

Lib. Ref. Dept.

DARTMOUTH CITY COUNCIL  
AGENDA

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\* TUES., JUNE 2/92 \*  
\* 7:30 PM \*  
\* COUNCIL CHAMBER \*  
\* IN CAMERA SESSION \*  
\* 10:00 PM \*  
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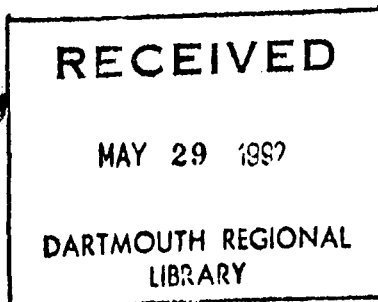
INVOCATION

1. APPROVE THE MINUTES FROM THE MEETINGS: May 5, 12, 19, & 26, 1992.
2. BUSINESS ARISING FROM THE MINUTES
3. CONCERNS OF COUNCIL MEMBERS OR QUESTIONS (15 MINUTE MAXIMUM)
4. DELEGATIONS & HEARINGS OF PROTEST
5. ORIGINAL COMMUNICATIONS
6. PRESENTATION
  - i) Presentation of 1991/92 Financial Statements
  - 11) Withdrawals from Special Reserve
7. PETITION
8. REPORTS

8.1 CITY ADMINISTRATOR

- 8.1.1 Highfield Park Provincial Reports (supplementary report)
- 8.1.2 Application, Place of Amusement, Bingo Hall, 245A Waverley Road (supplementary report)
- 8.1.3 Application to Enter Into Development Agreement - Can-Euro Investments Ltd. (neighborhood information meeting)
- 8.1.4 Permission to Use City Crest

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9. MOTIONS

9.1 ALD. MAY

9.1.1 Report of Earnings & Expenses of Council Members  
and City Employees

10. NOTICES OF MOTION

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IN CAMERA SESSION - 10:00 P.M.

1. Property Acquisition - previously circulated
2. Canadian Mental Health Association - Lease
3. Insurance Claim

LOCATION: CITY COUNCIL CHAMBERS

TIME: 7:40 P.M.

MEMBERS PRESENT: DEPUTY MAYOR MCCLUSKEY  
ALDERMEN SARTO, THOMPSON, RODGERS  
MACFARLANE, CUNNINGHAM  
PYE, WOODS, LEVANDIER  
MAY, HAWLEY, GREENOUGH  
WALTON, HETHERINGTON

CITY ADMINISTRATOR: J. BURKE  
CITY SOLICITOR: M. MOREASH  
ASST. CITY CLERK: V. CARMICHAEL  
DEPARTMENT HEADS & ASSISTANTS

INVOCATION

The meeting opened with the Invocation, led by Deputy Mayor McCluskey.

1.0 APPROVAL OF MINUTES

MOTION: To approve the minutes of meetings held on May 5, 12, 19 and 26th, 1992, with one noted correction: the motion on page 2 of the May 19th minutes was moved by Ald. Pye and not by Ald. Greenough, as recorded.

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

FLAG PRESENTATION

A City flag was presented by the Deputy Mayor to representatives of the #1 Ticker Troop, to carry and display when they are on their 'power walks'.

2.0 BUSINESS ARISING FROM THE MINUTES

3.0 CONCERNS OF COUNCIL MEMBERS OR QUESTIONS (DEFERRED)

4.0 DELEGATIONS & HEARINGS OF PROTEST

5.0 ORIGINAL COMMUNICATIONS

6.0 PRESENTATION

i) PRESENTATION OF 1991/92 FINANCIAL STATEMENTS

PRESENTATION:  
FINANCIAL  
STATEMENTS

Members of Council have received their copies of the 1991/92 Financial Statements for the City with the agenda for this meeting, and the Doane Raymond Auditors made their formal presentation of the Statements at this point in the meeting. Representing Doane Raymond were: Mr. John Mallowney, Mr. Mark DuPlessis, and Ms. Cathy MacLeod. The presentation took the form of a series of overhead slides, copies of which were also provided for members of Council to follow.

Particular attention was given to the Ferry deficit, with additional note on page 39 of the Statements, and to the City Pension Plan deficit (\$19,700,000.), additional note on page 44, to be provided for in City and employee contributions, over the next 14 years. Contributing factors, in the City's overall deficit position of 3.1 million dollars, were indicated to Council, in such variances as: the Deed Transfer Taxes, the net Social Services over-expenditure, Snow removal & Ice control, General Administration, and Transfers to own Funds.

As Chairman of the Audit Committee, responsible for carrying out the detailed study and analysis of the Financial Statements, prior to their presentation to Council, Ald. Greenough advised that the Committee has accepted the Statements in the form presented and has recommended their approval to Council.

MOTION: To adopt the Financial Statements for the period ending March 31/92, as presented and as recommended to Council by the Committee.

Moved: Ald. Greenough  
Second: Ald. Thompson

Ald. May stated his concerns about the City's financial status and future, based on growth in debt servicing costs and on the unfunded Pension Plan. He provided an information sheet, showing the rise in taxable debt per capita, from the year 1980 to 1990, based on a Municipal Affairs report based on statistics compiled, suggesting that within two years time, the figure for Dartmouth could be close to \$1,000. per capita, up from \$794. in the year 1990.

Several other members of Council did not share the same viewpoint on the state of the City's finances, pointing out that the debt servicing ratio is still under 10%, and action has already been taken by Council to reduce capital borrowing by restricting the number of capital projects undertaken in a given year. They considered the City to be in reasonably good shape, an opinion also agreed to by Mr. Mallowney when he was asked to comment. He did not see a 3-million-dollar deficit as being excessive in comparison with a 110-million-dollar budget.

Ald. Rodgers said he felt the City has been reasonably managed, even in an era of economic instability, when a number of adverse conditions have had a significant impact on the City's financial picture. He referred to potential future concerns that could have a further negative influence, such as the uncertainty about major businesses, including Imperial Oil and Moosehead Breweries.

During debate on the motion, Ald. Pye requested that Council be provided with municipal comparison statistics, referred to by Mr. Burke, showing Dartmouth's position in relation to other provincial municipalities.

After members had their questions answered by the Auditors and staff present for this item, and debate on the motion concluded, the vote was taken.

In Favour: All  
Against: None  
Motion Carried

ii) WITHDRAWALS FROM SPECIAL RESERVE

WITHDRAWALS:  
 SPECIAL RESERVE

Related to the acceptance of the Financial Statements, were a number of Resolutions requiring Council approval for the withdrawal from Special Reserve, for the fiscal period 1991/92, as well as 1992/93. These Resolutions, numbering 92-17 to 92-24, were recommended in Mr. Burke's report to Council (B. Smith, D. McBain), information having been provided on each resolution. Council proceeded with the necessary approvals, as follows:

- |                  |   |
|------------------|---|
| RESOLUTION 92-17 | <u>RESOLUTION 92-17:</u> withdraw from Special Reserve Operating Equipment - for School Buses - \$20,025.<br><br>Approved on motion of Ald. Greenough and Hetherington.               |
| RESOLUTION 92-18 | <u>RESOLUTION 92-18:</u> withdraw from Special Reserve Capital Burnside sale of land - for Principal Debt repayment - \$699,006.<br><br>Approved on motion of Ald. Greenough and Pye. |
| RESOLUTION 92-19 | <u>RESOLUTION 92-19:</u> withdraw from Special Reserve Capital Others - for Principal Debt Repayment - \$605,507.<br><br>Approved on motion of Ald. Hetherington and Sarto.           |

- RESOLUTION 92/20      RESOLUTION 92-20: withdraw from Special Reserves  
Capital Subdivision Park Lands - for  
Principal Debt repayment - \$300,000.  
Approved on motion of Ald. Greenough  
and Hetherington.  
Questions about this transfer of  
funds, approved at budget time, were  
answered by Mr. Burke.
- RESOLUTION 92-21      RESOLUTION 92-21: withdraw from Special Reserve Capital  
Other - for Principal Debt repayment  
- \$150,000.  
Approved on motion of Ald. Sarto  
and Hawley.
- RESOLUTION 92-22      RESOLUTION 92-22: withdraw from Special Reserve  
Operating Equipment - for equipment  
purchases - \$50,000.  
Approved on motion of Ald. Hetherington  
and Thompson.
- RESOLUTION 92-23      RESOLUTION 92-23: withdraw from Special Reserve Capital  
- Burnside Sale of Land - for Principal  
Debt repayment - \$1,089,700.  
Approved on motion of Ald. Sarto and  
Woods.
- RESOLUTION 92-24      RESOLUTION 92-24: withdraw from Special Reserve Capital  
- Pollution Control - for work ongoing  
- \$3,600,000.  
Approved on motion of Ald. Rodgers  
and Sarto.  
Ald. Pye requested a report on all of  
the expenditures represented by this  
amount.

