on Crichton Avenue.

There being no other individuals to address Council, Mayor Savage declared the appeal hearing closed. A motion to close the appeal hearing was presented.

MOTION: That the appeal hearing for the minor variance granted at 75 Crichton Avenue be closed.

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

MOTION: That the minor variance for 75 Crichton Avenue be granted.

Moved: Ald. MacFarlane  
Second: Ald. Greenough

During debate of the motion, Ald. Connors questioned the Solicitor on whether granting of the minor variance could be conditional on the development being restricted to nine units versus the 9 to 12 permitted in an R-4 Zone. Mr. Moreash indicated Council had no power to impose conditions on the granting of the variance.

In addition to the water problem, Ald. Connors felt the City should keep a closer eye on the operation of the auto body shop which continues to be a nuisance.

In Favour: All  
Against: None  
Motion Carried

At this point in the proceedings, Council took a five minute break.

## 6.5 INVESTMENT COMMITTEE

### 6.5.1 EXPANSION OF APPROVED LIST OF INVESTEES

EXPANSION OF  
 APPROVED LIST  
 OF INVESTEES

Mayor Savage indicated his pleasure with the performance of the Investment Committee and acknowledged, with regret, that Mr. Nichols will be moving and a valuable asset to the Committee has been lost.

Mr. Thomson referred to the May 4th report of the Investment Committee and its recommendation that the City of Dartmouth's Investment Policy be expanded to include investments in all institutions rated in the R-1 category by DBRS, not just financial institutions, subject to review by the City Solicitor.

MOTION: That City Council approve an expansion to the Investment Policy which would specifically authorize investment in "non-financial" institutions.

Moved: Ald. Greenough  
Second: Ald. Rodgers

Since this would be such a significant change, Mayor Savage suggested that perhaps the matter should first be referred to the Finance and Program Review Committee.

Ald. Connors indicated he would like to have more time to reflect on this recommendation as well.

MOTION: That the motion be referred to the Finance and Program Review Committee.

Moved: Ald. Connors  
Second: Ald. Hetherington

Ald. Connors proposed that the Finance and Program Review Committee would pose questions to the Investment Committee and report back in full to Council.

In Favour: All  
Against: None  
Motion to refer carried

### 6.5.2 REVIEW OF 1988 INVESTMENT ACTIVITIES

#### REVIEW OF 1989 INVESTMENTS

The Investment Committee's Annual Report, dated May 4th was reviewed by Mr. Thomson.

After responding to some questions from Council on various aspects of the report, Mr. Thomson noted that it has been a pleasure working with Mr. Corrigan and Mr. Smith, who have provided the Committee with all the pertinent information.

MOTION: That the Review of 1988 Investment Activities be referred to the Finance and Program Review Committee.

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

### 6.5.3 INTERIM REPORT - FIRST QUARTER 1989

#### INTERIM REPORT

Council was in receipt of an interim report for the first quarter of 1989.

MOTION: That the Interim Report for the first quarter of 1989 be received and filed.

Moved: Ald. Billard  
Second: Ald. McCluskey  
In Favour: All  
Against: None  
Motion carried

### 6.0 REPORTS

#### 6.1 MAYOR

##### 6.1.1 LETTER FROM NOVA SCOTIA HOCKEY ASSOCIATION

#### N.S. HOCKEY ASSOCIATION

A letter dated May 16, 1989 from the Nova Scotia Hockey Association re their bid to host the 1991 World Junior Hockey Championships, was circulated to Council. The Association is looking for a written response indicating whether Dartmouth will support the Association in its bid.

It was decided that the Mayor should write the Association giving the City's guarded approval. It was felt that additional information is required, particularly what percentage of the events will be in the City of Dartmouth.

### 6.2 CITY ADMINISTRATOR

6.2.1 CONTRACT 89-15CONTRACT  
89-15

Tenders have been received for Contract 89-15 (Montebello and Maybank Tennis Courts).

Report to Council from Mr. Burke (R. Fougere, E. Purdy) recommends the tender be awarded to the lowest bidder, B & L Contracting Ltd., with a bid price of \$266,250.30.

