

DARTMOUTH CITY COUNCIL
AGENDA

TUES., OCT. 06 /92
7:30 PM
COUNCIL CHAMBER
IN CAMERA
10:00 PM

INVOCATION

1. **APPROVE THE MINUTES FROM THE MEETINGS:** Sept. 1, 8, 15, 22, & 29/92
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**
7. **PETITION**

i) Petition for a Three Way Stop Sign where Garnet and Bell
meet Swanton Drive

8. **REPORTS**

8.1 **CITY ADMINISTRATOR**

- 8.1.1 Metropolitan Authority - Guarantee Resolution
- 8.1.2 Contract 92-28 - Brompton Park Ball Hockey and
Basketball Courts
- 8.1.3 Three-Way Stop Signs, Crichton Avenue and Hawthorne
Street

9. **MOTIONS**

9.1 **ALD. MAY/LEVANDIER**

- 9.1.1 Possible reward for staff performance

9.2 ALD. CUNNINGHAM

9.2.1 Possibility of live coverage of Council meetings

9.3 ALD. MAY/MACFARLANE

9.3.1 Possible provision of services that could be contracted out

9.4 ALD. MAY

9.4.1 Capital works program expansion

9.4.2 Possibility of two separate pension plans

9.5 ALD. LEVANDIER

9.5.1 Province of Nova Scotia to no longer be in the "community services business"

10. NOTICES OF MOTION

IN CAMERA SESSION - 10:00 P.M.

1. Lease of land
2. Legal matter

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

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

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

INVOCATION

The meeting was opened by Mayor McCluskey, with the Invocation.

PROCLAMATION

The Invocation was followed by the reading of a Proclamation for Waste Reduction Week (Oct. 24th to 30th), and Wasteless Wednesday (Oct. 28th). Mayor McCluskey proclaimed the special week and day in Dartmouth, as stated in the Proclamation.

Mayor McCluskey welcomed to the meeting, Grade 9 students from Ellenvale Jr. High School.

1.0 APPROVAL OF MINUTES

MOTION: To approve the minutes of meetings held on Sept. 1, 8, 15, 22 and 29/92.

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

2.0 BUSINESS ARISING FROM THE MINUTES

With reference to the Sept. 1st minutes, page 3, and the subject of the proposed Peace Monument, Ald. Thompson made mention of the point he raised about the need for a low-maintenance project. He felt this point should not be overlooked, in connection with this project.

3.0 CONCERNS OF COUNCIL MEMBERS OR QUESTIONS

ALD. SARTO

Ald. Sarto: asked Chief Cole to give particular attention to traffic speeds on Mount Edward Road. Also, that the Police Dept. deal with traffic and

speeding on Clysdale Drive; drivers are travelling on this street to try and avoid the lights at Spring & Portland Street. Requested a No Truck Route sign on Settle Street, to prohibit trucks taking this route to and from the Superstore.

ALD. CUNNINGHAM

Ald. Cunningham: inquired about the possible restoration of the house at 100 Hawthorne Street, which was to have been demolished; he made this inquiry on behalf of the Lakes Advisory Board. Mr. Burke said the Canal Commission has requested that demolition of the house be deferred, to give them time to make a proposal for restoration and determination of the historical significance of the building.

ALD. MACFARLANE

Ald. MacFarlane: requested an update report on the status of residential and commercial assessment, so Council can have some idea of the City's financial position, going into the planning for next year's budget.

Mayor McCluskey advised that she is planning to set up a meeting, within the next week or so, to discuss next year's budget projections.

Ald. MacFarlane asked when the public meeting will take place, to discuss policing concerns. The Mayor said it is planned for the near future, and its purpose will be to let the public know the strength of the City police force at present, and to inform the public of costs associated with additional police to increase the strength of the force.

Further to another question from Ald. MacFarlane, about the deployment of police personnel, Mr. Burke reported to Council on the arbitration process and hearing that is taking place.

ALD. THOMPSON

Ald. Thompson: passed to Mr. Burke, a letter dated March 19/92, concerning run-off and siltation from the Carlson Court/Dorothea Drive area; report requested.

Requested a break-down of information of the municipalities owing settlement payments to the City of Dartmouth; the present total of payments owed to Dartmouth, is \$700,000.

ALD. WALTON

Ald. Walton: inquired about the status of the sidewalk installation in front of the Mazda dealership on Portland Street. Mr. Purdy said it is hoped this work can proceed shortly. Ald. Walton felt that the present fifteen-minute time allotment is not sufficient for Concerns of Council, and that additional time should be given.

- ALD. PYE Ald. Pye: asked when Council will be dealing with the MPS. Mr. Burke said this would be a decision for Council to make.
- ALD. HETHERINGTON Ald. Hetherington: advised Council that the Water Utility Committee meeting scheduled for October 8th, has been cancelled. He extended condolences to Larry Corrigan, on the death of his mother, noting that Mr. Corrigan would not be able to attend the meeting for this reason.
- ALD. LEVANDIER Ald. Levandier: asked if there has been any follow-up on the motion intended to get talks started, with respect to a metro police force. Mr. Burke suggested that initially, this item should originate through the Police Commission.
- ALD. MAY Ald. May: suggested that there should be a broad public consultation on next year's budget. He requested that information be available for the public meeting on policing concerns, on the implications of the present police contract.
- ALD. MACDONALD Ald. MacDonald: pointed out the need for re-painting of the crosswalk in front of City Hall.
Asked for the attention of the Police Dept. to noise problems caused by the establishment on Wyse Road, called 'My Son's'.

Ald. Sarto informed Council that the Public Transportation Advisory Committee will be dealing with the Ferry budget, at a meeting on October 7th. He invited all members of Council to attend.

Ald. Rodgers was present from this point in the meeting.