7.0      PETITION8.0      REPORTS8.1      CITY ADMINISTRATOR8.1.1      HIGHFIELD PARK PROVINCIAL REPORTS (SUPPLEMENTARY)HIGHFIELD PARK  
REPORTS

A report from Mr. Burke, prepared by the Director of Planning & Development, was before Council, along with reports from the Nova Scotia Assn. of Architects and a report to the Minister of Municipal Affairs, on the subject of the collapse of a partially-constructed multi-residential building, in Highfield Park, on January 24/92. Council has requested these reports, with staff response and report, for consideration.

Presentation of the staff report was given by Ms. Spencer, the Planning Director. Also in attendance for the item were: Mr. Bill Sullivan, representing the Association of Professional Engineers of Nova Scotia, Mr. Dan Goodspeed of the N. S. Association of Architects, and Mr. Tufts of APENS.

In her opening section of the presentation, Ms. Spencer attributed the cause of the building collapse in Highfield, to a combination of factors - environmental (wind & temperature conditions), and construction (inadequate bracing and the creation of a 'tunnel', which was not able to withstand the high winds experienced on January 24th.) The point was made that ' . . . the incident was not attributable to matters over which the provincial or municipal agencies have direct control'.

(Ald. Cunningham was present from this point in the meeting; he was absent to attend a function in which his daughter was participating.)

Subsequent to the reports prepared to date, the Province is recommending changes to the type of bracing and to the construction schedule for such buildings as the one involved in Highfield. In addition, the City will respond to observations from the reports, with a review of its present systems and procedures. Details of some of these revised procedures were provided.

Another relevant point made to Council, in the presentation, was that ' . . . there are limits to the City's competency and authority in dealing with professionally engineered projects. It must rely on the work of the professionals'. Further, ' . . . property owners and the professionals they retain have primary responsibilities for building projects. The City cannot assume or replace these responsibilities.'

Proposed, as an adjustment to clarify the City's role, would be to "accept" building plans or the work of designers, rather than giving "approval". Asked about requirements additionally, for future projects (ie. other than structural), Ms. Spencer agreed that these will include the categories detailed by Ald. Woods, that is, geotechnical, mechanical, electrical, Fire Code, etc. In answer to questions from Ald. Pye about the revision of procedures, in relation to future development progress, she said that there is likely to be some noticeable effect on the time for processing permits, and as well, there may be some increased costs involved.

Council was addressed briefly by Mr. Sullivan, Mr. Goodspeed, and Mr. Tufts. Mr. Sullivan explained the efforts being directed toward a certification requirement at the beginning of construction projects, and upon completion, to make sure that work carried out complied with original design criteria.

Mr. Tufts advised that APENS has a slide presentation they would like to make to Council at some future date, and said that issues raised in the Planning Dept. presentation will be addressed as time permits. Mr. Goodspeed outlined the involvement of architects in the processes under discussion. He said his Association is prepared to make their observations and recommendations relating to the report before Council.

At the conclusion of all the presentations and questions from Council, a motion to receive and file the reports, was adopted.

MOTION: To receive and file the reports presented to Council.

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

8.1.2 APPLICATION, PLACE OF AMUSEMENT, BINGO HALL, 245A WAVERLEY RD.

BINGO HALL  
APPLICATION

As requested, a supplementary report has been made to Council, in connection with the Place of Amusement application for 245A Waverley Road. The report provides additional information on traffic and parking, the two main concerns raised at the May 27th meeting, when this item was previously discussed. Also circulated to members, was a letter from the owner of the property concerned, Mr. Baltas of WGS Holdings Ltd. He has advised that if his company is successful in negotiating a lease with T.C.A. Bingo for premises in his mall, the company would remove the existing small house on the property, in order to improve the parking situation, by providing extra parking spaces, over and above what is currently available.

MOTION: To indicate no objection to the Place of Amusement application for 245A Waverley Road.

Moved: Ald. Hetherington  
Second: Ald. Pye



Ald. Hawley still had concerns about the adequacy of the parking, and was not willing to support the motion. Ald. May suggested that Council have something from the Planning Dept. on the question of parking required for Bingo parlours, so that some specific requirements can be put in place. The vote was taken on the motion.

In Favour: All members except

Against: Ald. Hawley

Motion Carried

8.1.3 APPLICATION TO ENTER INTO DEVELOPMENT AGREEMENT - CAN-EURO INVESTMENTS LTD.

APPLICATION:  
DEVELOPMENT  
AGREEMENT

Report from Mr. Burke (V. Spencer, G. L'Esperance) on an application for a Development Agreement, to permit the construction of an 87-unit, three-storey apartment building on a 4.1 acre site adjacent to MicMac Mall. The report recommends that staff be requested to proceed with a neighbourhood information meeting, in connection with this application.

MOTION: To adopt the recommendation.

Moved: Ald. Sarto

Second: Ald. Hetherington

In Favour: All

Against: None

Motion Carried

8.1.4 PERMISSION TO USE CITY CREST

USE OF CITY  
CREST

Report from Mr. Burke (Paul Greene) on a request for use of the City crest by the Dartmouth Seniors Service Centre, exclusively for use in the 'Patron's Program', associated with a fund-raising project for the Centre. The recommendation is that Council approve the request for use, received from this group.

MOTION: To adopt the recommendation.

Moved: Ald. Hetherington

Second: Ald. Thompson

In Favour: All

Against: None

Motion Carried

Council agreed to continue meeting beyond 11:00 p.m., on motion of Ald. Hetherington and Pye, and went in camera, on motion of Ald. Thompson and Hetherington.

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 (property acquisition, CMHA lease).

Moved: Ald. Hetherington

Second: Ald. Rodgers

In Favour: All

Against: None

Motion Carried

Meeting adjourned at 11:05 p.m.