MOTION: To award the tender for Contract 89-15 (tennis court construction) to the lowest bidder, B & L Contracting Ltd., with a bid price of \$266,250.30.

Mover: Ald. McCluskey  
Second: Ald. Pye  
In Favour: All  
Against: None  
Motion Carried

6.2.2 1989 STREET LINE PAINTINGSTREET LINE  
PAINTING

Tenders have been received for the 1989 Street Line Painting. The report to Council from Mr. Burke (D. Bayer, P. Connors) recommends that the tender be awarded to the lower bid submitted by Sea Side Line Marking for the amount of \$93,762 and completion time of six (6) weeks.

MOTION: To award the tender for the contract for the 1989 Street Line Painting to the lowest bidder, Sea Side Line Marking, in the amount of \$93,762 and completion time of six (6) weeks.

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

Ald. Greenough noted that there had been some concern about the quality of the line painting in past years and suggested that Sea Side Line Marking be made aware of these concerns.

6.3 SOLICITORS6.3.1 LAND USE BY-LAW ENFORCEMENT - 79 BOLAND DRIVELAND USE  
BY-LAW  
ENFORCEMENT  
- 79 BOLAND

Council was in receipt of a memorandum from the Solicitor, dated May 11, 1989, recommending that Council pass Resolution 89-24 to facilitate inspection and obtaining of a court order, if necessary, due to difficulties involved in inspecting 79 Boland Drive in connection with the Land Use By-law.

RESOLUTION  
89-24

MOTION: That Council pass Resolution 89-24.

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

Council adjourned to meet in camera and after reconvening in open meeting, the action taken in camera was ratified.

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

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

Meeting adjourned at 11:30 p.m.



L. Corrigan,  
Acting City Clerk

ITEMS:

- Points of Privilege, page 1
- 1.0 Notice of Reconsideration
  - i) Ald. McCluskey - Motion of Ald. Connors - Report Kept Secret, pages 2 - 4.
- 2.0 Public Hearing, pages 4 & 5.
  - i) Development Agreement - 6 & 8 Fairbanks St. - Development on Undersized Lot, pages 4 & 5.
- 3.0 Reports, page 6
- 3.1 City Clerk-Treasurer
  - 3.1.1 Appeal from Grant of Minor Variance - 75 Crichton Avenue, pages 6 - 9
- 4.0 Presentation, page 1
  - i) Participation Challenge Video, Ald. Wood, page 1
- 6.0 Reports, page 10
- 6.1 Mayor, page 10
  - 6.1.1 Letter from Nova Scotia Hockey Association, pages 10 & 11
- 6.2 City Administrator, page 11
  - 6.2.1 Contract 89-15, page 11
  - 6.2.2 1989 Street Line Painting, pages 11 and 12
- 6.3 Solicitors
  - 6.3.1 Land Use By-law Enforcement - 79 Boland, page 12
- 6.5 Investment Committee, page 9
  - 6.5.1 Expansion of Approved List of Investees, pages 9 & 10
  - 6.5.2 Review of 1988 Investment Activities, page 10
  - 6.5.3 Interim Report, First Quarter 1989, page 10

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

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

MEMBERS ABSENT: ALD. MACFARLANE (In Ottawa attending the  
Canadian Council on Children and Youth)

CITY ADMINISTRATOR: J. BURKE  
CITY SOLICITOR: S. HOOD  
ACTING CITY CLERK-TREASURER: D. MACBAIN  
DEPARTMENT HEADS & ASSISTANTS

1.0 PRESENTATION

i) PROGRESS REPORT ON LIBRARY CIVIC CENTRE COMPLEX

Mr. Zatzman updated Council on the progress being made in the building of the Library Civic Centre Complex.

He displayed materials which will be used in both the exterior and interior construction of Alderney Gate.

It was emphasized that construction is on schedule and he thanked city staff for their cooperation which made this possible. By the end of October the Library portion should be ready to receive materials and staff. At least another month will be required to organize before the Library can be opened to the public. The balance of the project should be completed by the end of February.