4.0 DELEGATIONS & HEARINGS OF PROTEST

5.0 ORIGINAL COMMUNICATIONS

Mayor McCluskey read for Council's information, a letter she has received on behalf of the Canada Committee, seeking support for a YES resolution on the constitution. A copy of the constitution will be available in the Mayor's office, for any members wanting to read the text of it. She asked that the letter and resolution be placed on the next Council agenda.

6.0 PRESENTATION

7.0 PETITIONi) PETITION FOR THREE-WAY STOP SIGN, GARNET & BELL/SWANTON DR.PETITION: THREE
WAY STOP SIGN

A petition has been received from area residents, requesting a three-way Stop sign where Garnet and Bell Streets meet Swanton Drive; Stop signs are requested to reduce traffic speeding problems at this location.

MOTION: To provide three-way Stop signs at the location requested in the petition.

Moved: Ald. Thompson

Second: Ald. Sarto

Ald. Sarto read a letter to Council, from the Residents Committee, unable to attend this meeting, requesting a meeting with members of City staff and the Ward 1 Aldermen, to discuss their concerns about traffic and the reasons for their petition. Ald. Sarto said there are particular concerns for the children who travel via Swanton Drive, to and from their schools.

Ald. May felt the petition should first be referred to the T.M.G. for a recommendation.

MOTION: To refer the petition to the T.M.G. for report and recommendation.

Moved: Ald. May

Second: Ald. Cunningham

Members in favour of referral took the position that all such requests should be going to the T.M.G. first, but members opposed had the opinion that residents have the right to make such requests and have Stop signs erected where there is seen to be a need for them in local neighborhoods. Several points were made in debate about the lack of effectiveness that Stop signs begin to have, as more of them are installed throughout the City. Their effectiveness, as a deterrent to speeding, was questioned also. The majority of Council supported the main motion, however, and not the referral motion. When the vote was taken on the motion to refer, it was defeated.

In Favour: Four members

Against: Remaining members

Motion Defeated

The vote was taken on the main motion.

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

8.0 REPORTS8.1 CITY ADMINISTRATOR8.1.1 METROPOLITAN AUTHORITY - GUARANTEE RESOLUTIONGUARANTEE
RESOLUTION

Report from Mr. Burke (B. Smith) on the temporary borrowing resolution approved by the Metropolitan Authority, for transit purposes, requiring a guarantee by the participating municipalities. It is recommended that Council approve City of Dartmouth Resolution 92-34, in the amount of \$2,054,900.

MOTION: To approve City of Dartmouth Resolution 92-34, as recommended.

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

In response to a question from Ald. Levandier about some alternate arrangement for these borrowing resolutions, without having to come back to each of the participating municipalities, Mr. Burke said this matter is under review now by the Municipal Finance Corp.

8.1.2 CONTRACT 92-28 - BROMPTON PARK BALL HOCKEY & BASKETBALL COURTSAWARD TENDER:
CONTRACT 92-28

Report from Mr. Burke (R. Fougere, G.M. Boyd) on tenders received for Contract 92-28, Brompton Park Ball Hockey and Basketball Courts, recommending that the tender be awarded to the lowest bidder, Ocean Contractors Ltd., with a bid price of \$35,791.50; completion time: 20 working days. The shortfall of \$3,791.50 to be taken from unexpended funds from the 1992/93 Capital Works budget allotment for Ward 7.

MOTION: To approve the awarding of the tender for Contract 92-28 to Ocean Contractors Ltd., as recommended; their bid price is \$35,791.50.

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

8.1.3 THREE-WAY STOP SIGNS, CRICHTON AVE. & HAWTHORNE STREETTHREE-WAY STOP
SIGNS

Report from Mr. Burke (R. Fougere, E. Purdy) on a petition for three-way Stop signs at Crichton Ave. & Hawthorne St., referred by Council to the T.M.G., for report and recommendation. The report provides information on the particular situation involved, and on usage guidelines for Stop signs, as set out in the Manual of Uniform Traffic Control Devices guidelines, in use across Canada. In conclusion, the report recommends that an advance pedestrian activated flashing light be installed, at an estimated cost of \$600., to be funded in the 1992/93 Capital Budget for signal upgrades. This recommendation is the alternative to a three-way Stop at the Crichton/Hawthorne intersection, and additionally, a 'Hidden Driveway' sign will be installed east of Civic #79 Crichton Ave.

MOTION: To adopt the recommendation.

Moved: Ald. Hetherington

Second: Ald. Sarto

During the debate on the motion, Ald. Hawley asked about City liability, in the event of Council decisions that are contrary to T.M.G. recommendations, involving traffic control measures. The Solicitor explained possible liability factors, in the event of any claims that might arise, pursuant to T.M.G. recommendations not being followed. Ald. Woods questioned the statements made in the staff report, with respect to the use of Stop signs for traffic control. He disagreed with Mr. Purdy over the usage guidelines quoted in the report, and their application to local situations.

In Favour: All

Against: None

Motion Carried

9.0 MOTIONS9.1 ALD. MAY/LEVANDIER9.1.1 POSSIBLE REWARD FOR STAFF PERFORMANCE

MOTION: WHEREAS compensation by performance is becoming more common;

BE IT RESOLVED that the City Administrator prepare a report for Council's consideration, identifying how staff may be rewarded for superior performance, and how a pilot program could be developed and implemented.

Moved: Ald. May
Second: Ald. Levandier

In debating the motion, the general concensus seemed to be that recognition of staff performance, over and above what is normally expected, is justified, provided it is not of a monetary nature and takes some other form of recognition. Members were in favour of soliciting ideas and suggestions from employees, and of empowering staff members through processes of involvement and commitment, as proposed through the aims of strategic planning. Ald. Woods suggested departmental nominations for employees who merit special attention, and perhaps a Mayor's award for one single deserving employee. Ald. Greenough felt that a more public acknowledgement of employees being recognized, may be required. Ald. Rodgers said it is time for a review of the Vincent scale and the criteria for measuring staff performance generally.