*V. Carmichael*

V. Carmichael,  
Asst. City Clerk.

ITEMS:

- Invocation, page 1.
  - 1.0 Approval of Minutes, page 1.  
Flag presentation, page 1.
  - 2.0 Business Arising from the Minutes, page 1.
  - 3.0 Concerns of Council Members or questions, page 1.
  - 4.0 Delegations & Hearings of Protest, page 1.
  - 5.0 Original Communications, page 1.
  - 6.0 Presentation, page 1
    - i) Presentation of 1991/92 Financial Statements, page 1 to 3.
    - ii) Withdrawals from Special Reserve, page 3 & 4.  
Resolutions 92-17 to 92-24, page 3 & 4.
  - 7.0 Petition, page 4.
  - 8.0 Reports, page 4.
  - 8.1 City Administrator, page 4.
    - 8.1.1 Highfield Park Provincial reports, page 4.
    - 8.1.2 Application, Place of Amusement, Bingo Hall, 245A Waverley  
Road, page 6.
    - 8.1.3 Application to enter Development Agreement, Can-Euro  
Investments Ltd., page 7.
    - 8.1.4 Permission to use City crest, page 7.
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*Lib. Ref. Dept.*

**DARTMOUTH CITY COUNCIL  
AGENDA**

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**TUES. JUNE 9/92  
7:30 PM  
COUNCIL CHAMBER  
IN CAMERA SESSION  
10:00 PM**

Acknowledgement - The Ellenvale Junior High Band -

**CONTINUATION OF COUNCIL AGENDA OF JUNE 2, 1992**

**1. CONCERNS OF COUNCIL MEMBERS OR QUESTIONS (15 MINUTE MAXIMUM)**

**2. MOTIONS**

**2.1 ALD. MAY**

2.1.1. Report of Earnings & Expenses of Council  
Members and City Employees

**3. NOTICES OF MOTION**

**COUNCIL AGENDA FOR JUNE 9, 1992**

**4. REPORTS**

**4.1 CITY ADMINISTRATOR**

4.1.1 Woodlawn Road

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**IN CAMERA SESSION - 10:00 P.M.**

1. Insurance Claim (previously circulated)
2. Sale of land
3. Purchase of land

LOCATION: CITY COUNCIL CHAMBERS

TIME: 7:30 P.M.

MEMBERS PRESENT: DEPUTY MAYOR MCCLUSKEY  
ALDERMEN SARTO, THOMPSON, RODGERS  
MACFARLANE, CUNNINGHAM  
MAY, LEVANDIER, PYE, WOODS  
GREENOUGH

MEMBERS ABSENT: ALD. HAWLEY  
WALTON, HETHERINGTON (SCHOOL BD. MEETING)

CITY ADMINISTRATOR: J. BURKE

ASST. CITY CLERK: V. CARMICHAEL

ACKNOWLEDGEMENT - ELLENVALE JR. HIGH BAND

At the opening of the Council meeting, Deputy Mayor McCluskey acknowledged the attendance of members of the Ellenvale Jr. High Band, with their Director, Ms. Sheila LeBlanc, recent winners of a gold medal in band competition, Music Fest Canada. There were 6,000 participants from across Canada in this competition. The Deputy Mayor presented to Ms. LeBlanc, a certificate from the City, on Council's behalf, and City of Dartmouth pins for all of the band members. Both Ald. Sarto and Thompson paid tribute to the Band and offered congratulations to the Band members and to their parents, who have encouraged and supported them. Ms. LeBlanc responded with thanks for the City's recognition and interest.

1.0 CONCERNS OF COUNCIL MEMBERS OR QUESTIONS

ALD. LEVANDIER

Ald. Levandier questioned the conflict of interest position of the City Solicitor, in representing the School Board and giving advice in connection with the school closure issue, which may be at variance with municipal policies. Mr. Burke again stated his opinion that the Solicitors are not in a conflict situation, and the City is, in fact, providing services in this area, to the Board, as in other areas.

Ald. Levandier inquired about the appointment of Deputy and Assistant department heads, and requested a copy of the motion covering present policy on these appointment decisions.

Ald. Levandier's other concern was about the recent Police Dept. promotions, during a time of fiscal restraint. Mr. Burke advised that these adjustments were part of the overall process for salary savings in the Police Dept.; the previous incumbents in the positions were being paid at a higher rate than the police officers promoted to the positions

ALD. CUNNINGHAM

Ald. Cunningham commended the work being done on the walkway between Bow Street and Beckfoot Drive. Mr.

Fougere provided information on this project, which involves a sewer replacement and reinstatement of the walkway afterwards.

ALD. SARTO

Ald. Sarto asked to have a sunken area filled in on the walkway between civic numbers 37 & 39 Bellevista Drive. He again requested action on the property at 47/47A Spring Ave.

Ald. Sarto requested that attention be given to the unsightly land (noxious plants) owned by the City, between civic numbers 3 and 5, on Valleyfield Rod.

Ald. Sarto thanked Chief Cole for the police patrols that have been monitoring traffic at Ward 1 locations, and requested particular monitoring on Break-Heart Hill, where there is a major speeding problem.

ALD. THOMPSON

Ald. Thompson commended the presence of a police officer at the school closure meetings; he felt this represents a worthwhile preventive measure to take, under the circumstances.

ALD. MAY

Ald. May questioned the use of a police officer for the meetings, and who is paying for the services. Chief Cole advised that the officer attending is on duty already, and if called to some other location, would leave the meeting. Ald. May said the officer should at least be in uniform.

Ald. May asked about police action in response to a letter from a citizen (Mr. MacGillvary), about problems with a motorcycle gang. Chief Cole advised that police officers have been assigned to the area, and he will be meeting with Mr. MacGillvary, to discuss the problems.

Ald. May said he has received complaints from the seniors at Alderney Manor, about fumes from the trains; he requested that a letter be sent to CN, indicating concerns on behalf of the residents.

ALD. PYE

Ald. Pye asked if there is a City by-law applicable to the control of racoons, and having them removed from locations within the City.

Ald. Pye asked if there will again be a water hook-up this year for the residents of Basinview Drive. Mr. Fougere said that if it is requested by the residents, it could be handled the same as last year. Ald. Pye requested that the feasibility of a permanent hook-up also be considered.

Ald. Pye asked if a resolution will be coming to Council in connection with the possible withdrawal of the City of

Halifax from the solid waste management proposal. Mr. Burke said that as soon as a mechanism (legal) can be determined, for the procedure to be followed, the matter will be brought to Council.

Ald. Pye asked for information on the public hearing associated with the environmental assessment study for the incinerator location, and when it will take place.

ALD. MACFARLANE

At the request of Ald. MacFarlane, Mr. Burke provided as much information as he could on the harbour clean-up project, including an independent review of what has taken place to date, and attempts to determine any further changes that could be made in the scope of the project to reduce its cost. Ald. MacFarlane questioned the cost of the environmental review process for a project that is supposed to improve the environment in the first place. Mr. Burke acknowledged the point made by Ald. MacFarlane.

2.0 MOTIONS

2.1 ALD. MAY

2.1.1 REPORT ON EARNINGS & EXPENSES OF COUNCIL MEMBERS & CITY EMPLOYEES

MOTION: WHEREAS the earnings and expenses of civil servants in Nova Scotia are published annually in the supplement to the Public Accounts;

AND WHEREAS the recent report of the Select Committee on Education recommended that earnings and expenses of School Board members, School Board employees, Council members and Council employees, be published;

THEREFORE, BE IT RESOLVED that the City of Dartmouth cause to be prepared for public perusal, a report showing the earnings and expenses of Council members and City employees, for the calendar year 1991, and each calendar year thereafter.

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

3.0 NOTICES OF MOTION

The following Notice of Motion was given for the next regular Council meeting:

Ald. MacFarlane (Ald. May)

WHEREAS many citizens have expressed a view that the number of members of Council should be reduced;

AND WHEREAS the Dartmouth School Board must propose the boundaries of districts within the City, for election of Board members, to the Municipal Board by Dec, 31, 1993;

BE IT RESOLVED that Council cause a committee to be formed to review ward boundaries, and that the School Board be asked to join such a committee, as an equal and joint partner, to prepare a joint submission to the Municipal Board.

4.0 REPORTS4.1 CITY ADMINISTRATOR4.1.1 WOODLAWN ROAD

At the request of Ald. Sarto, Council was willing to defer the Woodlawn Road report from Mr. Burke, dated June 2/92, pending the outcome of the Penhorn School closure hearing.

MOTION: To defer the Woodlawn Road report for one week, as requested by Ald. Sarto.

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

4.1.2 PEACE MONUMENT LOCATIONPEACE MONUMENT  
LOCATION

An item added to the agenda, as item 4.1.2, consisted of a written submission from the Metro Youth for Global Unity, and a presentation to Council, given jointly by Mr. Mark Whitby and Mr. Khosrow Farahbakhsh.