Promotional material was distributed to the aldermen. It is planned that the balance of the complex shall contain retail outlets on the first floor and City offices on the second. The third floor is in the process of being leased. It was initially felt that two floors of retail would be leased.

60,000 sq. ft. has been leased to the City of which 40,000 sq. ft. is to be used for the Library. This represents doubling the sq. ft. of the present Library.

Mayor Savage wondered when the pedway and atrium between the ferry and buses will be completed. Mr. Zatzman assured him that once the pedway is ready, the general public will not be denied access.

Council were invited to address questions to Mr. Zatzman. A variety of topics were covered, such as the partial closing of Alderney Drive, construction of a possible pedway across Alderney Drive, tenancy for the balance of the project, heating and cooling systems and materials to be used in adjacent walkways.

2.0 PETITION

i) BUS GATE ON COLUMBO DRIVE

A petition opposing the proposed routing of #55 Montebello via a bus gate along Columbo Drive had been previously circulated to Council. The installation of the bus gate was approved by Council at the May 8th meeting. It would have effectively connected the Montebello Estates and Keystone Village subdivisions to facilitate bus service.

Mayor Savage invited speakers opposed to the bus routing to address Council. Mr. Geoff Cainen, 14 Columbo Drive indicated he was spokesperson for the Columbo Drive group. He circulated to Council a Bus Survey of the Montebello Subdivision and the results.

Mr. Cainen reviewed with Council the objections raised at the Columbo Drive ratepayers May 22nd meeting. These five objections appear on the petition. Essentially the Columbo Drive residents indicated that they don't use transit and don't wish buses using their residential street. On the last page of their petition they give four alternatives to the proposed route.

It was emphasized that the solution to the problem of providing bus service is the extension of Breeze Drive to Caledonia Road.

Mayor Savage asked Mr. Prentice of Metro Transit if he has had any experience with bus gates. Mr. Prentice referred to the one off Highway 111 servicing the Metro Transit Garage. He confirmed there have been some minor problems. Referring to the routing options being proposed, Mr. Prentice indicated a number had previously been examined, not specifically the ones mentioned, however.

There being no other residents wishing to address Council in support of the petition, Mr. Mann of Montebello Subdivision addressed Council. He noted that for sometime residents of Ward 6 have attempted to obtain or improve transit service in the area. A number of solutions have been considered, the most recent compromise solution being the installation of the bus gate on a temporary basis. He noted that the name of Route 55/Montebello would be better named Keystone, as the service provided is for this subdivision not Montebello. He acknowledged that the bus gate was not the ultimate solution to the problem and the connecting of Breeze Drive to Caledonia Road was more desirable.

He posed a variety of questions to staff regarding the posting of bonds by the developer of the subdivision. These questions were addressed by Mr. Burke.

In conclusion, Mayor Savage noted that there have been recent negotiations with the developer in the hope of reaching a solution. He suggested that any decision be deferred a few weeks. Reflecting on these negotiations, Ald. Hawley and Ald. Greenough, aldermen for the Ward, indicating their support of this recommendation. Ald. Hawley hoped that Council would vote in favour of financing any costs that might relate to the eventual connection of Breeze Drive and Caledonia Road. Ald. Hetherington warned that this is really the developer's responsibility, however.

**MOTION:** A decision on the bus gate and routing of Route 55 was deferred for three weeks. (20th June Council meeting)

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

(Council took a short break at 8:30)

#### POINTS OF PRIVILEGE

Aldermen rising on points of privilege were:

- 1) **Ald. McCluskey:** She expressed concern regarding the use of balloons on Lake Banook for Public Participation Day. There has been a lot of publicity recently on the dangers balloons pose for waterfowl and other wildlife. Ald. Woods suggested that the balloons be gathered up for correct disposal after the event.

Ald. McCluskey made a sarcastic reference to the City's quick return of Mr. King's money.