An amendment was proposed by Ald. MacDonald, more reflective of the thinking of Council, as brought out in the debate.

AMENDMENT: To change the word 'rewarded' to read 'recognized', and to add the words '. . . and ideas' after the words '. . . for superior performance'.

Moved: Ald. MacDonald
Second: Ald. Greenough
In Favour: All members except
Against: Ald. May & Hetherington
Amendment Carried

The vote was taken on the motion, as amended.

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

9.2 ALD. CUNNINGHAM

9.2.1 POSSIBILITY OF LIVE COVERAGE OF COUNCIL MEETINGS

MOTION: That staff be directed to liaise with the Executive of Dartmouth Cable Television, to determine the possibilities of live coverage of City Council meetings, and to report on the ramifications, including associated costs, with respect to such undertakings, within two months.

Moved: Ald. Cunningham
Second: Ald. Sarto

The question of cost implications, for upgrading sound and lighting requirements, in the Council Chamber, was discussed in connection with the motion on the floor. Members generally did not want to assume any costs related to Cable television coverage of Council meetings, although they were not opposed to the idea of coverage itself. Ald. Hetherington and Pye were two members opposed, on the basis that coverage would only be available to citizens with cable hook-ups; Ald. Pye felt that TV coverage detracts from public participation as well. Ald. Greenough suggested that the reports and information on this item, from when it was previously before Council, should be reviewed by staff, to see what the cost implications were. He proposed that they just be invited to explore coverage possibilities, and other members agreed that lengthy staff discussions and negotiations are not warranted.

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

9.3 ALD. MACFARLANE/MAY

9.3.1 POSSIBLE PROVISION OF SERVICES THAT COULD BE CONTRACTED OUT

MOTION: WHEREAS the City continues to seek ways to provide services at a reasonable cost;

BE IT RESOLVED that the City Administrator identify those services presently provided by City employees which could be considered for contracting out, and how such contracts would be prepared.

Moved: Ald. MacFarlane
Second: Ald. May

Ald. MacFarlane, in explaining the intent of his motion, said it is imperative for the City to begin looking at all possible alternative ways of delivering services to the community, given the financial difficulties the City will have to face. Other members tended to think that contracting options are worth considering, although Mr. Burke pointed out that it has been shown in the past that the City can provide services at a lower cost, even if they have to be provided in a different way. There was some further debate, but Ald. Rodgers felt that basically, debate would be academic until the legalities of existing union contracts have been clarified; in other words, contract provisions may prevent contracting out in certain instances and under some circumstances. He wanted to have a legal opinion from the Solicitor before going any further with the motion, and Mr. Burke also suggested

referral to the Finance & Review Committee, where the opinion of the Solicitor could be reviewed, to determine what response should be made to Council.

MOTION: To refer the motion to the Finance & Program Review Committee, where a legal opinion from the Solicitor will be studied (ie. in relation to contract provisions and contracting-out feasibility), and a response formulated for Council.

Ald. Pye said that employees should also have a chance for input on the issue of contracting out services. He was opposed to the concept altogether.

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

9.4 ALD. MAY

9.4.1 CAPITAL WORKS PROGRAM EXPANSION

MOTION: WHEREAS the City is seeking to sell \$6,000,000. of land identified in a recent report;
AND WHEREAS the City drastically reduced its projected capital spending for three years;
BE IT RESOLVED that the City Administrator prepare a report and recommendation as to how an expanded capital works program could be reinstated, using some or all of the proceeds from the land sales, and also, how the annual operating budget could use a portion of the proceeds.

Moved: Ald. May
Second: Ald. Rodgers

Mr. Burke was asked if money from the sale of City land could be used for capital and operating purposes, and if so, how, He outlined how the money would be taken into a reserve account, and subsequently transferred either for capital purposes (acquisition of assets), or taken into operating to offset a portion of the principal and interest currently being incurred (or incurred in the past) for capital projects. In either case, the impact on the 1993 tax rate would be favourable, and is therefore worth considering.

While members supported the concept of the motion, there were specific parts of the wording they did not agree with. Ald. Hawley proposed a simplified version of the motion, and presented it as an amendment.

AMENDMENT: That Mr. Burke prepare and submit a report on how Council can make best use of funds generated from the sale of surplus City lands.

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

The vote was taken on the amended motion.

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

At 10:00 p.m., Council went in camera, on motion of Ald. Sarto and Hetherington. Council then reconvened in open meeting and ratified the action taken while meeting in camera.

MOTION: To ratify the action taken while meeting in camera on this date. (Lease of land and a Legal matter.)

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

Council adjourned at 10:10 p.m.

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

ITEMS:

- Invocation, page 1.
 - Proclamation, page 1.
 - 1.0 Approval of minutes, page 1.
 - 2.0 Business Arising from the minutes, page 1.
 - 3.0 Concerns of Council members or questions, page 1 to 3.
 - 4.0 Delegations & Hearings of Protest, page 3.
 - 5.0 Original Communications, page 3.
 - 6.0 Presentation, page 3.
 - 7.0 Petition, page 4.
 - i) Petition for Three-way Stop sign, Garnet & Bell/Swanton, pg. 4
 - 8.0 Reports, page 5.
 - 8.1 City Administrator, page 5.
 - 8.1.1 Metropolitan Authority, Guarantee Resolution, page 5.
 - 8.1.2 Contract 92-28, Brompton Park Ball Hocket Courts, page 5.
 - 8.1.3 Three-way Stop signs, Crichton Ave. & Hawthorne St., page 6.
 - 9.0 Motions, page 6.
 - 9.1 Ald. May/Levandier, page 6.
 - 9.1.1 Possible reward for staff performance, page 6.
 - 9.2 Ald. Cunningham, page 7.
 - 9.2.1 Possibility of live coverage of Council meetings, page 7.
 - 9.3 Ald. MacFarlane/May, page 8.
 - 9.3.1 Possible provision of services that could be contracted, pg. 8
 - 9.4 Ald. May, page 9.
 - 9.4.1 Capital Works program expansion, page 9.& 10.
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LOCATION: CITY COUNCIL CHAMBERS

TIME: 8:15 P.M.