Because of the success of the peace monument concept, a change from the original rock garden plan, to an actual peace monument, is now being proposed, requiring a location change on the Dartmouth waterfront, to the point of land at the end of the waterfront park, where the flagstaff is presently situated.



A model for the monument was shown to Council, and its significance explained by Mr. Farahbakhsh. The project location was also identified for members of Council, on a plan displayed in the Council Chamber. Mr. Farahbakhsh requested the tentative approval of Council, for the new site, on which the monument would be built, but members felt they would first have to have a staff assessment of the location, in terms of viewplane considerations (for the tower), compatibility with the Sperry/MacLennan Waterfront Plan, maintenance costs that could be anticipated - in general, the feasibility of the new location, and the change in concept, which is a major difference from the rock garden originally planned.

MOTION: To refer the new peace monument proposal to staff for consideration of its feasibility on the site being requested; a report would be expected within a month, or less if at all possible.

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

Ald. Levandier asked to be advised of the dates for the annual summer break for Council. Mr. Burke agreed to have these dates for Council by next week's meeting.

Deputy Mayor McCluskey advised that the three in camera items for this meeting will be deferred until next week.

Council therefore adjourned at 9:00 p.m.

*V. Carmichael*  
V. Carmichael,  
Asst. City Clerk.

ITEMS:

- 1.0 Acknowledgement, Ellenvale Jr. High Band, page 1.
  - 2.0 Concerns of Council members or questions, pg. 1 to 3.
  - 2.0 Motions, page 3.
  - 2.1 Ald. May, page 3.
  - 2.1.1 Report on earnings & expenses of Council members and City
  - 3.0 Notices of Motion, page 4. employees, page 3.
  - 4.0 Reports, page 4.
  - 4.1 City Administrator, page 4.
  - 4.1.1 Woodlawn Road, page 4.
  - 4.1.2 Pease Monument location, page 4 & 5.
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**DARTMOUTH CITY COUNCIL  
AGENDA**

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**TUES. JUNE 16/92  
7:30 PM  
COUNCIL CHAMBER  
IN CAMERA SESSION  
10:00 PM**

**PROCLAMATION - "DOLLARS AGAINST DIABETES DAY"**

**1. PUBLIC HEARING**

- i) Application to Amend Land Use By-law - 48 Rodney Road

**CONTINUATION OF COUNCIL AGENDA OF JUNE 9, 1992**

**2. REPORTS**

**2.1 CITY ADMINISTRATOR**

- 2.1.1 Woodlawn Road (previously circulated)

**COUNCIL AGENDA OF JUNE 16, 1992**

**3. REPORTS**

**3.1 CITY ADMINISTRATOR**

- 3.1.1 Tender, Contract 92-07, Curb & Sidewalk,  
Bellevista Drive  
3.1.2 Tender, Contract 92-08, Sidewalk, Portland Street  
3.1.3 Application to Amend Land Use By-law - Woodlawn  
Court (set date for neighborhood information  
meeting)

**4. CONCERNS OF COUNCIL MEMBERS OR QUESTIONS (15 MINUTE MAXIMUM)**

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**IN CAMERA SESSION - 10:00 P.M.**

1. Insurance Claim (previously circulated)  
2. Sale of land (previously circulated)  
3. Purchase of land (previously circulated)  
4. Lease of Land (to be circulated)

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

MEMBERS PRESENT: DEPUTY MAYOR MCCLUSKEY  
ALDERMEN SARTO, THOMPSON, RODGERS  
MAY, LEVANDIER, MACFARLANE  
CUNNINGHAM, WOODS, PYE  
HAWLEY, GREENOUGH, WALTON  
HETHERINGTON

CITY ADMINISTRATOR: J. BURKE  
CITY SOLICITOR: M. MOREASH  
ASST. CITY CLERK: V. CARMICHAEL  
DEPARTMENT HEADS & ASSISTANTS

PROCLAMATION - "DOLLARS AGAINST DIABETES DAY"

Deputy Mayor McCluskey opened the meeting by reading a Proclamation, declaring June 20/92 as "Dollars Against Diabetes Day", a fund-raising event intended to benefit Juvenile Diabetes Canada.

SCHOOL CLOSURE ISSUE

Ald. Thompson requested permission to add an item to the agenda, connected with the school closure issue. Council agreed to add this item, immediately following the public hearing scheduled for this date.

1.0 PUBLIC HEARING

i) APPLICATION TO AMEND LAND USE BY-LAW - 48 RODNEY RD.

APPLICATION:  
48 RODNEY ROAD

This meeting of Council constituted the public hearing for an application to rezone City land adjacent to Neighbour's Pub, from R-2 Zone to C-2 Zone. The applicants will then lease the land from the City, to be used exclusively for parking purposes.

All members of Council were recorded as being present for the public hearing, except for Ald. Hawley, who did not arrive in time and therefore sat in the gallery until the item was concluded.

The Planning Dept. presentation was made by Mr. L'Esperance, and in reviewing the application for Council, he advised that the proposed zoning change is not in conflict with the policies and intent of the M.P.S. for this property. Ownership of the property will be retained by the City, and the terms of the lease agreement between the City and Neighbourhood Pubs Ltd., have been stated in the Planning Dept. report of April 30/92. Mr. L'Esperance outlined the five terms verbally as well, during his presentation to Council. It is the recommendation of

the Planning Dept. that Council approve the rezoning application, and By-law C-695; also, the entering into of the lease agreement as it has been outlined.

Ald. Thompson inquired about legal liability protection, and the Solicitor agreed that an appropriate provision should be included in the lease.

The public hearing was opened and the Deputy Mayor called for speakers in favour of the application. Council heard Mr. Stephen Axford, the owner/manager of Neighbours Pubs Ltd. He briefly explained why it is desirable to have improved parking provisions for his business, including the protection of children walking through the area. Deputy Mayor McCluskey called for any other speakers in favour, and when there were none, she called for speakers against. After calling a second time for speakers against, with no one wanting to be heard, she declared the public hearing closed, on motion of Ald. Thompson and Hetherington.

BY-LAW C-695

Council proceeded to By-law C-695, to amend By-law C-357 (Land Use By-law) with respect to the requested rezoning.

MOTION: That leave be given to introduce the said By-law C-695 and that it now be read a first time.

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

MOTION: That By-law C-695 be read a second time.

Moved: Ald. Greenough  
Second: Ald. Thompson

Ald. Pye said he had difficulty with the rezoning of residential land, although Mr. L'Esperance pointed out that in this instance, the property concerned is not a suitable site for housing, being in immediate proximity to a tavern. Ald. Pye asked that consideration be given to the possible creation of community parking lots, without having to rezone residential properties for parking purposes, and to Land Use By-law amendments that could accomplish what he suggested.

Ald. Hawley was present from this point in the meeting, but did not participate in the item before Council.

Ald. Hetherington had several questions about the lease being assignable, and about the requirement for completing the parking lot development within a specified time period. Ald. Greenough suggested that when the actual lease is drafted, the Aldermen for the area should be consulted about safeguard provisions for the protection of area residents and the City's best interests. He said there should be some provision for cancelling the lease if terms of agreement are not met. Ald. May felt that proposed terms of the lease should not have been included in the staff report, and asked that in future, information such as this, not be included.

The proposed rezoning received the general support of Council and the motion for second reading carried.

In Favour: All  
Against: None  
Motion Carried

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

MOTION: That By-law C-695 be read a third time and that the Deputy Mayor and the City Clerk be authorized to sign and seal the said by-law on behalf of the City.

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

A motion was then adopted, for preparation of the lease between the City and Neighbourhood Pubs Ltd.

MOTION: That Council authorize Mr. Burke to prepare the appropriate lease, to be brought back to Council for consideration and ratification.

