

Lib. Ref. Dept.

**DARTMOUTH CITY COUNCIL
AGENDA**

**TUES., JAN. 05 /93
7:30 PM
COUNCIL CHAMBER
IN CAMERA
10:00 PM**

INVOCATION

1. APPROVE THE MINUTES FROM THE MEETINGS: Dec. 1, 8, 15 & 22, 1992.

2. BUSINESS ARISING FROM THE MINUTES

2.1 Sale of .5% Beer
Wording of Resolution to UNSM

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

CONTINUATION OF COUNCIL AGENDA OF DECEMBER 15, 1992

4. MOTIONS

4.1 ALD. RODGERS

4.1.1 **THEREFORE BE IT RESOLVED** that the Council of the City of Dartmouth, with input from staff and the Industrial Commission, consider a method to insure that industries/businesses not be required to pay for that portion of consumption that is not disposed of through our sewer system into the harbour.

4.1.2 **THEREFORE BE IT RESOLVED** that the Dept. of Planning & Development, along with the N.S. Dept. of Housing, revisit the existing Albro Lake development, with a view to replacing some of the previously-zoned TH and R-2 areas with the more attractive R-1M housing type.

...2

Motions - continued (Ald. Rodgers)

- 4.1.3 **THEREFORE BE IT RESOLVED** that this Council agree to have the Mayor write on behalf of this Council, to encourage the Provincial Government, and, in particular, the Dept. of Municipal Affairs, to commence discussions and explore areas of opportunity, with reference to municipal reform. The request should be specific and encourage government officials to meet with representatives of the City of Dartmouth, and others, if they so wish, to pursue this most important issue.

COUNCIL AGENDA OF JANUARY 05, 1993

5. DELEGATIONS & HEARINGS OF PROTEST

6. ORIGINAL COMMUNICATIONS

- i) Dartmouth Police Veterans' Association
Request to use City's Coat of Arms on their crest
- ii) Town of Mulgrave - Closure of Royal Bank
- iii) Wellington Sports & Fitness Club -
Business Occupancy Taxes
- iv) Federation of Canadian Municipalities -
Submission of Resolutions

7. PRESENTATION

- i) Halifax Airport Study Group to make presentation on the feasibility of a local airport authority for the Halifax International Airport

8. PETITION

- i) Shubie Park

9. REPORTS

9.1 CITY ADMINISTRATOR

- 9.1.1 Review of Land Use By-law as it pertains to the Burnside Industrial Park and City of Lakes Business Park
- 9.1.2 Live Coverage - Meetings of Council

9.2 WATER UTILITY COMMITTEE

- 9.2.1 1992/93 Budget (Budget previously circulated - bring copy with you)

10. MOTIONS

10.1 ALD. MAY

- 10.1.1 **BE IT RESOLVED** that the Minister of Municipal Affairs be requested to amend the Municipal Accounting Manual, to allow municipalities to account for contributions to a Housing Authority, of a capital nature, as a capital expenditure.
- 10.1.2 **BE IT RESOLVED** that this Council agrees with the intent of the request, and requests the Solicitor to draft amendments to By-Law P-900, for consideration early in 1993, so that Council may comply with the request as soon as possible.

13. NOTICES OF MOTION

IN CAMERA SESSION 10:00 P.M.

1. Legal Matter
2. Land Transactions - MT&T
3. Personnel Matters

LOCATION: CITY COUNCIL CHAMBERS

TIME: 7:30 P.M.

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

MEMBER ABSENT: ALD. WOODS

A/CITY ADMINISTRATOR: R. FOUGERE
CITY SOLICITOR: M. MOREASH
ASST. CITY CLERK: V. CARMICHAEL
DEPARTMENT HEADS & ASSISTANTS

INVOCATION

Following the Invocation, led by Mayor McCluskey, a presentation was made by the Mayor to Police Chief Cole. He received from the Mayor, a 125th Anniversary commemorative medal and certificate, in recognition of the significant and valuable contribution he has made to the community over the years.

1.0 APPROVAL OF MINUTES

MOTION: To approve the minutes of meetings held on Dec. 1, 8, 15, and 22nd, 1992.

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

2.0 BUSINESS ARISING FROM THE MINUTES2.1 SALE OF 5% BEER - WORDING OF RESOLUTION TO UNSM

SALE OF 5% BEER Further to the resolution on the subject of 5% beer in stores, for submission to the UNSM, Council was asked to provide the wording for the resolution. A motion for this purpose was presented by Ald. Hetherington.

MOTION: That the sale of 5% beer be restricted to anyone over the age of nineteen, and that the distributors be required to sell it in Provincial Liquor Commission stores.

Moved: Ald. Hetherington
Second: Ald. Pye
In Favour: All
Against: Ald. Hawley
Motion Carried

Ald. Sarto requested that a copy of the resolution be forwarded to all Nova Scotia municipalities for endorsement, and to local MLA's.

3.0

CONCERNS OF COUNCIL MEMBERS OR QUESTIONS

ALD. WALTON

Concerns and questions raised by Ald. Walton were:

- 1) about the accuracy of information that went out with the latest water billing, on the number of containers that can be put out for garbage collection, indicated as five maximum when it should have been eight. Mr. Fougere to check on this point.
- 2) about conflicting information on Ward Boundary Review meetings and dates for them. Ald. Rodgers advised that the dates in the newspaper will be followed by the Review Committee.
- 3) concerning the position of the City on the handicap parking issue. Chief Cole responded with comments from the perspective of his department.
- 4) about the permits that are to be made available for residents wanting to take garbage to the transfer station (with half-ton trucks). The Mayor advised that the new procedures are in process.

ALD. HETHERINGTON

Ald. Hetherington stated his objection to snow plowing and removal policies being followed, especially in relation to the most recent storm, when icy conditions existed on many City streets. Mr. Fougere noted that the policy in place was approved last year, and he also pointed out that conditions following the storm were very difficult and not those normally faced by the Works Dept.

Several other members also had concerns about snow and ice control problems in their wards, including Ald. Sarto and MacFarlane. Ald. Sarto asked for a copy of standards and procedures that are followed by the Works Dept., and he commended the brochures being sent out to residents, sample copies of which have been provided for members of Council. Ald. MacFarlane questioned the contract provision, under which a crew has to be called in for snow clearing duties, suggesting that something should be done about this provision in the next round of contract negotiations.

Ald. Greenough commended the prompt response from work crews in his area, but said that maybe it is necessary to look at the policies approved, in light of the changeability of Maritime weather conditions, which often produce extreme and difficult conditions on the streets.

Ald. Hawley reminded Council that when decisions are made on budget cuts, lower levels of service have to be expected, such as those reflected in the snow clearing policies now in place.

ALD. MAY

Ald. May asked if the City has sought assistance or advice from the Solicitor-General or his department, since the recent decision with respect to a Dartmouth police officer. Also, would the Mayor, as Chair of the Board of Police Commissioners, release a statement to explain the legal constraints which apply to all parties in handling this type of complaint, and the process that must be followed. The Mayor noted that personnel items are normally dealt with by Council in camera, and this item was subsequently discussed in camera, at the end of this meeting.