- 2) **Ald. Pye:** Ald. Pye referred to his recent appointment to the Postal Service Customer Council. He noted their office is at Purdys Wharf, the Coordinator is Mr. LeBlanc, telephone number 426-5378. There are seven such Councils in Canada, this one serving the Atlantic Region. They were set up to address complaints citizens have regarding postal service. This is a completely autonomous body. At the year's end there will be an annual report and recommendations made to the Federal Government.

- 3) Ald. Connors: He referred to work being done by the City's Committee headed by Dan Walsh in support of the I.W.K. Telethon. Two fund raisers mentioned were a raffle of Mayor Savage's "Famous Irish Soda Bread" and coffee donations. He thanked staff for the initiative shown.

3.0 REPORTS:

3.1 DARTMOUTH TAXI COMMISSION

3.1.1 RELOCATION - FOUR CAR COMMON STAND - FERRY TERMINAL

MOTION: Referred matter back to the Taxi Commission's July 5th meeting.

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

4.0 REPORTS:

4.1 CITY ADMINISTRATOR

4.1.1 AIDS POLICY

A City of Dartmouth AIDS Policy for the workplace dated April 28, 1989 was circulated with Mr. Burke's memorandum dated May 18, 1989. He recommends that the Policy be approved as presented. Mr. Burke noted that while staff was given an opportunity for input, no response came forward except from PANS.

MOTION: To adopt the City of Dartmouth Aids Policy for the Workplace.

Moved: Ald. McCluskey  
Second: Ald. Sarto

Mayor Savage noted that the public health hazard from AIDS is enormous and it is important that the City be pro-active.

- 3) Ald. Connors: He referred to work being done by the City's Committee headed by Dan Walsh in support of the I.W.K. Telethon. Two fund raisers mentioned were a raffle of Mayor Savage's "Famous Irish Soda Bread" and coffee donations. He thanked staff for the initiative shown.

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

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Moved: Ald. McCluskey  
Second: Ald. Sarto

Mayor Savage noted that the public health hazard from AIDS is enormous and it is important that the City be pro-active.

Ald. Rodgers expressed his disappointment with the response from the Unions. Mayor Savage assured him that if this Policy is adopted this evening, they will be approached again.

Ald. Connors noted the concerns raised by P.A.N.S., i.e. rather than singling out one particular disease, there should be a policy for all contagious diseases and job accommodations be made for individuals with other illnesses and diseases. There is a need to be consistent.

Mayor Savage stressed there is no other infectious disease like AIDS, which leads to certain death. There may be room for improvement in other areas, but no other disease falls into the same category.

Mr. Burke noted there is a major education component in this policy as well. A policy was needed to deal humanly with people inflicted with AIDS. He assured Council that accommodations are made for individuals suffering from other serious illnesses as well.

In Favour: All  
Against: None  
Motion Carried

4. FINANCE & PROGRAM REVIEW COMMITTEE

4.2.1 DEFINED BENEFIT PLAN - EMPLOYEES PENSION PLAN

Council was in receipt of a memorandum dated April 27 from the Finance and Program Review Committee re Defined Benefit Plan. The Committee recommends the adoption of the original recommendation from the Pension Committee, on the subject of a Defined Benefit Plan. The original recommendation was to adopt the recommendation of the Pension Committee in favour of the Defined Benefit Plan with the proviso that a classification system for all groups be worked out, so that part-time employees receive benefits based on hours worked (percentage of classification).

MOTION: That Council adopt the original recommendation from the Pension Committee, on the subject of a Defined Benefit Plan.

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

4.2.2 USE OF SURPLUSES, EMPLOYEE BENEFITS - EMPLOYEES PENSION PLAN

Council was in receipt of a memorandum dated April 27, 1989 from the Finance and Program Review Committee re Use of Surpluses, Employee Benefits. It is recommended that Council approve the original recommendations, as follows:

Any surplus in the City Pension Plan shall be used as follows:

- 1) First, to cover any identifiable shortfall in contributions.
- 2) If, after any shortfall referred to in 1) has been completely covered, there are surplus funds remaining, to:
  - a) improve the Pension Plan to the extent permitted by the Income Tax Act (Canada) or;
  - b) reduce contributions by both employer and employee in equal parts; or
  - c) return monies to employer and employee in equal parts.