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

PETITION:  
SCHOOL  
CLOSURESPETITION - SCHOOL CLOSURES

As agreed to by Council, Mr. Smeltzer was permitted to make a presentation at this time, on behalf of parents opposed to the closure of three City schools, a decision of the Dartmouth District School Board.

In his presentation to Council, Mr. Smeltzer stated his concerns and the concerns of parents, about the school closure process that has been followed, requesting that members of Council review the brief circulated by the Penhorn Home & School Assn., and the submissions of other Home & School Associations, which members will also be receiving. He presented a petition signed by 1,390 Dartmouth citizens, and by 35 non-residents, calling for the resignation of School Board Commissioners (those who supported the school closures), and of both the Supt. of Schools for Dartmouth and the Asst. Supt. The petition, forwarded to the Minister of Education, also requests a stay of the school closures, affecting Penhorn School, the North Woodside School and St. Peter's School. At the conclusion of his presentation to Council, Mr. Smeltzer handed the petition to Mr. Burke.

Ald. Thompson acknowledged the major disruption in the lives of parents and children affected by the school closures. He felt that Council should have some assurance that proper procedures were followed, as required by the Province, and introduced a motion in this connection.

MOTION: That the Minister of Education be contacted and asked to use his power to see that all proper procedures for school closure were followed for the Penhorn, North Woodside and St. Peter's Schools.

Moved: Ald. Thompson

Second: Ald. Walton

CONFLICT OF INTEREST

Ald. Hawley declared a conflict of interest and withdrew from his place on Council.

Ald. Levandier questioned the regulatory procedures applicable and compliance with them by the School Board. The Solicitor felt that he would be placed in a conflict position, with the City and the School Board in a controversial situation, and therefore, refrained from further comment. Mr. Burke later indicated that the direction of Council would be required to have the legal services of the City Solicitor, withdrawn from

the School Board. No such direction was given by Council at this time, but Ald. Hetherington indicated his intention to present a motion, once the motion on the floor was resolved.

Both Ald. Levandier and Ald. Woods favoured a meeting between the School Board and members of Council. Ald. Woods requested that the Deputy Mayor arrange such a meeting, even if all members of Council are unable to attend. Ald. Woods also requested an assessment of the impact on our tax rate, of the school closures. Mr. Burke said it would be possible to obtain this kind of information from the assessors. (Included, for purposes of the joint meeting, would be Mr. Burke and Mr. Harrison.)

Members of Council were sympathetic to the concerns of the parents and children affected by the decision of the School Board, particularly in view of their strong feelings about being treated unfairly through the closure process. Ald. Greenough pointed out, however, that if Council meets with the School Board, they will be seeking additional funding to try and make up some of the major deficit they are facing; this would be a difficult financial decision for the City after the budget has been set for next year.

Since much of the controversy associated with this issue revolves around the school closure process, Ald. May felt that the guidelines given to School Boards should be imposed in the form of regulations. He put forward an amendment to address this point.

AMENDMENT: That the Minister of Education be asked to stay the closure of these schools, and that he be asked to change the school closure guidelines to regulations under the Education Act.

Moved: Ald. May  
Second: Ald. Hetherington  
In Favour: All members except  
Against: Ald. Cunningham  
Amendment Carried

There were questions about the designation of these particular schools in the order of priority, for closure, in the Phase 2 report of the comprehensive audit. Ald. Rodgers said that if the report is now available, Mr. Burke should have a copy and members of Council should be provided with copies as well, since the City has participated financially in the audit.



Mr. Burke responded to questions from Ald. Rodgers and other members about the disposition of school buildings, once they are declared surplus to educational needs, and about the cost of 'moth-balling' schools that have been closed. It was noted that St. Peter's School, having originally been a parochial school, would have to be offered back to the Catholic Archdiocese, as in the case of the St. Peter's Elementary School.

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

In Favour: All members except  
Against: Ald. Pye, Cunningham & Levandier  
Motion Carried, as amended

Ald. Hetherington then proposed his motion to the effect that the City not provide legal services for the Dartmouth District School Board, but the necessary two-thirds majority vote was not received to add the motion to the agenda. Ald. Hetherington said he would give notice of motion later.

Ald. Rodgers left the meeting at this time.

2.0 REPORTS

2.1 CITY ADMINISTRATOR

2.1.1 WOODLAWN ROAD

WOODLAWN RD.

The Woodlawn Road report from Mr. Burke was again before Council, and Ald. Sarto requested an indefinite deferral of the report, in light of the Penhorn School closure issue.

MOTION: To defer the Woodlawn Road report to an unspecified time.

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

MEDIATION PROPOSAL

MEDIATION  
 ( ) POSAL

As an item previously added to the agenda, Deputy Mayor McCluskey gave a verbal report to Council on the proposed Provincial appointment of a mediator to discuss with the Mayors of Dartmouth, Halifax, Bedford and the Warden of Halifax County, plus the CEO's for all four municipalities,

the entire solid waste management issue, including all of the options that have been suggested and proposed in the Metro. Authority discussions. This mediation initiative would be completed by July 31st, and a contract extension with the Power Corp. would be requested for that interim period. Council was asked to appoint the Mayor (Deputy Mayor) and the CEO for Dartmouth, to meet with the mediator, as requested by the Minister of Municipal Affairs.

MOTION: To appoint the Mayor (Deputy Mayor) and the CEO for Dartmouth, to meet with the mediator to be selected by the Province.

Moved: Ald. Greenough  
Second: Ald. MacFarlane

Ald. Levandier and Hawley had some reservations about the mediation process, without knowing who the mediator will be. Ald. Levandier and May referred to problems that have been created by the unwillingness of the City of Halifax to join with the other municipalities in the management plan approved by the Metro. Authority. Several members indicated support for the Deputy Mayor's statement that she would be willing to look at other sites for the incinerator, other than in Dartmouth.

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

THANKS TO FIRE DEPT. - CENTRAL GUARANTY TRUST

Deputy Mayor McCluskey read to Council, a note from the staff of Central Guaranty Trust, with their thanks to the City Fire Dept. for saving their building on Portland Street, where fire recently occurred. This was a copy of the letter that went from their office to the Fire Dept.

3.0 REPORTS

3.1 CITY ADMINISTRATOR

3.1.1 TENDER, CONTRACT 92-07 - CURB & SIDEWALK, BELLEVISTA DR.

AWARD TENDER:  
CONTRACT 92-07

Report from Mr. Burke (R. Fougere, G.M. Boyd) on tenders received for Contract 92-07 (Bellevista Drive curb & sidewalk construction), recommending that the tender be awarded to the lowest bidder, Ocean Contractors Ltd., with a bid price of \$69,253.08; completion time: 30 working days.

MOTION: To award the tender for Contract 92-07 to the lowest bidder, Ocean Contractors Ltd., with a bid price of \$69,253.08, as recommended by Mr. Burke.

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

3.1.2 TENDER, CONTRACT 92-08 - SIDEWALK, PORTLAND ESTATES BLVD.

AWARD TENDER:  
CONTRACT 92-08

Report from Mr. Burke (R. Fougere, G.M. Boyd) on tenders received for Contract 92-08 (Portland Estates Blvd. sidewalk construction, Eisener Dr. to Spring Ave. & Nicole Court & Chestnut Lane), recommending that the tender be awarded to the lowest bidder, Ocean Contractors Ltd., with a bid price of \$56,393.28; completion time: 25 working days.

MOTION: To award the tender for Contract 92-08 (Portland Estates Blvd. sidewalk, etc.), to the lowest bidder, Ocean Contractors Ltd., with a bid price of \$56,393.28, as recommended by Mr. Burke.