Ald. May's second concern pertained to tax bills sent out by financial institutions, which reflect increases in monthly payments, giving the impression that taxes have already gone up before any such decisions are made by Council. He asked that staff look at some means of paying tax bills in full, directly to the City, with a discount system worked out in such a way as to be satisfactory to the taxpayers and the City.

ALD. THOMPSON

Ald. Thompson referred to a letter he has received on the subject of a City position being advertised for a Business Development Officer in the Economic Development Dept. He felt Council should take a second look at this position, approved at budget time, and Ald. Rodgers was in favour of rescinding the motion which authorized this position, so the matter can be debated again. A motion of referral to the Finance & Program Review Committee, for report back to Council, was adopted.

MOTION: To refer this item to the Finance & Program Review Committee, for report back to Council.

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

The understanding is that any decision on this position is now on hold, until after the Committee has dealt with the item.

ALD. HAWLEY

Ald. Hawley brought Council's attention to an FCM communication on the subject of the Federal freeze on grants-in-lieu of taxes, and to the FCM recommendations for action by municipal members in this connection.

Based on recommendations 3, 4 and 5, from the communication, Ald. Hawley proceeded with the following motion:

MOTION: That letters be forwarded by the Mayor to Members of Parliament, the Minister of Finance and the Minister of Public Works, demanding that these proposed changes be stopped;

That the Mayor look at the feasibility of accountability sessions with local MP's, requesting them to find out why the federal government is unwilling to pay its fair share for municipal services;

And that maximum news coverage be sought, to highlight the practical effect of the this "no-tax" Economic Statement, in that the freeze will force tax increases for home owners, as a result of the federal government being unwilling to pay its fair share.

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

ALD. PYE

Ald. Pye asked when the Tourism Task Force report is to be dealt with by the Finance & Program Review Committee. Ald. Rodgers said the Committee will discuss it at the January 6th meeting, at 4:30 p.m.

The second inquiry made by Ald. Pye pertained to a letter from the Pay Equity Commission, further to the remuneration of school crossing guards and compliance with the provisions of the Pay Equity Act by the City. He said the implication that the City is in violation of the Act, is a serious one. The letter, dated Dec. 30/92, has been responded to by Mr. Fougere; copies of that letter, dated Jan. 5/93, have been circulated as well.

ALD. RODGERS

Ald. Rodgers' first concern had to do with the \$62,000. deficit facing the VON, and he requested that the Mayor have the Health Act reviewed to find out if total revenues produced by the 7% sales tax are used for health purposes, or whether some of the revenues are channeled elsewhere for other purposes.

Secondly, Ald. Rodgers asked that information be sought on the allocation of transfer payments the Province receives, in order to try and determine whether funds are being properly distributed for programs involving the municipalities. He referred to the deficit positions of both the Federal and Provincial Governments, while the municipalities are expected to be fiscally responsible, even with the continual down-loading that is now taking place from the two other government levels.

ALD. THOMPSON

Ald. Thompson asked what is done to assist emergency response vehicles, when hazardous snow and ice conditions exist on City streets. Mr. Fougere advised that equipment would be dispatched to a particular area of the City, at the request of the Police or Fire Dept.

ALD. MACDONALD

Ald. MacDonald asked that consideration be given to a hotline number at City Hall, where people can leave messages, and that a record be kept of the calls that come in on that number.

ALD. CUNNINGHAM

Ald. Cunningham asked if a meeting has been requested with Hon. R. Thornhill, to discuss municipal restructuring. The Mayor said he has been invited to meet with Council for discussion on this subject.

Council agreed to deal next with item 8.0 from the agenda, for which a number of people were present.

8.0

PETITION

i)

SHUBIE PARK

PETITION:
SHUBIE PARK

Members of Council have received copies of a petition bearing 503 signatures, from residents concerned about Shubie Park, and the possible loss of lands there, owned by the Whebby interests. Dr. Helen Jones addressed Council on behalf of the residents, indicating concern about the apparent stalemate between the City and CountryView, in resolving this land ownership problem. The residents feel there must be some middle ground for further negotiation, and would like to see any possible options explored, to try and insure the protection of the Shubie parklands for the future. The idea of a mediator was suggested; also, the possible donation of the land to a Natural Trust, and public participation in a 'Save the Park' initiative.

Following Dr. Jones' presentation to Council, Ald. Greenough commended the efforts and concerns of the petitioners, and proposed a motion of referral to staff, for further consideration of ideas and options, such as those that have been put forward by the residents.

MOTION: That the petition be referred to staff, for the purpose of examining the various alternatives and ways that the City may acquire and/or insure the future use of these lands; also, that an approach be made to the Hon. R. Thornhill, and through him to the Province, to determine if there may be some Provincial assistance available to the City, to acquire these lands.

Moved: Ald. Greenough

Second: Ald. Hawley

The motion received general support from Council. Ald. Levandier suggested that the two Ward 6 Aldermen meet with the residents, to discuss further, some of the areas for citizen involvement that have been referred to in Dr. Jones' presentation. The vote was taken on the motion.

In Favour: All

Against: None

Motion Carried

At the suggestion of the Mayor, Council agreed to deal next with item 7.0, for which Mr. Charles Yeates was present.

7.0

PRESENTATION

i)

HALIFAX AIRPORT STUDY GROUP - LOCAL AIRPORT AUTHORITY

AIRPORT STUDY
GROUP PRESENT-
ATION

The presentation made by Mr. Yeates to Council was on behalf of the Halifax Airport Study Group, established to explore the feasibility of transferring the ownership and management of the airport to a Local Airport Authority. The presenter, Mr. Yeates, explained the Federal Government's new approach to the managing of Canadian airports, and the various steps that are followed in establishing a Local Airport Authority, if one is deemed to be desirable and advantageous for the area in which the airport is situated. A Base Case Study of the Halifax International Airport is now in progress, and the support of metro municipalities is required in order for the Airport Study Group to access the report that will come out of that study and examine the feasibility of transferring ownership and management of Halifax International Airport to a Local Airport Authority. Presentations similar to this one are therefore being made to each of the municipalities, several of which (including Truro) have already indicated support.

In his presentation, Mr. Yeates outlined some of the benefits that could be realized locally, including the establishment and promotion of north/south air flight movements, once the 'open skies' policy comes into effect.

At the conclusion of the presentation, a motion was presented, as per the recommendation from a report from Mr. Burke (T. Rath), dated Dec. 4/92.

MOTION: That Council endorse the Halifax Airport Study Group as the sole group to undertake preliminary discussions with Transport Canada relating to the establishment of a Local Airport Authority.