MEMBERS PRESENT: MAYOR MCCLUSKEY

ALDERMEN SARTO, THOMPSON

CUNNINGHAM, MAY

LEVANDIER, RODGERS

MACDONALD, WOODS, PYE

GREENOUGH, WALTON, HETHERINGTON

MEMBERS ABSENT: ALD. HAWLEY (ILLNESS), MACFARLANE

CITY ADMINISTRATOR: J. BURKE

ASST. CITY CLERK: V. CARMICHAEL

POSITION OF COUNCIL - SOLID WASTE CONTRACT

POSITION OF
COUNCIL: SOLID
WASTE CONTRACT

This special meeting of Council was called to confirm Council's position on the solid waste management contract issue, to come before the Metropolitan Authority for a decision on October 13th. Mayor McCluskey addressed Council briefly on the importance of a clarified understanding as to Council's support for the contract, going into the Authority meeting of tomorrow's date.

The general stated support for Strategy #5, as the accepted solid waste management plan for the metro region, was maintained by most members of Council at this time. Ald. Pye, however, favoured a review of all the other strategies instead, and Ald. Greenough had reservations about proceeding without the participation of the City of Halifax, in view of cost implications that may lie ahead for the other metro municipalities. He was also in favour of consideration being given to the Bedford site for the waste-to-energy facility, on land that is already owned by the Metro Authority.

The question of legal confirmation, as to whether or not the City of Halifax can be required to be a partner in the waste-to-energy agreement, and the signing of the contract with Ogden Martin, was discussed at some length. Council was advised that a legal ruling is being sought through the courts, so that the Authority will have an answer to this question as quickly as possible. The other question is the possibility of having the Ogden Martin company assume the Halifax component of the agreement, if Halifax is subsequently permitted to opt out of it. Both questions formed the basis for much of the Council discussion at this meeting, and also, for the motion that was adopted, as the concensus of the Council, in conclusion.

Ald. Levandier, whose statements appeared in the October 9th Mail-Star, as one of the Dartmouth members of the Metropolitan Authority, confirmed his continuing

support for Strategy #5, and the waste management program it represents. He said the questions he raised, as reported in the press, had to do with legal ramifications associated with the withdrawal of the City of Halifax from the plan and the agreement.

Ald. May suggested that any communication from the Dartmouth members, at the Authority meeting of Oct. 13th, should be kept to a simple text, since it has already been made clear that a final decision on the Ogden Martin contract will have to wait for a court ruling on the decision of the City of Halifax to opt out of the agreement. He and other members agreed, however, that it would be in order to raise the matter of the compensation proviso for the host community, so that this important condition is not overlooked. Points made by Ald. Woods dealt with Halifax County considerations and their significance in the overall waste management issue. Several members stated their concerns about undue additional delay that could be caused by a lengthy court ruling, taking into account the time already lost and the June of 1994 closure date set for the Sackville landfill site.

A motion was presented by Ald. Rodgers, and an amendment by Ald. Greenough, setting out Council's position on the status of the solid waste agreement, at this point, as the basis for Dartmouth representatives on the Metro Authority to take a positive stand for it. The motion adopted, incorporating the proposed amendment, was as follows:

MOTION: That the Council of the City of Dartmouth be prepared to sign a contract with Ogden Martin, for the incineration component, subject to a favourable court ruling (November/December), which includes Halifax as a full paying partner to the agreement. In the event that the City of Halifax is successful in opting out of this component, Ogden Martin would take the equity position of that City; Furthermore, Ogden Martin would exempt the remaining participating municipalities from any risk with respect to penalties from a prolonged, reduced or cancelled contract.

Moved: Ald. Rodgers
Second: Ald. Walton
In Favour: All members except
Against: Ald. Pye
Motion Carried

Once the amended motion had been adopted, Council adjourned at 10:00 p.m.

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

ITEM:

- 1) Position of Council, solid waste contract, page 1 & 2.
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DARTMOUTH CITY COUNCIL
AGENDA

Lib. Ref. Dept.

TUES., OCT. 20 /92
7:30 PM
COUNCIL CHAMBER
IN CAMERA
10:00 PM

CONTINUATION OF COUNCIL AGENDA OF OCTOBER 6/92
(REPORTS PREVIOUSLY CIRCULATED)

1. MOTIONS

1.1 ALD. MAY

1.1.1 Possibility of two separate pension plans

1.2 ALD. LEVANDIER

1.2.1 City of Dartmouth to no longer be in the
"community services business"

2. NOTICES OF MOTION

COUNCIL AGENDA OF OCTOBER 20/92

3. REPORTS

3.1 MAYOR

3.1.1 Letter from YES Canada Committee seeking Council's
involvement and support in promoting a YES/OUI vote in
the referendum

3.2 CITY ADMINISTRATOR

3.2.1 School Crossing Guards

3.2.2 Tender, Contract 92-09, Wyse Road/Boland Road
Park

3.2.3 Business Occupancy Tax Review Committee Report

3.2.4 Strategic Planning - Update on Research

3.3 PUBLIC TRANSPORTATION ADVISORY COMMITTEE

3.3.1 Ferry Budget Recommendations (Bring Ferry Budget)

3.2.1 By-law T-506, Reduction of Taxi Owner Licenses

3.4 SHUBENACADIE CANAL COMMISSION

3.4.1 Letter from Shubenacadie Canal Commission
re: 100 Hawthorne Street

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

IN CAMERA SESSION - 10:00 P.M.