Moved: Ald. Connors  
Second: Ald. Sarto

Ald. Walton wondered if the City's Pension Plan is indexed. He was advised that it isn't but this issue and matters related to spousal allowances are being considered by the Pension Committee. Several aldermen indicated they were concerned about the Pension Plan not being indexed.

Ald. Hetherington requested a report back on these ongoing discussions. He was assured by Ald. Greenough, Chairman of the Pension Committee that once a recommendation has been made it will come before Council, probably sometime this fall.

In Favour: All  
Against: None  
Motion Carried

4.2.3 VOTING RIGHTS, MAYOR

In the April 27th memorandum from the Finance and Program Review Committee it is recommended that terms of reference for the Committee be amended to give the Mayor full rights as a voting member of the Finance and Program Review Committee.

Moved: Ald. Sarto  
Second: Ald. Walton

Ald. Pye posed several questions to the solicitor regarding the recommendation. It was noted that it is not standard procedure for ex-officio members to have voting rights. Ms. Hood noted that the terms of reference for this Committee are not very clear. Generally ex-officio members don't have a vote. Initially the staff members on this Committee also had voting rights.

Speaking in support of the motion, Ald. Greenough noted that Mayor Savage attended all the Committee meetings and his presence as a voting member would expedite business, when the meetings would otherwise be short a quorum.

In Favour: All members except  
Against: Ald. Pye  
Motion Carried

4.2.4 MUNICIPAL ELECTION EXPENSES AND FUND RAISING

The Finance and Program Review Committee recommends in its report of April 27th that the appropriate Provincial Government Department be asked to enact legislation to allow municipalities to require disclosure of the sources and amounts of contributions in excess of \$100, made to candidates for municipally-elected office.

MOTION: That the appropriate Provincial Government Department be asked to enact legislation to allow municipalities to require disclosure of the sources and amounts of contributions in excess of \$100, made to candidates for municipally-elected office.

Mover: Ald. Connors  
Second: Ald. Greenough

Ald. Hetherington suggested that this matter should also be referred to the Union of N.S. Municipalities. Both Aldermen Greenough and Connors indicated their agreement.

AMENDMENT: That this matter also be referred to the Union of Nova Scotia Municipalities.

Some concern was expressed that the report doesn't deal with the limitation of election spending. Ald. Connors agreed that it is preferable that there should be a level playing field, with a maximum on how much a candidate can spend, but a full disclosure system would be very cumbersome.

Ald. McCluskey wondered if the motion only related to dollars or goods as well. Ald. Connors indicated that it has not been defined to that degree. Ms. Hood noted that the Provincial and Federal Election Act refers to Goods and Services. Ald. McCluskey felt any contribution should be included.

She proposed an amendment to include goods and services in excess of \$100, but the Mayor disallowed it.

In Favour: All members except  
Against: Ald. McCluskey  
Amended motion carried

#### 4.3 TRANSIT ADVISORY BOARD

##### 4.3.1 FERRY REPORT

Ald. Sarto Chairman of the Transit Advisory Board, noted that on page 2 of the Ferry Report an error appears. The figure in the third column opposite March, under the heading "Total System" should read 20,957 rather than 17,647. The percentage figure should be changed to 15.7% versus 13.3%.

It is recommended that Council adopt the recommendation of the Transit Advisory Board and approve the Ferry Report for the month of March.

MOTION: That Council adopt the recommendation of the Transit Advisory Board and approve the Ferry Report for the month of March.

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

5.1 REPORTS5.1 CITY ADMINISTRATOR5.1.1 DARTMOUTH DAY CARE CENTRE

Council was in receipt of a report from Mr. Burke, dated May 16, 1989, re a request from the Dartmouth Day Care Centre for the City to assist them in finding another location from which they could operate, as their present location in the St. Luke's Anglican Church Hall, will soon not be available.