Moved: Ald. Hetherington

Second: Ald. Thompson

There were quite a large number of questions to Mr. Yeates from members of Council, some dealing with the process involved, to establish an Airport Authority, but most, with the financial implications for local municipalities, particularly in the area of funding and cost-sharing that might be expected now or in the future, as the Study Group continues with their work. There were also questions as to why the Federal Government would give up revenue sources they may now be realizing from their involvement with airport operations.

Mr. Yeates noted that the only L.A.A. asset would be the cash flow generated by airport revenues, less the lease payments. Cost of the Base Case Study is assumed by Transport Canada, and if the Study Group decides to proceed further, after the study has been turned over to them, the cost of the strategic overview study to follow, would be cost-shared by Transport Canada. No funding assistance is therefore being requested of the City at this time. Loan guarantees would eventually be required, if the process continues, and there would be an application for funding from ACOA and the Province, at a future point, depending on whether the Study Group feels it should go forward, after the outcome of the Base Study has been determined. Ald. Rodgers had a number of questions for Mr. Yeates, pertaining to funding and professional work that would be required, if a decision were made to proceed beyond the initial stages that have been explained to Council.

Ald. May suggested that a member of the City's Industrial Commission could be named in Mr. Rath's place on the Study Group, if necessary. Ald. MacDonald felt there should be some conditional time restriction placed on the next report to Council by the Study Group, and he proposed an amendment

to provide for this kind of condition.

AMENDMENT: That a one-year time limit be set, to be renewed, if satisfactory progress is being made.

Moved: Ald. MacDonald
Second: Ald. MacFarlane
In Favour: Three members
Against: All other members
Amendment Defeated

Ald. Sarto asked if members of Council could be provided with an executive summary of the Study Group's report. Mr. Yeates said that Mr. Rath will have the report and copies can be made available for Council. Mr. Yeates left an information package with the Asst. City Clerk, to be circulated to members, for their additional information. The vote was taken on the motion.

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

5.0 DELEGATIONS & HEARINGS OF PROTEST

6.0 ORIGINAL COMMUNICATIONS

i) DARTMOUTH POLICE VETERANS' ASSN., REQUEST TO USE COAT OF ARMS

REQUEST TO USE
CITY COAT OF ARMS

A request was before Council from the newly-formed Dartmouth Police Veterans' Association, to use the City coat of arms on a crest designed for the organization; a copy of the proposed design has been included with the letter of request. Council also received a memo from the Solicitor, advising that the previous agreement with Tri-Mar Promotions Ltd. has expired and Council can, if it wishes to do so, permit the Association to use the coat of arms.

MOTION: To grant the request of the Dartmouth Police Veterans' Association, for permission to use the City coat of arms on a crest designed for the organization's use.

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

ii) TOWN OF MULGRAVE - CLOSURE OF ROYAL BANKRESOLUTION:
TOWN OF MULGRAVE

The Town of Mulgrave has requested support for a resolution adopted by their Council, intended to persuade the Royal Bank branch in Mulgrave, to remain open; the branch is presently scheduled for closure on Feb. 19/93. The resolution calls on municipal units in Nova Scotia to withdraw their accounts, if the Royal Bank leaves the Town of Mulgrave without a financial institution.

MOTION: To receive and file the letter and resolution from the Town of Mulgrave.

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

iii) WELLINGTON SPORTS & FITNESS CLUB - BUSINESS OCCUPANCY TAXESREQUEST:
WELLINGTON
SPORTS &
FITNESS CLUB

A letter has been received from the Wellington Sports & Fitness Club, requesting exemption from Business Occupancy Taxes, a request that was previously before Council and denied, on recommendation of the Finance & Program Review Committee.

MOTION: To receive and file the letter from the Wellington Sports & Fitness Club, requesting exemption from Business Occupancy Taxes.

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

iv) FCM - SUBMISSION OF RESOLUTIONS

FCM RESOLUTIONS

A memo, inviting the submission of resolutions to the March/93 meeting of the National Board of Directors, has been received from the FCM. Resolutions are to be submitted by Feb. 15/93.

MOTION: To receive and file the FCM memo, inviting resolutions for the March meeting of the National Board of Directors.

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

9.0 REPORTS9.1 CITY ADMINISTRATOR9.1.1 REVIEW OF LAND USE BY-LAW - B.I.P & CITY OF LAKES PARKREVIEW OF LAND
USE BY-LAW

The Industrial Commission has recommended to Council that the Planning & Development Dept. be requested to review the provisions of the Land Use By-law in the Burnside Industrial Park and the City of Lakes Business Park, for the purpose of looking at ways that the By-law could be amended to encourage the conversion of older buildings to higher and better uses; also, to examine the continued viability of the restrictions on building heights.

MOTION: To adopt the recommendation of the Industrial Commission.

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

9.1.2 LIVE COVERAGE - MEETINGS OF COUNCILLIVE COVERAGE:
COUNCIL MEETINGS

A report was before Council from Mr. Fougere (B. Smith, V. Carmichael) on the subject of live coverage by Dartmouth Cable Television, of City Council meetings, discussed previously by Council, when a report was requested on any costs involved to the City. The report indicates that a one-time installation cost of \$11,499.75 would be involved, while costs to Cable TV would amount to about \$13,000. annually.

MOTION: To receive and file the report on live television costs.

Moved: Ald. Hetherington
Second: Ald. Greenough

Ald. Cunningham was opposed to the motion, pointing out to Council a number of ways that live coverage of meetings would help to promote civic interest and participation, besides keeping citizens informed on local issues. Ald. Levandier did not object to

live coverage by Cable TV, but did not want the City to assume any costs to facilitate it. Ald. Hetherington did not support the idea, on the basis that many citizens do not have cable hook-ups and therefore could not receive the coverage anyway. Ald. Greenough proposed referring the matter to budget time, for a decision in conjunction with other City expenditures.

MOTION: To refer the matter to budget time for further debate in conjunction with the rest of the budget; in the meantime, the Mayor is requested to dialogue with Cable TV representatives, to see if live coverage could be brought about without incurring any capital cost to the City.

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

9.2 WATER UTILITY COMMITTEE

9.2.1 1992/93 BUDGET

1992/93 BUDGET:
WATER UTILITY

The Water Utility budget for 1992/93 has been dealt with by the Water Utility Committee, and at this time, a summary presentation was made to Council by Mr. Corrigan, with additional information on the financial position of the Utility, as explained in a series of overhead slides; copies of these were provided to members of Council. Basically, it was indicated to Council that the Utility is in good financial condition. Even with a deficit this year of \$120,000., and the allocation of two dividends to the School Board, at budget time, in 1990 and 1992, the Utility will still have an accumulated surplus of \$897,000. at the fiscal year end. Mr. Corrigan was available to answer questions from Council, following his presentation. Also present for this item, were Conrad Sarty and Nancy Jeffries, who assisted with additional information as well.

MOTION: That Council approve the 1992/93 Water Utility budget, as presented.