1. Personnel Matters

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

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

MEMBERS ABSENT: ALD, HAWLEY, MACFARLANE (ILLNESS)

CITY ADMINISTRATOR: J. BURKE
CITY SOLICITOR: S. HOOD
CITY CLERK-TREASURER: B. SMITH

The Mayor welcomed Grade Nine students from Ellenvale Jr. High to the meeting.

PRESENTATION: CAMPAIGN AGAINST PORNOGRAPHY

A short presentation was made to Council by Ms. Fran Clarke, representing Canadians for Decency, an organization responsible for the campaign against pornography. This campaign will receive special focus during the week of October 25th to November 1st, and support for it will be shown by the wearing of a white ribbon. White ribbons were given out to all members of Council and Mayor McCluskey; these ribbons will also be available at a MicMac Mall location, for the general public.

Mayor McCluskey reminded members of Council that tomorrow is Power Smart Day, and Power Smart buttons have been provided for members to wear, as part of this promotion.

1.0 MOTIONS

The motions of Ald. May and Ald. Levandier, items 1.1.1 and 1.2.1, were deferred, and will now be included in the October 27th Council agenda.

2.0 NOTICES OF MOTION

3.0 REPORTS

3.1 MAYOR

3.1.1 LETTER FROM YES CANADA COMMITTEE

LETTER FROM
YES COMMITTEE

A letter from the YES Canada Committee, seeking support for the Charlottetown Agreement, has been received by the Mayor, and circulated to members of Council.

MOTION: To receive and file the letter
from the YES Canada Committee.

Moved: Ald. Hetherington
Second: Ald. Cunningham

Ald. Thompson and Greenough felt it would be appropriate for Council to take a position on the referendum issue, to give leadership to Dartmouth citizens, but the general opinion of other members was that citizens should be allowed to make up their own minds, without political influence.

In Favour: All members except
Against: Ald. Thompson, Sarto, Greenough
Motion Carried

3.2 CITY ADMINISTRATOR

3.2.1 SCHOOL CROSSING GUARDS

SCHOOL CROSSING
GUARDS

Mr. Burke has submitted a report and information package to Council, on the subject of the school crossing guard contract and services. The report deals with the concerns discussed at a meeting of crossing guard representatives and representatives of Eagle Security. In presenting his report, Mr. Burke pointed out that the City's relationship, in this instance, is one of owner/contractor, and as such, there should be some care in discussing what are essentially employee/employer grievances. The report also advises that in order to increase the hourly rate of pay for the crosswalk guards, by \$2.00 per hour, the existing contract cost would be increased by approx. \$55,000. per year. This would be additional to the \$45,000. over-expenditure already authorized by Council.

At the request of Ald. Pye, members of Council agreed to hear Diane Robertson, representing the crossing guards, and later, Mr. Dauphinee, on behalf of Eagle Security.

Ms. Robertson expressed disappointment that the City has not treated the crossing guards more fairly, considering the years of service that many of them have given and the care and concern they have shown for children, in performing their duties. She commented on most of the areas of concern, addressed in Mr. Burke's report, and stated particular objection to the decrease in the rate of pay guards are receiving since crosswalk services were contracted out to Eagle Security. She said the services of some long-time workers are now going to be lost, as a result of the cut in salary and other conditions that have created dissatisfaction and hardship for the guards.

Mr. Bob Dauphinee, the President of Eagle Security, briefly outlined the crossing guard program and complement for Dartmouth, consisting of 50 guards and 11 'buddies', who fill in when regular workers are not available. Questions to Mr. Dauphinee, from members of Council, concerned:

- 1) complaints about guards not being on duty when they should be.
- 2) any monitoring of the various cross-walk locations, to make sure that guards are on duty.
- 3) some better provision for picking up pay stubs. Mr. Dauphinee said he was willing to leave the pay stubs at some drop-off location, so that guards would not have to come to Halifax for them.
- 4) payment of guards for in-service days, but not for statutory holidays.
- 5) the training program held for the crossing guards.
- 6) the 'buddy' system arrangement and whether adequate service is being provided with this arrangement.
- 7) problems experienced by the guards with the lateness of their pay being deposited into their accounts.

Ald. Rodgers said he was not satisfied with the existing contract for crossing guard services, and other members had reservations about the success of contracting out these services. Ald. Greenough pointed out, however, that the decision to go with a contracting arrangement was an attempt to save the jobs of all the guards required to maintain the full number of locations throughout the City; otherwise, cuts would have been made and ten locations would have been without guard services. Ald. Pye felt the crossing guards should have their rate of pay increased by the additional \$2.00 per hour, referred to in Mr. Burke's report, amounting in total to an over-expenditure of \$55,000.

MOTION: That Council agree to an over-expenditure of \$55,000., which would allow the additional \$2.00 per hour for the crossing guards, to become effective immediately. However, that Mr. Burke negotiate with the contractor and the crossing guards for a three-year freeze at that rate.

Moved: Ald. Pye
Second: Ald. Hetherington

There were several members opposed to an over-expenditure, preferring to have the \$55,000. required, taken from sources already approved in this year's budget. Ald. Woods wanted to see the contract for crossing guard services, brought forward to be reviewed in June. He suggested that perhaps the guards themselves might want to think about forming an organization that would take on the program, through some contract or arrangement with the City.

An amendment proposed by Ald. Sarto, based on Option #1 (attached to Mr. Burke's report of Sept. 8/92), was ruled by the Mayor to be contrary to the motion and therefore, out of order. Ald. Cunningham then presented a motion of referral to the Finance & Program Review Committee.