The only suitable site was determined to be on City owned land at Caledonia Road near the Kinsmen Rink. It is recommended that:

- 1) The City retain ownership of the site in question and maintain the current zoning on this site.
- 2) The City enter into a long term lease with the Dartmouth Day Care Centre for a period of five years longer than the term of the Day Care Centre mortgage with an option for renewal, for a one time payment by the Centre of the cost of soil tests, surveying, and legal work of approximately \$5,500. incurred by the City in making the site available.
- 3) The day care centre building be located on the site as shown in the site plan to maximize the future use of the remainder of this lot to allow planning and development of compatible uses for the remainder of the site.
- 4) The City develop a plan for the best long term use of the entire site in conjunction with the recreation area adjacent to it and in consultation with groups and individuals in the community.

Mayor Savage referred briefly to the urgency of getting this project underway.

It was suggested that the cost of doing the soil testing should be waived and an amendment was made to the motion.

AMENDMENT: In consideration, the soil testing costs would be borne by the City.

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

In closing, Mayor Savage noted that the Social Services Department are investigating the possibility of a Seniors Day Care but are not prepared to make a recommendation yet.

A model of the Dartmouth Day Care Centre was displayed briefly.

5.1.2 METROPOLITAN AUTHORITY = GUARANTEE RESOLUTIONS 89-27 AND 89-28

Mr. Burke's memorandum of May 23 recommends that City Council approve City of Dartmouth Resolutions 89-27 and 89-28 pertaining to a guarantee of temporary borrowing resolutions approved by the Metropolitan Authority for Metro Transit, \$1,340,000 and Solid Waste, \$2,400,000.

MOTION: That City Council approve City of Dartmouth Resolutions 89-27 & 89-28.

Mover: Ald. Thompson  
Second: Ald. Rodgers  
In Favour: All  
Against: None  
Motion Carried

5.1.3 PROPOSAL = HUMAN RESOURCE DEPARTMENT

A report dated May 18, 1989 from the City Administrator re a Proposal - Human Resource Department was circulated with the agenda. It was suggested that discussion of this report be deferred for one week.

MOTION: That discussion of the proposal for a Human Resource Department be deferred for one week.

Mover: Ald. Billard  
Second: Ald. McCluskey  
In Favour: All  
Against: None  
Motion Carried

5.1.4 CONTRACT 89-09 - CURB & SIDEWALK REPLACEMENT

TENDER:  
CONTRACT  
89-09

Report to Council from Mr. Burke (Mr. Fougere) on tenders received for curb and sidewalk replacement on Dahlia, Rose Street, Tulip and Joffre Street. It is recommended that the tender be awarded to the lowest bidder, L & J Gillespie Ltd., with a bid price of \$190,925.00 and a completion date of August 14, 1989.

MOTION: To award the tender for Contract 89-09 to the lowest bidder, L & J Gillespie Ltd., with a bid price of \$190,925.00 and a completion date of August 14, 1989.

Mover: Ald. Connors  
Second: Ald. McCluskey  
In Favour: All  
Against: None  
Motion Carried

5.1.5 CONTRACT 89-08 - STREET CONSTRUCTION

TENDER:  
CONTRACT  
89-08

Report to Council from Mr. Burke (R. Fougere) on tenders received for street paving, Gibson Drive and Tidewater Lane. It is recommended that the tender be awarded to the lowest bidder, Municipal Contracting Ltd., with a bid price of \$51,506.00 and a completion date of July 11, 1989.

MOTION: To award the tender for Contract 89-08 Street Paving, Gibson Drive and Tidewater Lane, be awarded to the lowest bidder, Municipal Contracting Ltd., with a bid price of \$51,506.00 and a completion date of July 11, 1989.