Moved: Ald. Hetherington
Second: Ald. May

Ald. Rodgers said he would like to have someone look at the Utility's staff complement, in comparison with Water Utilities in other municipalities. Also, at any organizational restructuring that may have taken place in other communities, that Dartmouth might consider for our own situation. Ald. May requested that Mr. Corrigan determine from the PUB if a portion of the depreciation fund could be applied to the long-term debt, in order to reduce the Utility deficit. The vote was taken on the motion.

In Favour: All
Against: None
Motion Carried

Ald. Rodgers proposed the introduction of a motion, at this time, in a re-worded format, based on Notice of Motion previously given and appearing in this agenda as item 4.1.3. The necessary two-thirds majority vote was not received to present the motion, and it was therefore given as a Notice of Motion for the next regular meeting (Feb. 2nd).

13.0 NOTICES OF MOTION

The following Notices of Motion were given for the next regular Council meeting:

1) Ald. Hetherington

- (a) WHEREAS many municipalities in Nova Scotia owe a total of approximately one million dollars to the City of Dartmouth's Social Services Dept.;

BE IT SO RESOLVED that the City of Dartmouth use whatever legal means possible to recover this money.

- (b) WHEREAS the City of Dartmouth pays out approximately one-half million dollars in apprehension in the City each year;

AND WHEREAS the Province of Nova Scotia submits our receipts to Ottawa for recovery of half the cost (approx. \$250,000.);

AND WHEREAS the Province keeps that money which is recovered from our receipts;

BE IT SO RESOLVED that the City of Dartmouth ask the RCMP to investigate this practice of the Province of Nova Scotia submitting our receipts to recover funds from Ottawa, and not turning that money over to the City of Dartmouth, but keeping it for themselves.

2) Ald. Rodgers

WHEREAS the Provincial Government has given notice of its intent to implement municipal reform in the metro area prior to the next municipal elections, October, 1994;

AND WHEREAS this Council has, on many occasions, expressed a desire to look at alternatives to the existing metro municipal system;

AND WHEREAS there now exists an opportunity, prior to the possible replacement of our Chief of Police, to review the costs and benefits of a metro police force:

THEREFORE, BE IT RESOLVED that the Council of the City of Dartmouth direct the Mayor to write to the Premier of our province, and request that he direct the Dept. of Municipal Affairs, in cooperation with the City of Dartmouth and the City of Halifax/Halifax County and Bedford, to review, preferably over the next three to four months, the benefits and costs of a metro police force.

3) Ald. Sarto

WHEREAS Provincial legislation controls the sale and rental of adult and triple X-rated videos;

AND WHEREAS the sale and rental of such videos is unhealthy for the well-being and social development of any community;

AND WHEREAS this type of business is degrading to society, especially to women;

AND WHEREAS this type of business can conceivably influence the kind of social crimes our society is presently experiencing;

AND WHEREAS this type of business is an out-and-out negation and negligence of Dartmouth City's efforts and endeavours of its philosophy on the 'Healthy Community' principle;

THEREFORE, BE IT RESOLVED THAT:

- 1) the City of Dartmouth petition the federal government (Minister of Justice), and the provincial government (Attorney General), to adopt tougher and tighter conditions to

their present obscenity and morality laws, that will eliminate the operation of all adult and triple X-rated video sales and rentals.

- 2) the Minister of Municipal Affairs be petitioned to amend the applicable section of the Municipal Act, to specifically include the licensing, regulating, governing, etc. of adult entertainment businesses involved in the sale and rental of adult videos, as described in the Municipal Act.
- 3) that a copy of this resolution be submitted by Feb. 15/93 to FCM's National Board of Directors, for its meeting on Resolutions in March, and the UNSM, for endorsement.
- 4) that a copy be sent to the local MP and the local MLA's, and to all municipalities in Nova Scotia.

Council went in camera at 10:45 p.m., on motion of Ald. Thompson and Levandier.

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 (legal matter, land transaction - MT&T, personnel matters).

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

Meeting adjourned at 11:40 p.m.

V. Carmichael

V. Carmichael,
Asst. City Clerk.

ITEMS:

- Invocation, page 1.
- 1.0 Approval of minutes, page 1.
- 2.0 Business Arising from the Minutes, page 1.
- 2.1 Sale of 5% beer, wording of resolution to UNSM, page 1.
- 3.0 Concerns of Council members or questions, pg. 2 to 5 incl.
- 8.0 Petition, page 5.
 - i) Shubie Park, page 5 & 6.
- 7.0 Presentation, page 6.
 - i) Halifax Airport Study Group, Local Airport Authority, pg. 6 to 8
- 5.0 Delegations & Hearings of Protest, page 8.
- 6.0 Original Communications, page 8.
 - i) Dartmouth Police Veterans' Assn. request, page 8.
 - ii) Town of Mulgrave, Closure of Royal Bank, page 9.
 - iii) Wellington Sports & Fitness Club request, page 9.
 - iv) FCM, submission of resolutions, page 9
- 9.0 Reports, page 10.
- 9.1 City Administrator, page 10.
 - 9.1.1 Review of Land Use By-law, B.I.P. & City of Lakes Park, pg. 10
 - 9.1.2 Live coverage, meetings of Council, page 10 & 11.
- 9.2 Water Utility Committee, page 11.
 - 9.2.1 1992/93 budget, page 11 & 12.
- 13.0 Notices of Motion, page 12 to 14.

DARTMOUTH CITY COUNCIL
AGENDA

* TUES., JAN. 12 /93 *
* 7:30 PM *
* COUNCIL CHAMBER *
* IN CAMERA *
* 10:00 PM *

CONTINUATION OF COUNCIL AGENDA OF JANUARY 5/93
(PREVIOUSLY CIRCULATED)

1. MOTIONS

1.1 ALD. RODGERS

- 1.1.1 THEREFORE BE IT RESOLVED that the Council of the City of Dartmouth, with input from staff and the Industrial Commission, consider a method to insure that industries/businesses not be required to pay for that portion of consumption that is not disposed of through our sewer system into the harbour.
- 1.1.2 THEREFORE BE IT RESOLVED that the Dept. of Planning & Development, along with the N.S. Dept. of Housing, revisit the existing Albro Lake development, with a view to replacing some of the previously-zoned TH and R-2 areas with the more attractive R-1M housing type.
- 1.1.3 THEREFORE BE IT RESOLVED that this Council agree to have the Mayor write on behalf of this Council, to encourage the Provincial Government, and, in particular, the Dept. of Municipal Affairs, to commence discussions and explore areas of opportunity, with reference to municipal reform. The request should be specific and encourage government officials to meet with representatives of the City of Dartmouth, and others, if they so wish, to pursue this most important issue.

1. MOTIONS (CONTINUED)

1.2 ALD. MAY

1.2.1 BE IT RESOLVED that the Minister of Municipal Affairs be requested to amend the Municipal Accounting Manual, to allow municipalities to account for contributions to a Housing Authority, of a capital nature, as a capital expenditure.

1.2.2 BE IT RESOLVED that this Council agrees with the intent of the request (appointment of visible minority representatives by municipal Boards of Police Commissioners) , and requests the Solicitor to draft amendments to By-Law P-900, for consideration early in 1993, so that Council may comply with the request as soon as possible.