MOTION: To refer this item to the Finance & Program Review Committee, to discuss a means of providing the funds required (\$55,000.) and recommend a resolution to the funding question.

Moved: Ald. Cunningham
Second: Ald. Sarto

It was agreed that the options referred to by Ald. Sarto should be explored further (ie. increased hours), and Ald. Greenough requested information on the rate of pay that crossing guards receive in Halifax. Ald. Thompson asked for a breakdown of information on the locations served by crossing guards, and Ald. May asked that Chief Cole re-circulate his report on Police Dept. justification for deletion of the locations suggested to Council at budget time. All this information requested for the Finance Committee meeting.

The vote was taken on the motion to refer.

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

3.2.2 TENDER, CONTRACT 92-09, WYSE ROAD/BOLAND ROAD PARKAWARD TENDER:
CONTRACT 92-09

Report from Mr. Burke (V. Spencer, P. Richards) on tenders received for Contract 92-09, Wyse Road/Boland Road Park, recommending that the tender be awarded to the lowest bidder, Terra Nova Landscaping, for a total price of \$46,900.78.

MOTION: To award the tender for Contract 92-09 (Wyse Road/Boland Road Park) to the lowest bidder, Terra Nova Landscaping, as recommended. Bid price: \$46,900.78.

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

3.3 PUBLIC TRANSPORTATION ADVISORY COMMITTEE3.3.2 BY-LAW T-506, REDUCTION OF TAXI OWNER LICENSES

BY-LAW T-506

Proposed By-law T-506, which provides for a reduction in the limit of taxi owner licenses in the City, from 250 to 200, has been recommended for Council's approval by the Public Transportation Advisory Committee, following their public meeting on October 14/92. Council proceeded to give three readings to the by-law.

MOTION: That leave be given to introduce the said By-law T-506 and that it now be read a first time.

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

MOTION: That By-law T-506 be read a second time.

Moved: Ald. Pye
Second: Ald. Sarto
In Favour: All members except
Against: Ald. Levandier
Motion Carried

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

MOTION: That By-law T-506 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. Pye
In Favour: All
Against: None
Motion Carried

3.4 SHUBENACADIE CANAL COMMISSION

3.4.1 LETTER FROM CANAL COMMISSION RE 100 HAWTHORNE STREET

LETTER RE
100 HAWTHORNE ST.

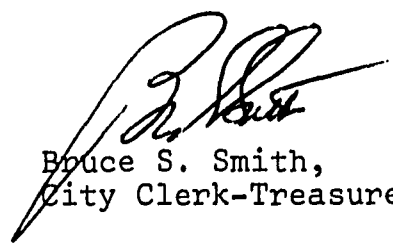
At Mr. Burke's request, Council agreed to defer for one week, a letter from the Shubenacadie Canal Commission on the subject of property at 100 Hawthorne Street; deferral is requested for preparation of a staff report for Council's consideration, in conjunction with this item.

MOTION: To defer item 3.4.1. (letter from Canal Commission) until the Council meeting of October 27th, for a staff report on the item.

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

Before Council went in camera, Ald. Thompson asked for Council support for Small Business Week, being proclaimed for the week of October 25th to October 31st.

Council agreed to go in camera at 10:00 p.m., and adjournment was from the in camera meeting, at 10:25 p.m.


Bruce S. Smith,
City Clerk-Treasurer.

ITEMS:

- Presentation, Campaign Against Pornography, page 1.
 - 1.0 Motions, page 1.
 - 2.0 Notices of Motion, page 1.
 - 3.0 Reports, page 1.
 - 3.1 Mayor, page 1.
 - 3.1.1 Letter from YES Canada Committee, page 1
 - 3.2 City Administrator, page 2.
 - 3.2.1 School crossing guards, page 2 to 4.
 - 3.2.2 Tender, Contract 92-09, Wyse/Boland Road Park, page 5.
 - 3.3. Public Transportation Advisory Committee, page 5.
 - 3.3.2 By-law T-506, Reduction of taxi owner licenses, page 5 .
 - 3.4 Shubenacadie Canal Commission, page 6.
 - 3.4.1 Letter from Canal Commission: 100 Hawthorne St., page 6.
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DARTMOUTH CITY COUNCIL
AGENDA

Lib. Ref. Dept.

TUES., OCT. 27 /92
7:30 PM
COUNCIL CHAMBER
IN CAMERA
10:00 PM

CONTINUATION OF COUNCIL AGENDA OF OCTOBER 6/92
(REPORTS PREVIOUSLY CIRCULATED)

1. MOTIONS

1.1 ALD. MAY

1.1.1 Possibility of two separate pension plans

1.2 ALD. LEVANDIER

1.2.1 City of Dartmouth to no longer be in the
"community services business"

CONTINUATION OF COUNCIL AGENDA OF OCTOBER 20/92
(REPORTS PREVIOUSLY CIRCULATED)

2. REPORTS

2.1 CITY ADMINISTRATOR

2.1.1 Business Occupancy Tax Review Committee Report
(supplementary report attached)
2.1.2 Strategic Planning - Update on Research

2.2 PUBLIC TRANSPORTATION ADVISORY COMMITTEE

2.2.1 Ferry Budget Recommendations (Bring Ferry Budget)

2.3 SHUBENACADIE CANAL COMMISSION

2.3.1 Letter from Shubenacadie Canal Commission
re: 100 Hawthorne Street (supplementary report
attached)

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

COUNCIL AGENDA OF OCTOBER 27/92

4. REPORTS

4.1 CITY ADMINISTRATOR

- 4.1.1 Taxation - Mic Mac A.A.C.
- 4.1.2 Metropolitan Authority, Guarantee Resolution, Solid Waste
- 4.1.3 Application to Enter Development Agreement on Lot WDC-1 Alderney Drive (request for staff to arrange a neighborhood information meeting)

4.2 SOLICITORS

- 4.2.1 Dartmouth Senior Citizens Service Centre - Lease

IN CAMERA SESSION - 10:00 P.M.