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

3.1.3 APPLICATION TO AMEND LAND USE BY-LAW - WOODLAWN COURT

APPLICATION:  
WOODLAWN COURT

Report from Mr. Burke (V. Spencer, G. L'Esperance) on a rezoning application for Woodlawn Court (from R-1 to R-2 Zone), recommending that staff be instructed to hold a neighbourhood information meeting in connection with the application.

MOTION: To set June 29/92 as the date for the neighborhood information meeting.

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

4.0 CONCERNS OF COUNCIL MEMBERS OR QUESTIONS

- ALD. PYE Ald. Pye asked when Council can expect the recommendations from the Grants Committee; Ald. Hawley advised that Committee meetings are continuing, and the Committee report will come to Council as soon as the work of the Committee can be completed.
- ALD. HAWLEY Ald. Hawley asked if the T.M.G. would look at the feasibility of a two-way Stop sign, where Kennedy Drive joins Caledonia Road, to deal with speeding problems at this point; he requested a response back from the T.M.G.
- ALD. SARTO In connection with the tender for street painting, Ald. Sarto requested that priority be given to the section of Portland Street (inbound) near Regal Road, in the area of the bus bay. He said that without markings, this section is confusing to inbound motorists at present.
- ALD. HETHERINGTON Ald. Hetherington was concerned about excessive speeding throughout the City generally. Chief Cole gave assurance to Ald. Hetherington that the Police Dept. is well aware of traffic problems such as this, and act continually to deal with them. He provided further information on what the department is doing in the way of dealing with traffic violations in their various forms.
- Ald. Hetherington's second concern was about the responsibility of property owners for grass cutting to the curb, and requirements of our Minimum Standards By-law in this connection; his particular reference was to such locations as NAD and to the N. S. Hospital. Mr. Burke agreed to check on the status of the Minimum Standards by-law, to see if relevant amendments have been recommended/enacted.
- ALD. MAY Ald. May requested attention to the use of sidewalk on Windmill Road, in the Brookside Ave. area, for selling articles to the public. He also asked that the Solicitor condense information that has been received on school closure procedures, options, etc., for Council members to review.
- ALD. THOMPSON Ald. Thompson requested a review of the file on the Parker boy who resides on Spring Ave.; he is a paraplegic and confined to the use of a wheelchair.
- ALD. CUNNINGHAM Ald. Cunningham said it would be in order to extend best wishes to the City Solicitor, Michael Moreash, who will be celebrating the BIG 50 on tomorrow's date. (Do old Solicitors lose their appeal?? - or become a habeus corpus??)

ALD. LEVANDIER Ald. Levandier noted that Julie Thomson is leaving the employ of the City, and extended good wishes for her future; members of Council concurred with this acknowledgement by Ald. Levandier.

DATES FOR SUMMER BREAK As requested at the June 9th meeting, members have been provided by Mr. Burke with a list of proposed dates for Council's annual summer break. The dates proposed were approved by Council at this point in the meeting.

MOTION: To approve the following dates proposed for Council's summer break, as listed by Mr. Burke:

July 21st  
28th  
Aug. 4th  
11th  
18th

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

ALD. WALTON Ald. Walton asked if improvements could be made to the City property at 527 Pleasant Street; Mr. Burke advised that there is no money in the budget to cut grass on undeveloped City properties this year.

ALD. MACFARLANE Ald. MacFarlane's concern was about littering associated with the Penhorn Flea Market, and he asked for an update on the regulations being reviewed with respect to the operation of flea markets and their licensing.

FERRY OPERATING BUDGET

FERRY BUDGET Members of Council were circulated with copies of the Ferry Operating Budget, and Mr. Burke made a short presentation, briefly explaining the present financial position of the ferry service, facing a projected deficit of \$1.6 million dollars by the end of the year. The Metropolitan Authority was previously requested by Council to take over the service, but for purposes of this budget, Mr. Burke has recommended referral to the Public Transportation Adv. Committee for a detailed review and recommendation back to Council, as soon as possible.

MOTION: To refer the Ferry Operating Budget to the Public Transportation Advisory Committee, for a detailed review, and recommendation back to Council, as soon as possible.

Moved: Ald. Hetherington

Second: Ald. Levandier

In Favour: All

Against: None

Motion Carried (Ald. Woods left the meeting.)

Ald. Pye asked that notices of the Committee meeting be sent out to all members of Council.

At 10:50 p.m., Council went in camera, on motion of Ald. Thompson and Cunningham. 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 (Insurance claim; sale of land; purchase of land; and lease of land).

Moved: Ald. Hawley

Second: Ald. Thompson

In Favour: All

Against: None

Motion Carried

The meeting adjourned at 11:55 p.m.

*V. Carmichael*

V. Carmichael,  
Asst. City Clerk.

ITEMS:

- Proclamation, "Dollars Against Diabetes Day", page 1.
  - School Closure issue, page 1.
  - 1.0 Public Hearing, page 1.
  - i) Application to amend Land Use By-law, 48 Rodney Rd., pg 1 to 3.  
        By-law C-695, page 2.
  - Petition, School closures, page 4 to 6.
  - 2.0 Reports, page 6.
  - 2.1 City Administrator, page 6.
  - 2.1.1 Woodlawn Road, page 6.
  - Mediation proposal, page 6 & 7.
  - Thanks to Fire Dept., page 7.
  - 3.0 Reports, page 7.
  - 3.1 City Administrator, page 7.
  - 3.1.1 Tender, Contract 92-07, Curb & sidewalk, Bellevista Dr., pg. 7
  - 3.1.2 Tender, Contract 92-08, Sidewalk, Portland Estates Blvd., pg.8.
  - 3.1.3 Application to amend Land Use By-law, Woodlawn Court, pg. 8.
  - 4.0 Concerns of Council members or questions, page 9 & 10.
  - Dates for summer Break, page 10.
  - Ferry Operating Budget, page 10.
-

NO COUNCIL JUNE 23/92



DARTMOUTH CITY COUNCIL  
AGENDA

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TUES. JUNE 30/92  
7:30 PM  
COUNCIL CHAMBER  
IN CAMERA SESSION  
10:00 PM

1. **PRESENTATION**

- i) Presentation to Daniel Brownlow by Ald. Hawley

2. **REPORTS**

2.1 **CITY ADMINISTRATOR**

- 2.1.1 Affirmative Action Construction Contracts
- 2.1.2 Repainting of Ramp Structure and Pontoon  
Interior Deck Dartmouth and Halifax Ferry  
Docks
- 2.1.3 Ramp Floor Replacement - Halifax Ferry Dock
- 2.1.4 Contract 91-11, Franklyn Street Reconstruction
- 2.1.5 Contract 92-10, Penhorn Drive, Curb & Sidewalk  
Construction

2.2 **GRANTS COMMITTEE**

- 2.2.1 1992/93 Grants Committee Recommendations

2.3 **PENSION COMMITTEE**

- 2.3.1 By-law P-407

2.4 **COMMON COMMITTEE**

- 2.4.1 Into the 90's the Dartmouth Common

3. **CONCERNS OF COUNCIL MEMBERS OR QUESTIONS (15 MINUTE MAXIMUM)**

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**IN CAMERA SESSION - 10:00 P.M.**

- 1. Purchase of Property
- 2. Sale of Property

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

MEMBERS PRESENT: DEPUTY MAYOR MCCLUSKEY  
ALDERMEN SARTO, THOMPSON, PYE  
CUNNINGHAM, LEVANDIER  
MAY, RODGERS, HAWLEY  
GREENOUGH, WALTON, HETHERINGTON

MEMBERS ABSENT: ALD. WOODS, MACFARLANE (REGRETS)

CITY ADMINISTRATOR: J. BURKE  
CITY SOLICITOR: S. HOOD  
ASST. CITY CLERK V. CARMICHAEL  
DEPARTMENT HEADS & ASSISTANTS

An item added to the agenda, with the agreement of Council, was the tax exemption request from the Army, Navy & Air Force Veterans in Canada, item 2.5.