COUNCIL AGENDA OF JANUARY 12/93

- 2. Presentation of 1993/94 Capital Budget.
- 3. Nova Scotia Government Employees Union - Refillable beverage container legislation

4. REPORTS

4.1 CITY ADMINISTRATOR

4.1.1 Application for Development Agreement -
- 72 Hawthorne Street (request to waive neighborhood consultation meeting)

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

IN CAMERA SESSION 10:00 P.M.

- 1. Land Transactions - MT&T
- 2. Land Matter
- 3. Land Matter

LOCATION: CITY COUNCIL CHAMBERS

TIME: 7:30 P.M.

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

MEMBER ABSENT: ALD. LEVANDIER (ILLNESS)

ACTING CITY ADMINISTRATOR: R. FOUGERE

CITY SOLICITOR: M. MOREASH

ASST. CITY CLERK: V. CARMICHAEL

DEPARTMENT HEADS & ASSISTANTS

1.0 MOTIONS

1.1 ALD. RODGERS

WHEREAS the City of Dartmouth charges water users, within the City, a Pollution Surcharge, based on the amount of water consumption;

AND WHEREAS many of our larger users (ie. process industry) do not discharge a large percentage of their waste water water consumption back into the sewer system and the harbour, but in fact, export beyond the City, their products for eventual disposal elsewhere;

THEREFORE BE IT RESOLVED that the Council of the City of Dartmouth, with input from staff and the Industrial Commission, consider a method to insure that industries/businesses not be required to pay for that portion of consumption that is not disposed of through our sewer system and into the harbour.

Moved: Ald. Rodgers

Second: Ald. Thompson

A motion of referral, first to the Industrial Commission, and secondly, to the Finance & Program Review Committee, was then adopted.

MOTION: To refer the motion presented to the Industrial Commission, for consideration, and secondly, to the Finance & Program Review Committee.

Moved: Ald. Hetherington

Second: Ald. Thompson

In Favour: All

Against: None

Motion Carried

1.1.2

MOTION: WHEREAS the Dartmouth Non-Profit Housing Society has successfully developed its first two R-1M housing units (ie. single family housing on a 33' x 100' lot);

AND WHEREAS the Albro Lake land development contains positions or areas zoned (TH) townhouse, and (R-2) semi-detached categories;

AND WHEREAS the north-end residents expressed concern or objection to those (TH) and R-2) areas;

THEREFORE BE IT RESOLVED that the Dept. of Planning & Development, along with the N.S. Dept. of Housing, revisit the existing Albro Lake development, with a view to replacing some of the previously zoned (TH) and R-2) areas with the more attractive (R-1M) housing type.

Moved: Ald. Rodgers

Second: Ald. Hetherington

Ald. Pye opposed the motion, since he felt the Albro Lake lands should be retained as parkland and not developed at all. Ald. Greenough was concerned that any such change in the project, at this point, would require a repeat of the rezoning process. Ald. Rodgers said there is no intent to hold up the project, but in the phasing of it, R-1M housing may be possible to incorporate without causing any delay in the development. On the basis of this understanding, the motion was acceptable to those members with concerns about another rezoning procedure for the Albro Lake lands.

In Favour: All members except

Against: Ald. Pye

Motion Carried

Ald. Rodgers' third motion, item 1.1.3, was withdrawn, and he noted that the kind of initiative he has in mind, for amalgamated police services in the metro area, is being undertaken by the police forces themselves, and a report can be expected within three or four months. He said this initiative is satisfactory for purposes of his motion.

1.2

ALD. MAY

1.2.1

MOTION: BE IT RESOLVED that the Minister of Municipal Affairs be requested to amend the Municipal Accounting Manual, to allow municipalities to account for contributions to a Housing Authority,

of a capital nature, as a capital expenditure.

Moved: Ald. May
Second: Ald. Pye

This motion came about as a result of the \$35,000. over-expenditure Council approved in December/92 for public housing improvements, as the City's share (12½%) in a Provincial program for upgrading these units. Ald. May took the position at that time that the City should have been allowed to capitalize this expenditure, rather than incurring it as an over-expenditure.

Basically, members in favour of the motion agreed with Ald. May's argument, while those against did not want to permit any additional opportunities for incurring capital debt at a time when capital spending is being severely curtailed. Reference was made to the generally accepted accounting principle applicable to capital expenditures, and arguments in favour of the motion were related to that principle.

In Favour: Seven members
Against: Six members
Motion Carried

1.2.2

MOTION: WHEREAS earlier this year, the Solicitor-General communicated with municipal Boards of Police Commissioners, encouraging them to consider the appointment of visible minority representatives, as stated on page 46 of the Marshall Update, May 20/92;

AND WHEREAS the Solicitor-General, on Nov. 13/92, requested in writing, that the Board of Police Commissioners give consideration to ensuring that 'your Board of Police Commissioners reflect the racial diversity of the community which you are responsible for policing';

BE IT RESOLVED that this Council agreed with the intent of the request, and requests the Solicitor to draft amendments to By-law P-900, for consideration early in 1993, so that Council may comply with the request as soon as possible.

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

2.0 PRESENTATION OF 1993/94 CAPITAL BUDGETCAPITAL BUDGET
PRESENTATION

Members of Council have received their copies of the 1993/94 Capital Budget, and Mr. Corrigan was in attendance to make the Capital Budget presentation at this time.

MOTION: To table the 1993/94
Capital Budget.

Moved: Ald. Hetherington
Second: Ald. Sarto

The presentation began with a background review of capital budget practices in recent years, up to the revised policy decision of last year, to limit capital spending at a time when the City is trying to minimize the impact on the operating budget, by keeping debt charges down, and also, when the City is facing major capital requirements associated with cost-sharing in the solid waste project. In keeping with the restriction accepted by Council, a capital budget in the amount equal to \$2,500,000., plus the Provincial capital grant, is being proposed, in the total amount of \$4,353,000. This figure is based on the assumption that the Provincial grant will be in the area of \$1,853,000., although no commitment to this effect has been received from the Province as yet. The capital budget for Burnside is to be paid by land sales (\$176,000.), and there is no capital estimate included for the ferry service, on the assumption that the service is to be taken over by Metro Authority. The capital budget for the Water Utility is to be paid by the Depreciation Fund (two million dollars), and there is no capital budget for the School Bus operation.

Part of the presentation dealt with the status of last year's capital projects, and the spending outcome for both City-wide projects and for ward projects. The City will spend \$146,000. less than budgeted for last year's projects, the difference between under-spent City projects (\$244,000.) and over-spent ward projects (\$98,000.). Two ways of dealing with this variance have been suggested to Council, the recommendation from the presentation being that Council approve additional projects in the amount of \$146,000., and select specific City-wide projects to be funded. A motion on this particular item was later presented and adopted.