- 1. Personnel Matters

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

MEMBERS PRESENT: MAYOR MCCLUSKEY
ALDERMEN THOMPSON, GREENOUGH
CUNNINGHAM, MACFARLANE
MAY, LEVANDIER, MACDONALD
WOODS, PYE, WALTON

MEMBERS ABSENT: ALD. SARTO, HAWLEY (ILLNESS)
HETHERINGTON, RODGERS (OUT OF CITY)

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

The Mayor opened the meeting and welcomed Grade 9 students from Ellenvale Jr. High and the First Shannon Heights Scout Troop, present with their Leaders.

She informed Council of the recognition to be received by Andrew Cox of the Parks & Recreation Dept., for his work and contribution to the 125th Anniversary (Canada) program and special events. A letter from the Office of the Lieut-Governor was read to Council in this connection.

The Mayor encouraged members of Council to sign the petition opposing pornography, at the Canadians for Decency booth, on the lower level of the MicMac Mall. The booth will be located there from October 26th to 31st.

1.0 MOTIONS

1.1 ALD. MAY

1.1.1 POSSIBILITY OF TWO SEPARATE PENSION PLANS

MOTION: WHEREAS the City must continue to offer competitive earnings and benefits for employees;
AND WHEREAS it appears Dartmouth benefits and costs of benefits, are greater than in other Nova Scotia public organizations;
BE IT RESOLVED that the City Administrator report to Council upon the feasibility of offering one pension plan for those employees employed as of March 31/93, and a separate pension plan for all new employees employed after March 31/93.

Moved: Ald. May
Second: Ald. Thompson

Ald. May explained the intent of his motion and the kind of report required from staff on the feasibility of what he has proposed. Mr. Burke noted that he can deal with the feasibility aspect, but actuarial calculations would be needed for the cost implications. Ald. Thompson suggested that the staff report, once it has been prepared, go to the Finance & Program Review Committee first, for their consideration. Other members were in general agreement with this suggestion. The vote was taken on the motion.

In Favour: All
Against: None
Motion Carried

1.2 ALD. LEVANDIER

1.2.1 CITY OF DARTMOUTH - COMMUNITY SERVICES

Ald. Levandier asked to have his motion deferred until the end of the agenda; members agreed.

2.0 REPORTS

2.1 CITY ADMINISTRATOR

2.1.1 BUSINESS OCCUPANCY TAX REVIEW COMMITTEE REPORT

BUSINESS OCC.
COMMITTEE REPORT

A report was before Council from Mr. Burke (B. Smith) on the proposed elimination, by the Dept. of Municipal Affairs, of the Business Occupancy Tax. The City is asked to take a position on two options for proceeding with the tax elimination: (a) through an opting in or out provision for municipalities, or (b) by mandatory elimination of the tax, Province-wide. The recommendation to Council is that Dartmouth support the elimination of the tax, and further, that the application be mandatory, Province-wide (the second option).

Mr. Smith reviewed with Council the main points from the report that members have received. Since the Business Occupancy Tax currently accounts for \$11.3 million dollars in tax revenue, or 32% of the City's commercial tax revenue, the business realty rate would have to increase by 32%, to make up the revenue loss.

Ald. Cunningham was concerned about the impact on certain businesses, of the tax reallocation that would follow an elimination of the Business Occupancy Tax; he referred in particular, to tourism-related businesses. Mr. Smith pointed out that this would be an assessment issue that would have to be addressed by the Assessment

Department. He said he felt that acceptable criteria can be developed in order to achieve an equality of treatment for the various businesses that would have to be considered. Ald. MacFarlane said he felt that in the end, there will be a revenue shortfall, as a result of the proposed change, but Mr. Burke and Mr. Smith explained how the one-tax system would compensate satisfactorily in place of the present system.

Other reservations on the part of members of Council were discussed with Mr. Smith, but in spite of these, Council was advised that the Province will be making the change, by eliminating the tax, and the City is only being asked for an opinion on the opting out vs. mandatory provision.

Ald. Pye was in favour of referring the item to the Industrial Commission and to the Finance & Program Review Committee, for input from both sources.

MOTION: To refer the report before Council on the elimination of the Business Occupancy Tax, to both the Industrial Commission and to the Finance & Program Review Committee, for input.

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

2.1.2 STRATEGIC PLANNING - UPDATE ON RESEARCH

RESEARCH UPDATE

Members of Council have received an information report, giving an update on Strategic Planning Research, and Mr. Corrigan was present for this meeting, to highlight the report and make Council aware of the progress with research, being undertaken by staff working groups. He showed to Council, by means of an overhead slide, the kind of typical information page that will be produced, with information in graph form, in order to provide the information succinctly in a one-page format. The importance of Council participation and response, in the strategic planning process, was stressed.

2.2 PUBLIC TRANSPORTATION ADVISORY COMMITTEE

2.2.1 FERRY BUDGET RECOMMENDATIONS

In the absence of the Committee Chairman, Ald. Sarto, this item was deferred to a future Council meeting.

2.3 SHUBENACADIE CANAL COMMISSION2.3.1 LETTER FROM CANAL COMMISSION RE 100 HAWTHORNE ST.

100 HAWTHORNE ST. A letter from the Shubenacadie Canal Commission, concerning the property at 100 Hawthorne Street, has been deferred from the October 20th meeting for a staff report. The staff report, from Mr. Burke (W. Stevens, Dr. Field) recommends that the City decline the proposal from the Commission (for use of the building at 100 Hawthorne), and further that the Museum Director lend his support to the Commission, as to how their goals and those of the City may alternatively be realized.