Ald. May requested permission to add an item pertaining to the Special Municipal Election required, due to the resignation of Mayor Savage. It has been proposed to Council that the election details be decided at a special Council meeting on July 21st, this being the final day that will meet the requirements of the Municipal Election Act for the Sept. 12th date suggested. The necessary two-thirds majority vote of Council was not received to add the election item.

2.0 REPORTS

2.1 CITY ADMINISTRATOR

2.1.1 AFFIRMATIVE ACTION CONSTRUCTION CONTRACTS

AFFIRMATIVE  
ACTION CONTRACTS

Council considered a report from Mr. Burke (R. Fougere) on the Affirmative Action construction contracts being proposed for 1992/93, with a listing of projects for Council's approval, and three recommendations.

MOTION: To adopt the recommendations, which are as follows:

- 1) that the City establish an Affirmative Action Business Program for 1992/93.
- 2) that the program entail the five projects listed in the report, totalling \$330,000., for 1992/93.
- 3) that the City Administrator be authorized to enter into agreements for these projects on a purchase order basis, for amounts not to exceed the budget for each project.

Moved: Ald. Hetherington  
Second: Ald. Sarto

Considerable additional information on the program, its success to date, and future prospects, was provided by Mr. Burke, in response to questions from members of Council. He said that while the program is presently limited to the initiatives with the Black Business Consortium Society, it is hoped that the Affirmative Action thrust of the program can ultimately be broadened to include other groups. Ald. Hetherington requested a follow-up report, indicating the success of firms that have been through the program and gone on to other business ventures. Mr. Burke agreed to provide such a report for Council's information. The vote was taken.

In Favour: All  
Against: None  
Motion Carried

2.1.2 REPAINTING RAMP STRUCTURE & PORTION OF INTERIOR DOCK-  
DARTMOUTH & HALIFAX FERRY DOCKS

AWARD TENDER:  
 REPAINTING  
 FERRY DOCKS

Report from Mr. Burke (R. Fougere, D. Rix) on tenders received for the painting of the structural members under the ramp floors of both the Dartmouth and Halifax Ferry docks, recommending that the tender be awarded to the low bidder, Permacrete Restoration Services Ltd., for the bid price of \$32,528.00.

MOTION: To award the tender for the repainting of the ramp structure & pontoon/interior deck, for the Dartmouth and Halifax Ferry docks, to the low bidder, Permacrete Restoration Services Ltd., for the bid price of \$32,528.00, as recommended.

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

2.1.3 RAMP FLOOR REPLACEMENT - HALIFAX FERRY DOCK

AWARD TENDER:  
 RAMP FLOOR  
 REPLACEMENT

Report from Mr. Burke (R. Fougere, D. Rix) on tenders received for the replacement of the ramp floor of the Halifax Ferry dock, recommending that the tender be awarded to the second lowest bidder, Duron Atlantic Ltd., for the bid price of \$32,937.81; completion time: 40 days. (The 70-day completion time quoted by the low bidder, Sun Construction is unacceptable.)

MOTION: To award the tender for the ramp floor replacement of the Halifax Ferry dock, to the second lowest bidder, Duron Atlantic Ltd., for the bid price of \$32,937.81, as recommended.

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

2.1.4 CONTRACT 92-11 - FRANKLYN STREET RECONSTRUCTION

AWARD TENDER:  
CONTRACT 92-11

Report from Mr. Burke (R. Fougere, G.M. Boyd) on tenders received for Contract 92-11, Franklyn Street reconstruction, recommending that the tender be awarded to the lowest bidder, Ocean Contractors Ltd., with a bid price of \$134,482.95. Completion time is 30 workdays, with the shortfall of \$9,483.00 to be taken from unexpended funds from the 1992/93 capital works budget allotment for Ward 7.

MOTION: To award the tender for Contract 92-11 (Franklyn St. reconstruction) to the lowest bidder, Ocean Contractors Ltd., with a bid price of \$134,482.95, as recommended.

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

2.1.5 CONTRACT 92-10 - PENHORN DRIVE, CURB & SIDEWALK CONSTRUCTION

AWARD TENDER:  
CONTRACT 92-10

Report from Mr. Burke (R. Fougere, G.M. Boyd) on tenders received for Contract 92-10, Penhorn Dr. curb & sidewalk construction, recommending that the tender be awarded to the lowest bidder, Ocean Contractors Ltd., with a bid price of \$73,621.35; completion time: 30 workdays. Further, that the contract be extended to include the replacement of portions of deteriorated curb & sidewalk between Sarnia Ave. & Curley Drive, at the contract unit prices, for an additional cost of \$12,666.00, and an additional 7 workdays for completion.

MOTION: To award the Contract 92-10, as per the above-noted recommendation, including a contract extension. Tender to be awarded to the lowest bidder, Ocean Contractors Ltd., in the amount of \$73,621.35, plus \$12,666.00 for the contract extension.

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

2.2 GRANTS COMMITTEE

2.2.1 1992/93 GRANTS COMMITTEE RECOMMENDATIONS

GRANTS COMM.  
RECOMMENDATIONS

Members have received a report from the Grants Committee, with the 1992/93 funding allocation recommendations, and additionally, recommended terms of reference for the Committee. In presenting the report, Ald. Hawley advised that of the 45 organizations applying for grants, 27 have not been recommended for any funding, due to the major reduction in the grants budget for this year. He explained some of the difficulties the Committee has been faced with in trying to decide the individual allocations, given the needs of many of the organizations that have applied.

CONFLICT OF INTEREST

Ald. Cunningham declared a conflict of interest, being employed by one of the organizations that have requested a grant from the City. He withdrew from his place on Council while the item was before Council.

MOTION: To adopt the recommendations of the Grants Committee, with respect to funding allocations for 1992/93

Moved: Ald. Sarto  
Second: Ald. Thompson

Ald. Pye spoke on behalf of the Farrell Street Boys' & Girls' Club, this organization having had their grant reduced from the requested \$98,250. to \$67,000. Copies of a submission from the Club President, were previously circulated. Ald. Pye stated his concerns about the serious financial difficulties the Club can expect to be in as a result of the reduced grant from the City, and hoped they would have a sympathetic hearing by Council, if they should require additional assistance later in the year.

Ald. May felt there should have been a more substantial budget allocation overall for this year, and noted the impact of the grants to major recipients, at the expense of smaller organizations. He felt this impact should be brought to the attention of the major recipients, by providing them with copies of the Committee report, showing this disparity. Ald. Rodgers and Hetherington had similar concerns about the large funding allocations to hospitals and the Art Gallery of Nova Scotia, for their capital

purposes, when smaller organizations in need, could make use of the funds for operating, and in some cases, there would be cost-sharing from other levels of government, thereby increasing the amount the City is able to provide.

Ald. Greenough and Thompson had particular concerns about the Dartmouth Day Care operation, and the fact that the City had originally agreed to assist with their mortgage commitments before they opened their new facility on Caledonia Road. They asked that consideration be given to a reinstatement of funding for this group.

As the debate continued, members tended to be in favour of having the Committee reconsider the allocations recommended for the hospitals and the Art Gallery, with the idea of down-sizing these grants (or deferring them for a year), in order to free up additional funds that could be reallocated to organizations most in need (ie. whose operations will be at risk or suffer significant hardship as a result of losing the City's financial support). A motion of referral back to the Committee was therefore introduced, for report to next week's Council meeting on grant adjustments, as proposed.

MOTION: To refer the grant recommendations back to the Grants Committee, to reconsider the down-sizing (or deferral) of the major allocations, so these funds can be re-distributed among the smaller organizations in particular need. The Committee is requested to report to next week's Council meeting.