One other specific point raised by Mr. Corrigan, in connection with the reallocation of unexpended capital funds, was the recommendation that a procedure be established for dealing with authorizations, when such funds are to be reallocated by members of Council. He suggested that this matter be discussed further during the budget deliberations.

Another part of the presentation was given over to the determination of capital spending priorities, considering that the projects submitted for consideration totalled \$18.2 million dollars, as compared with the figure of \$4,353,000. available to be allocated for projects in all the City departments. Mr. Corrigan explained the process followed in trying to come up with a priority listing and equal ward allocations, as shown on page C iii a of the presentation hand-out. Copies of this hand-out were provided prior to the beginning of the presentation. Questions from members of Council were answered at various points, as they arose.

Basic information, at the end of the presentation, illustrated graphically what portions of the capital budget are comprised of what projects. In conclusion, Mr. Corrigan thanked the City department heads, who were present for the meeting, and Chuck Keith, for their work and help in preparing the Capital Budget.

The vote was taken on the motion to table.

In Favour: All
Against: None
Motion Carried

A second motion was then put forward by Ald. Rodgers, dealing with the unexpended capital funds from last year's budget, referred to on page 4 of these minutes.

MOTION: That the A/City Administrator, with input from staff, review this item, and make a recommendation as to whether or not the funds should be spent or the funds not borrowed. If they should be spent, a list of recommended projects to be provided for City-wide allocation.

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

Mr. Corrigan was commended for his budget presentation, after which Council discussed a meeting date for dealing with the Capital Budget.

MOTION: To deal with the Capital Budget as an agenda item for the Jan. 19th Council meeting.

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

3.0 NSGEU - REFILLABLE BEVERAGE CONTAINER LEGISLATION

NSGEU: CONTAINER
LEGISLATION

Council has been requested to support proposed legislation which deals with refillable beverage containers and a timetable for the complete phasing out of all recyclable containers, in favour of refillable containers. The letter of request, accompanied by draft legislation, has been received from the Nova Scotia Government Employees Union.

MOTION: To refer the letter and draft legislation to Mark Bernard, for a report to Council.

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

4.0 REPORTS

4.1 CITY ADMINISTRATOR

4.1.1 APPLICATION FOR DEVELOPMENT AGREEMENT - 72 HAWTHORNE ST.

APPLICATION:
72 HAWTHORNE ST.

A report was considered, ^{from} Mr. Fougere (V. Spencer, R. Wells), on a request to waive the neighbourhood consultation meeting normally required, in connection with a Development Agreement application for 72 Hawthorne St. The regular neighbourhood information meeting and public hearing would still be held, as usual. The recommendation to Council is for approval of the request, based on the fact that two neighborhood meetings are felt to be unnecessary for this particular application, which involves only an interior conversion of an existing dwelling unit.

MOTION: To approve the request, as recommended.

Moved: Ald. MacFarlane
Second: Ald. Cunningham

The motion was debated, with members in favour agreeing that two neighborhood meetings are redundant for this small interior project. Letters, indicating no objection, have already been received from abutting neighbors. Those members opposed, took the position that established procedures should be followed, without exception, although it was noted that the consultation meeting is really a City requirement and not a requirement of the Planning Act.

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

5.0

CONCERNS OF COUNCIL MEMBERS OR QUESTIONS

ALD. WALTON

Ald. Walton requested an update on the traffic light situation at Pleasant and Everette Street. Mr. Purdy to provide a written report.

ALD. MACDONALD

Ald. MacDonald asked if the agreement has been finalized for the property being purchased on Primrose Street. He noted that other properties, with the same owner, are going up for auction. Mr. Fougere to check on the inquiry.

Ald. MacDonald suggested that possibly a seniors' organization might be interested in taking over crossing guard duties, in return for a grant from the City. It was suggested that this idea be put forward by the Alderman in the form of a notice of motion, for Council to consider.

Ald. MacDonald asked what is being done to counteract activities in the downtown area that cause major problems for established businesses. The Mayor said this concern was addressed by the Police Commission, and everything possible is being done to deal with the situation.

ALD. PYE

Ald. Pye asked for a report on the odor in the Pinewood/Lovett Street area - where is it coming from, who is responsible for it, what can be done about it.

ALD. MAY

Ald. May asked why the new overhead lights on Maple St. are not operational. Mr. Purdy said the contractor does not have them connected yet.

Ald. May asked why the Police Commission is not dealing with Police Dept. estimates, before they come to Council. He felt that this requirement needs clarification by the Solicitor, based on what he considered to be a requirement of the Police Act.

Another point of clarification from the Police Act, raised by Ald. May, had to do with the appointment of the Deputy Police Chief, and a conflict he considered

to exist between the Act and the City by-law. Council did not give specific direction with regard to Ald. May's two points at issue, although asked to do so by the Mayor.

ALD. MACFARLANE Ald. MacFarlane asked if any service cuts are being looked at, in light of the City's deficit forecast for year-end. Mr. Fougere said that none are being recommended at the present time. Ald. MacFarlane said that any comments from staff, along these lines, would be appreciated.

ALD. HETHERINGTON Ald. Hetherington requested an update on the street lighting upgrading that is supposed to be taking place in Dartmouth. His other concern was about the arrows on the street, in the turning lane at Commodore Drive and Burnside; he said the arrows are not clear enough for drivers, and there are not enough of them.

ALD. THOMPSON Ald. Thompson raised a concern, on behalf of a visually-handicapped resident, about the plowing of snow in the Ben's parking area, on Main Street, across from Lake Lamont. Snow is being plowed in such a way that it impedes walking conditions along this street section.

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

After reconvening in open meeting, Council ratified the action taken while meeting in camera.

MOTION: To ratify the action taken while meeting in camera on this date.
(Land transactions & personnel)

Moved: Ald. Hetherington

Second: Ald. Thompson

In Favour: All

Against: None

Motion Carried

Meeting adjourned at 11:00 p.m.

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

ITEMS:

- 1.0 Motions, page 1. (1) (2)
 - 1.1 Ald. Rodgers, page 1 & 2. (Pollution Surcharge & R-1M units)
 - 1.2 Ald. May, page 2 & 3.
 - 1.2.1 Amend Accounting Manual, page 2.
 - 1.2.2 Amendments to By-law P-900, page 3.
 - 2.0 Presentation of 1993/94 Capital Budget, page 4 & 5.
 - 3.0 NSGEU, Refillable beverage container legislation, page 6.
 - 4.0 Reports, page 6.
 - 4.1 City Administrator, page 6.
 - 4.1.1 Application for Development Agreement, 72 Hawthorne St, pg. 6.
 - 5.0 Concerns of Council members or questions, page 7 & 8.
-



Lib. Ref. Dept.