Mover: Ald. McCluskey  
Second: Ald. Pye  
In Favour: All  
Against: None  
Motion Carried

5.1.6

CONTRACT 89520B CITY OF LAKES BUSINESS PARK, PHASE 1-4,  
CLEARING AND GRUBBINGTENDER:  
CONTRACT

Report to Council from Mr. Burke (R. Fougere) on tenders for Contract 89520B City of Lakes Business Park, Phase 1-4, Clearing and Grubbing, Eileen Stubbs Avenue. It is recommended that the tender for Contract 89520B, Clearing and Grubbing, Phase 1-4, City of Lakes Business Park, be awarded to the lowest bidder, Harbour Construction Company Ltd., with a bid price of \$68,800 and a completion time of 2.5 months.

MOTION: To award the tender for Contract 89520B Clearing and Grubbing, Phase 1-4, City of Lakes Business Park, to the lowest bidder, Harbour Construction Company Ltd., with a bid price of \$68,800 and a completion time of 2.5 months.

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

5.1.7

DARTMOUTH SOCCER ASSOCIATION PROPOSALDARTMOUTH  
SOCCER ASSOC.  
PROPOSAL

Council was in receipt of an interim report re the Soccer Stadium, Burnside from Mr. Burke, dated May 29, 1989. It outlines discussions at a May 26th meeting, of the possible effect of methane gas from landfill materials buried on the site. It was subsequently recommended that:

1. Council approve the expenditure of \$10,000 for selected soil testing of the site. Such tests to be carried out within two (2) weeks.
2. That if the soil tests prove satisfactory that the Dartmouth District Soccer Association be given a period of two (2) months to produce a preliminary plan of the stadium and playing field and proof of the ability to finance the project.

MOTION: To adopt Mr. Burke's recommendations noted above.

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

5.1.8

MAYOR'S CHALLENGE - PARTICIPATION 1989

MAYOR'S  
CHALLENGE  
PARTICIPAC-  
TION

Referring to Mr. Burke's memorandum dated May 12 re the Mayor's Challenge, Ald. Woods, co-chairman of Participaction 1989, indicated how pleased he is with the support given by Mr. Burke.

JUNE 13 - COUNCIL MEETING

JUNE 13  
COUNCIL  
MEETING

There was general consensus not to hold a Council meeting June 13.

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

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

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

Meeting adjourned at 11:45 p.m.



D. McBain  
Acting City Clerk-Treasurer

ITEMS:

- 1.0 Presentation, pages 1 & 2
  - i) Progress Report on Library Civic Centre Complex, pages 1 & 2
- 2.0 Petition, pages 2 & 3
  - i) Bus Gate on Columbo Drive, pages 2 & 3
- Points of Privilege, pages 3 & 4
- 3.0 Reports, page 4
- 3.1 Dartmouth Taxi Commission, page 4
  - 3.1.1 Relocation - Four Car Common Stand - Ferry Terminal, page 4
- 4.0 Reports, page 4
- 4.1 City Administrator, pages 4 & 5
  - 4.1.1 AIDS Policy, pages 5 & 6
- 4.0 Finance & Program Review Committee, page 5
- 4.2.1 Defined Benefit Plan - Employees Pension Plan, page 6
- 4.2.3 Voting Rights, Mayor, page 7
- 4.2.4 Municipal Election Expenses and Fund Raising, pages 7 & 8
- 4.3 Transit Advisory Board, page 8
  - 4.3.1 Ferry Report, page 8
- 5.0 Reports, 8 to 12
- 5.1 City Administrator, pages 8 - 12
  - 5.1.1 Dartmouth Day Care Centre, pages 8 & 9
  - 5.1.2 Metropolitan Authority - Guarantee Resolution 89-27 and 89-28, page 9
  - 5.1.3 Proposal - Human Resource Department, page 9
  - 5.1.4 Contract 89-09 - Curb & Sidewalk Replacement, page 10
  - 5.1.5 Contract 89-08 - Street Construction, page 10
  - 5.1.6 Contract 89502B, City of Lakes Business Park, Phase 1-4, Clearing and Grubbing, page 11
  - 5.1.7 Dartmouth Soccer Association Proposal, page 11
  - 5.1.8 Mayor's Challenge - Participaction 1989, page 12
- June 13 Council Meeting, page 12