MOTION: To adopt the recommendations from Mr. Burke's report.

Moved: Ald. Levandier

Second: Ald. May

Present for this item, representing the Canal Commission, were Mr. Bernie Hart and Mr. Latta. Mr. Hart explained why the Commission feels it is desirable to retain the building on the Hawthorne Street property, as a visible feature in the section of the Canal system from the harbour to Lake Banook. Because it was the home of the lock keeper, Henry Findlay (circa 1857 - 1870), Mr. Hart said it is a symbol of what the area means to the City, in terms of historic significance. It is the only building left in Dartmouth that ties in with the Canal system itself. The Commission is willing to put shutters on the windows and generally secure the house for a period of time, until a plan can be put in place for its restoration. The request to Council is for an interim period to carry out the planning and secure the funding required.

Several members had concerns about the condition of the building at the present time, and the vandalism problems associated with it. The other objection was that it stands on land that was to be part of the park linkage system for the end of Lake Banook, and is not in keeping with the passive recreational plan for lands around Sullivan's Pond, that called for the demolition of all the buildings acquired to date by the City. Other members felt, however, that the restoration and use of the building, as a heritage feature related to the section of the canal, where it stands, would be worthwhile and would not detract from the pathway linkage plan or the Sullivan's Pond beautification plan.

A question was raised about parking that would be required in conjunction with the use of the house as a heritage site, and Mr. Latta advised that parking arrangements can be made with a nearby property owner, who is willing to allow this use of his land.

Ald. Levandier was not in favour of retaining the house on its present site, but suggested instead that the Canal Commission look at relocating it on another site. Ald. Walton inquired about the property proposed for parking uses and whether the zoning complies; he asked to have this point clarified.

There was some reluctance to turn down the Canal Commission request without first giving them time to submit a definite proposal for Council's consideration, based on assurances that security arrangements for the building will be made for any interim period until work on the building can start. A two-week deferral was proposed by Ald. May, to provide time for the proposal to be prepared.

MOTION: To defer the item for two weeks, time for a concrete proposal to be prepared for Council's consideration.

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

4.0 REPORTS

4.1 CITY ADMINISTRATOR

4.1.1 TAXATION - MICMAC A.A.C.

TAXATION:
MICMAC A.A.C.

Report from Mr. Burke (Bruce Smith) on an application for review of taxable status of MicMac A.A.C., under By-law T-400, recommending that the request be referred to the Finance & Program Review Committee for consideration.

MOTION: To adopt the recommendation and refer the MicMac A.A.C. request to the Finance & Program Review Committee.

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

4.1.2 METROPOLITAN AUTHORITY - GUARANTEE RESOLUTIONMETRO.AUTHORITY
RESOLUTION

RES. 92-37

Report from Mr. Burke (Bruce Smith) on the Metropolitan Authority Guarantee Resolution(92-37), in the amount of \$8,370,000. for Solid Waste, recommending that Council approve the resolution, which repeals Resolution 92-06.

MOTION: To approve Resolution 92-37, with the additional wording: 'BE IT FURTHER RESOLVED that Resolution 92-06 is hereby repealed.'

Moved: Ald. Levandier

Second: Ald. Walton

As one of Council's representatives on the Metro Authority, Ald. Levandier provided information on the financial difficulties the Authority will be faced with, if the City of Halifax does not agree to sign a Guarantee Resolution, that will insure adequate funding for services such as transit and garbage removal. He said that both services could be in jeopardy within one or two weeks, if the Authority does not have a line of credit insured to cover the necessary expenditures for salaries, etc. He said Dartmouth needs to be aware of this eventuality and the difficult financial position in which Metro Authority will be placed by the action of the City of Halifax. Other members indicated concern about the effects of this continuing impasse with Halifax and services being placed in jeopardy as a result of the Metro Authority conflict. Ald. Pye spoke against the Resolution, on the basis of the waste-to-energy expenditures included.

In Favour: All members except

Against: Ald. Pye

Motion Carried

4.1.3 APPLICATION - DEVELOPMENT AGREEMENT, LOT WDC-1 ALDERNEY DR.APPLICATION:
1 ALDERNEY DR.

An application for Development Agreement, to permit a multiple-unit residential building on LotWDC-1, Alderney Drive, has been received from F.C.E.G. Holdings Ltd., and the report to Council from Mr. Burke (V. Spencer, R. Wells) recommends that November 5th be set as the date for the information meeting, at 7:00 p.m.

MOTION: To set Thurs., Nov. 5th as the date for the Neighborhood Information meeting, in connection with the Development Agreement application for Lot WDC-1, Alderney Drive.

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

4.2 SOLICITORS

4.2.1 DARTMOUTH SENIOR CITIZENS SERVICE CENTRE - LEASE

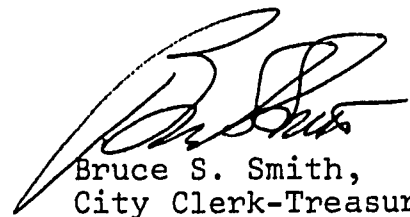
LEASE: SENIOR
CITIZENS CENTRE

The City has been requested, by the Solicitor for the Dartmouth Senior Citizens Service Centre Commission, to make some amendments to the lease for the space they sublet in the Ochterloney Street Senior Citizens Building. A proposed amending agreement has been prepared by the City Solicitor and recommended for Council's approval. Council was asked to note one additional change; in section 3, the number of parking spaces referred to, should read 'four' and not 'seven'. With this notation, the agreement was approved, as amended.

MOTION: To approve the amending agreement,
as recommended by the City Solicitor.

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

On motion of Ald. Thompson and MacFarlane, Council went in camera at 10:00 p.m. Adjournment was from the in camera meeting, at 10:10 p.m.


Bruce S. Smith,
City Clerk-Treasurer.