**DARTMOUTH CITY COUNCIL
AGENDA**

**TUES., JAN. 19 /93
7:30 PM
COUNCIL CHAMBER
IN CAMERA
10:00 PM**

1. Presentation of Plaques - Best Decorated Properties during the festive season 1992-1993.

2. REPORTS

2.1 FINANCE & PROGRAM REVIEW COMMITTEE

2.1.1 Proposed Dartmouth Visitors and Convention Bureau

2.2 INDUSTRIAL COMMISSION

2.2.1 Proposed Greater Halifax Economic Development Alliance

3. CAPITAL BUDGET DELIBERATIONS

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

IN CAMERA SESSION 10:00 P.M.

1. Land Matter
2. Lease of Land
3. Operating Budget

LOCATION: CITY COUNCIL CHAMBERS

TIME: 7:30 P.M.

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

MEMBER ABSENT: ALD. HAWLEY (ILLNESS)

A/CITY ADMINISTRATOR: R. FOUGERE

CITY SOLICITOR: S. HOOD

ASST. CITY CLERK: V. CARMICHAEL

DEPARTMENT HEADS & ASSISTANTS

PROCLAMATIONS

Deputy Mayor Woods opened the meeting by reading two Proclamations, the first, for January 24th to 30th, proclaimed as VON Week, in recognition of the contribution made to the City by this organization; the second, for January 16th to 23rd, proclaimed as Minor Hockey Week.

A motion to accept the agenda, as circulated, was then adopted, moved by Ald. Greenough and seconded by Ald. Sarto.

1.0 PRESENTATION OF PLAQUES - BEST DECORATED PROPERTIES

PRESENTATION
OF PLAQUES

Ald. May made a brief report on the judging of decorated properties in the City, during the Christmas season, in which he was assisted by Ald. MacDonald. He commended the effort that citizens put into decorating their homes and properties, noting that the only repeat winners in this year's contest, were in Ward 7.

The presentation of plaques by Deputy Mayor Woods, followed. The winners in each of the seven wards were as follows:

- Ward 1 - The Juskows, 16 Bayswater Rd.
- 2 - The Senzes, 56 Celtic Dr.
- 3 - The Sykes, 214 School St.
- 4 - The Lapierras, 35 Chappell St.
- 5 - The Stewarts, 22 Ferguson Rd.
- 6 - The Muises, 704 Waverley Rd.
- 7 - The Gaudets & The Farrants
4 & 4A Amelia Place & 6 & 6A Amelia

Participants were all thanked by the Deputy Mayor. Pl.

2.0 REPORTS

2.1 FINANCE & PROGRAM REVIEW COMMITTEE

2.1.1 PROPOSED DARTMOUTH VISITORS & CONVENTION BUREAUVISITORS &
CONVENTION BUREAU

As requested by Council, the Finance & Program Review Committee has dealt with the proposal for a Dartmouth Visitors & Convention Bureau, and has made amendments to recommendations #2 and #5, from the original Task Force submission. Recommendations #1, 3 & 4 would remain unchanged. Ald. Rodgers presented the Committee report to Council, explaining the amendments that are being proposed, and noting that cost represented to the City, in terms of additional funding required over last year, would be \$57,500.

MOTION: To approve the five recommendations from the Task Force report, and the amendments to #2 and #5, which now read as follows:

Recommendation #2

The City of Dartmouth agrees to fund the Dartmouth Visitors & Convention Bureau in the amount of \$100,000. for the March, 1993/94 fiscal year. (The Bureau to assume responsibility for the cost of the City's contribution to the Visitor Information Guide.)

Recommendation #5

The City of Dartmouth shall formally request that the N. S. Dept. of Tourism & Culture re-direct the tourism grant for the year 1993/94.

Recommendations #1, 3, and 4 remain as originally presented to Council.

Moved: Ald. Rodgers

Second: Ald. Pye

Ald. MacFarlane said he hoped that within the coming year, consideration will be given by the Bureau to the development of a regional tourism strategy. Ms. Janice Blackburn, President of the Chamber of Commerce, spoke to Council briefly, stating the hope that this will in fact, be the ultimate result of this present initiative. Ald. Hetherington suggested that members of Council be provided with promotional packages to keep with them in their cars, as they used to do, for use in assisting visitors and tourists on occasions when they are able to make this kind of contribution toward the industry. His suggestion was noted.

In Favour: All
Against: None
Motion Carried

2.2 INDUSTRIAL COMMISSION

2.2.1 PROPOSED GREATER HALIFAX ECONOMIC DEVELOPMENT ALLIANCE

ECONOMIC
DEVELOPMENT
ALLIANCE

The Industrial Commission has approved two motions for recommendation to Council, respecting the formal establishment of the proposed Greater Halifax Economic Development Alliance.

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

- 1) The Commission recommends to Council the endorsement of the joint market and promotional initiatives of the Alliance, and that the Alliance will encourage the participation of the metro Boards and Chambers of Commerce.
- 2) The proposed Organizational Structure - Articles of Association of the proposed Greater Halifax Economic Development Alliance is recommended for approval by Council.

Moved: Ald. MacFarlane

Second: Ald. Thompson

A number of points were raised in debate, for consideration in the final drafting of the Articles of Association; these included:

- 1) concern that the name of the Alliance does not include Dartmouth.
- 2) concern that the Alliance will be duplicating what the municipalities themselves are doing, in the way of promotional and marketing programs.
- 3) concern that the Alliance budget should have the approval of individual municipal Councils and not just the Board of Directors for the Alliance.

Mr. Rath was available to provide information in answer to questions from members of Council. Asked several times about the implications of specific individual Articles, the Solicitor pointed out that the substance of Association is being approved at this time, but not the details, which will come in the final drafting.

The vote was taken on the motion.

In Favour: All

Against: None

Motion Carried

3.0

CAPITAL BUDGET DELIBERATIONS

CAPITAL BUDGET

Council proceeded with the 1993/94 Capital Budget, tabled at the Jan. 12th meeting when it was officially presented. Before Council, in conjunction with the main budget document, was a report from the Public Works & Safety Committee (meeting as the Police Commission), recommending seven priority items for the Police Dept., and a report from Mr. Fougere, recommending capital items for consideration, as projects that can be undertaken from the \$146,000. amount underspent, from the 1992/93 Capital Budget. This listing of items was requested at the Jan. 12th Council meeting.

MOTION: To approve the 1993/94 Capital Budget, as presented.

Moved: Ald. Hetherington

Second: Ald. Sarto

Ald. MacFarlane stated his concerns about the fact that there is no provision in the budget for improvements to Prince Albert Road. Mr. Fougere said this project will cost about 1.5 million dollars and would take up most of the 1993/94 budget if it had been included. Ald. MacFarlane said he would not oppose the budget being recommended, but he requested a work plan/strategy for moving forward with the Prince Albert Road project, starting with next year's capital budget. Ald. Cunningham later asked that a Planning Dept. report, from a 1981 study, be reviewed, and the cost estimates from that report, looked at in terms of present-day costs. Also, that it be determined if any Provincial funding assistance might be available for the upgrading of this main City arterial.