Moved: Ald. Rodgers  
Second: Ald. Hetherington  
In Favour: All members except  
Against: Ald. Thompson  
Motion Carried

Ald. Hawley questioned any legal commitment the City may have in the case of the capital grants approved for the hospitals and the Art Gallery. He felt this point should be clarified before the Committee attempts to make any adjustments.

Council agreed to defer the terms of reference recommendations as well, until a further report comes back from the Committee.

2.3 PENSION COMMITTEE2.3.1 BY-LAW P-407

BY-LAW P-407

Proposed By-law P-407, to amend Pension By-laws P-404, P-405 and P-406, has been recommended to Council for approval, by the Pension Committee. Ald. Greenough explained the pension provision this by-law makes for non-union School Board Supervisors of Janitorial & Maintenance Staff, retroactive to July 1/91. This staff sub-grouping will now be able to join the Best Five Years Average Earnings Retirement Pension Plan (By-law P-405), and the School Board is willing to pay its share of additional contributions to permit this change for the employees affected.

MOTION: That leave be given to introduce the said By-law P-407 and that it now be read a first time.

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

MOTION: That By-law P-407 be read a second time.

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

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

MOTION: That By-law P-407 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. Greenough  
Second: Ald. Sarto  
In Favour: All  
Against: None  
Motion Carried

2.4 COMMON COMMITTEE2.4.1 INTO THE 90'S - THE DARTMOUTH COMMONDARTMOUTH  
COMMON REPORT

A report to Council from the Dartmouth Common Committee, entitled "Into the 90's", has been circulated with the agenda. Ald. Cunningham commended the work of this Committee, over the past year, and proceeded to table the report. Guidelines for Special Events on the Common, in the process of being drafted by the Committee, will come back to Council at a later time, for ratification.

MOTION: To table the report of the Dartmouth Common Committee, entitled "Into the 90's", as presented at this meeting.

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

2.5 TAX EXEMPTION REQUEST - ARMY, NAVY & AIR FORCE VETERANSTAX EXEMPTION  
REQUEST FOR

As Chairman of the Finance & Program Review Committee, Ald. Greenough reported to Council on the recommendation from a Committee meeting just prior to Council, on the tax exemption request from the Army, Navy & Air Force Veterans in Canada, for their property on Main Street. The Committee recommends that the residential tax rate be applied to their property at 137 Main Street, instead of the commercial rate presently applicable, as of Oct. 1/92. It was noted that the Unit has requested an exemption similar to that of the Canadian Legion, under the Assessment Act, through the introduction of the necessary legislation by one of the local MLA's (ie. at the next sitting of the Provincial Legislature). In the meantime, the provision being recommended by the Committee, would apply. Ald. May requested that it be reviewed again by the City next year.

MOTION: That the recommendation of the Finance & Program Review Committee be adopted.

Moved: Ald. Greenough  
Second: Ald. Thompson  
In Favour: All members except  
Against: Ald. May & Levandier  
Motion Carried

The By-law required will come to Council at a later date.

CONFLICT OF INTEREST: Before this item was dealt with, Ald. Hawley declared a conflict of interest, as a member of the Unit making the request, and withdrew from his place on Council.



3.0 CONCERNS OF COUNCIL MEMBERS OR QUESTIONS

ALD. PYE

Ald. Pye asked for information on the status of the Strategic Planning process. Mr. Burke reported on the discussions with the facilitator, following which there will be a report to Council, likely within the next two weeks.

Ald. Pye asked about any plans for resurfacing Albro Lake Road, from Victoria to Windmill Road; to be passed to Engineering Dept.

ALD. WALTON

Ald. Walton requested that the crosswalk sign be replaced on Prince Albert Road, at the MicMac Aquatic Club, where children are crossing often for rowing programs and activities.

He asked to have the litter cleaned up in the park at Boland Drive & Green Road, either by Parks & Rec. or by the businesses located nearby.

Further to the Dartmouth Task Force report on Violence Against Women, Ald. Walton advised that there is a good networking system operating in London, Ont., with good sources of people who could be contacted for our own purposes.

ALD. SARTO

Ald. Sarto asked for some improvement in the traffic congestion that has been created by the work on the bridge deck, on Portland Street at the Penhorn Mall. Major traffic tie-ups are now being experienced because of this project and the delay in completing it.

ALD. HETHERINGTON

Ald. Hetherington asked to have the fence replaced at 42 Fenwick Street, where it was damaged by a snow plow.

Ald. Hetherington was concerned about the street-painting program, which has not progressed much to date. Mr. Burke to take this matter up again with Mr. Fougere.

He inquired about the contract with the Neighbours Pub owners; Mr. Rath said it is in progress and should be ready for Council soon.

Ald. Hetherington questioned the creation of additional paved parking at the Professional Centre on Pleasant Street, using land that was previously zoned for residential purposes. He asked for an answer prior to the summer break as to why there was no rezoning request for this portion of residential land, turned into a parking lot.

ALD. THOMPSON

Ald. Thompson noted the success of the Gzowski Golf Tournament, and suggested that letters of thanks be sent to the Committee responsible and to Peter Gzowski.

Ald. Thompson asked about a report he has requested on Police Dept. response to calls from residents living in his ward (re personnel constraints), and Mr. Burke agreed to speak to Chief Cole again about this report.

ALD. RODGERS

Ald. Rodgers requested that priority be given, in the street-painting program, to the traffic laning at Boland and Wyse Road, which is a confusing point for drivers.

Ald. Rodgers officially acknowledged the selection of Mayor Savage as the Leader of the Liberal Party in Nova Scotia, extending best wishes to him; the rest of Council joined in this acknowledgement.

ALD. MAY

Ald. May asked about the review of legal services for the City, which were to have taken place no later than June 30/92. Mr. Burke advised that an updated report is coming to Council on this subject.

Ald. May noted that a motion of Ald. Hetherington, regarding legal services provided to the Dartmouth District School Board, can be expected on the July 7th agenda.

Ald. May referred to page 31-40 of the Municipal Accounting Manual and the service award liability item, for purposes of the Auditor's report. He said the decision on whether or not this is accrued or not, rests with Council and not with staff. He suggested that Mr. Burke review this page of the Manual further.

ALD. HAWLEY

Ald. Hawley asked that action be taken to have land cleaned up on Woodland Ave. (Wallingham and Averill Sts.), where bricks, rocks and grass cuttings are being dumped. He said this location is a mess and the land there should not be used for dumping, either by residents or the Dept. of Transportation (materials left behind after highway widening).

Ald. Hawley asked when he will be receiving a response from the T.M.G. to his request for a 3-way Stop at Caledonia Road and Kennedy Drive. He requested a follow-up.

At 10:00 p.m., Council went in camera, on motion of Ald. Thompson and Walton.

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 (purchase of property).

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

Meeting adjourned at 10:30 p.m.

*V. Carmichael*  
V. Carmichael,  
Asst. City Clerk.

ITEMS:

- 2.0 Reports, page 1.
- 2.1 City Administrator, page 1.
- 2.1.1 Affirmative Action construction contracts, page 1.
- 2.1.2 Repainting ramp structure & portion of interior dock, Dart. & Hfx. ferry docks, page 2.
- 2.1.3 Ramp floor replacement, Hfx. ferry dock, page 2.
- 2.1.4 Contract 92-11, Franklyn St. reconstruction, page 3.
- 2.1.5 Contract 92-10, Penhorn Dr., curb & sidewalk, page 3.
- 2.2 Grants Committee, page 4.
- 2.2.1 1992/93 Grants Committee recommendations, page 4 & 5.
- 2.3 Pension Committee, page 6.
- 2.3.1 By-law P-407, page 6.
- 2.4 Common Committee, page 7.
- 2.4.1 Into the 90's, the Dartmouth Common, page 7.
- 2.5 Tax exemption request, Army, Navy & Air Force Veterans, pg. 7.
- 3.0 Concerns of Council members or questions, page 8 & 9.