Other particular items brought up by individual members were:

- 1) Ald. Hetherington - Page C1 - asked that sidewalks be deleted for Lynn Drive, leaving only the curb and drainage work.
- 2) Ald. May - Pages C2 & C9 - objected to the assignment of Alderney Dr. (King St.) and Alderney Drive/Portland St. project to the Ward 3 allocation; he said neither he nor Ald. Levandier requested these projects.

- 3) Ald. Rodgers - Page C1 - asked to have the Crichton Ave. project deleted, for reallocation of these funds.
- Page C8 - asked to have the plan for Albro Lake lands (#6) deleted as well, so these funds can be re-allocated. Ald. Pye and Woods did not want to see the item deleted, and requested the opportunity to work out a compromise cost-sharing between the Ward 4 and 5 allocations, whereby the Albro Lake lands plan could be funded. Council agreed to these discussions, provided a Feb. 1st deadline is met to resolve the allocation decision.
- The Feb. 1st deadline is applicable to all such allocation changes by members of Council.
- Page C8 - Green Road basketball court. Ald. Rodgers said this item should have shown a Ward 3 designation and not Ward 4.

In the general debate, Ald. May took a position in favour of undertaking more capital projects than the City is planning to fund this year. He suggested that the Public Works Committee should be dealing with the City's overall infrastructure needs and assessing the most urgent ones for a phased improvement program.

Ald. Rodgers had several questions about Item #1, page C13, the \$175,000. expenditure for the Human Resources information system. He felt that any system the City acquires should be compatible with the other metro municipalities, in the event of regionalization. Ms. Vidito and Mr. Keith were present to answer questions from Ald. Rodgers about our present equipment and its adaptability for future purposes. Department heads and senior staff were also available to provide information at the request of Council members.

Before the vote was taken on the motion, Council proceeded to adopt two amendments, the first being to approve the listing of items included in the \$146,000. allocation, representing underspent funds from the 1992/93 Capital Budget. One change was made in this list: three items will replace the Cable TV equipment installation (\$11,000.), namely, item 16 on page C12 (two car radios, Police Dept.), and items 14 (laser printer, First floor: City Hall) and 15 (software package, Information Centre) on page C13. With this change, the list was accepted, as submitted by Mr. Fougere, with his report dated Jan. 15/93.

AMENDMENT: To approve the list of items for inclusion in the \$146,000. under-spent allocation (1992/93 capital budget), with the change detailed on page 5 of these minutes.

Moved: Ald. Hetherington
Second: Ald. Walton
In Favour: All members except
Against: Ald. Pye, Levandier
Amendment Carried

The second amendment dealt with the list of items recommended by the Police Commission for the Police Dept. Since there were only two items requiring approval, from the list, at this point in the budget discussions, the amendment therefore pertained only to items listed as 6 (additional RAPID Link) and 7 (notebook computer), totalling \$37,000. in additional capital funding required.

AMENDMENT: To approve the two remaining items from the list recommended by the Police Commission, shown as items 6 and 7, totalling \$37,000.

Moved: Ald. Hetherington
Second: Ald. Walton
In Favour: All members except
Against: Ald. Pye, Levandier
Amendment Carried

The vote was taken on the main motion, as amended

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

At 10:10 p.m., Council went in camera, on motion of Ald. MacFarlane 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.
(Land matter, lease of land, operating budget, personnel item)

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

Meeting adjourned at 11:45 p.m.

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

ITEMS:

- Proclamations, page 1.
 - 1.0 Presentation of plaques, best decorated properties, page 1.
 - 2.0 Reports, page 1.
 - 2.1 Finance & Program Review Committee, page 1.
 - 2.1.1 Proposed Dartmouth Visitors & Convention Bureau, pg. 2.
 - 2.2 Industrial Commission, page 3.
 - 2.2.1 Proposed Greater Halifax Economic Development Alliance, pg 3.
 - 3.0 Capital Budget deliberations, page 4 to 6 incl.
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Lib. Ref. Dept.

**DARTMOUTH CITY COUNCIL
AGENDA**

**TUES., JAN. 26 /93
7:30 PM
COUNCIL CHAMBER
IN CAMERA
10:00 PM**

1. PRESENTATION

i) World Canoe Championships - Martin Jones & Bob Russel

2. REPORTS

2.1 CITY ADMINISTRATOR

2.1.1 Comprehensive Development District (CDD) Amendments
- Set date for Neighborhood Information meeting

3. Selection of Consultant - Hiring of City Administrator

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

IN CAMERA SESSION 10:00 P.M.

1. Personnel Matter

LOCATION: CITY COUNCIL CHAMBERS

TIME: 7:30 P.M.

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

MEMBERS ABSENT:
Ald. HAWLEY
MACFARLANE) ILLNESS

A/CITY ADMINISTRATOR: R. FOUGERE
CITY SOLICITOR: M. MOREASH
ASST. CITY CLERK: V. CARMICHAEL
DEPARTMENT HEADS & ASSISTANTS

PROCLAMATION

A Proclamation was read by Mayor McCluskey, proclaiming Feb. 19th, 1993 and following, as Black History Month, and encouraging citizens to participate in this special designation.

1.0 PRESENTATION

i) WORLD CANOE CHAMPIONSHIPS - MARTIN JONES & BOB RUSSEL

PRESENTATION:
WORLD CANOE
CHAMPIONSHIPS

Mr. Bob Russel, Mr. Martin Jones and other members of the Canoe Championship Society were in attendance, to make a presentation to Council in connection with Dartmouth's hosting of the 1997 Senior World Canoe Championships.

The actual presentation was made by Mr. Russel, beginning with a background run-down of the activities of the Society, in attracting the 1997 event for Dartmouth, from the success of the 1989 Jr. Championships through to the accepted bid for Dartmouth in 1997. Thirty countries participated in the Junior World's, attended by 500 athletes, and the Senior World's is expected to have representation from 50 to 60 countries and to attract 1,000+ visitors to Dartmouth. Mr. Russel commented on the facilities and general refurbishing of our canoeing course, that resulted from the 1989 event; he said there will be a renewal of this legacy for the 1997 Championships.

For 1993, the priority of the Society will be the securing of Federal and Provincial support, and discussions will be held with Sport Canada and the Sport & Recreation Commission, two agencies from which support will be solicited. Also, it is hoped that TSN will pick up the event for television coverage, and some events, that will lend themselves to coverage, are being planned with this in mind. In summary, the next year or two will be given over to financing requirements, in order to be able to host the event.

The representatives were thanked by the Mayor for making this information available to Council, and for their hard work in bringing such a major event to Dartmouth. Ald. Rodgers also indicated support for the work of the Society, and other members concurred with this supportive position.

2.0 REPORTS

2.1 CITY ADMINISTRATOR

2.1.1 CDD AMENDMENTS - SET DATE FOR NEIGHBORHOOD MEETING

CDD AMENDMENTS

Council has received a report from Mr. Fougere on a proposed amendment to the MPS and Land Use By-law, which will provide for Comprehensive Development Districts, and the designation of lands near Russell Lake for CDD purposes. It is recommended that a date be set for a Neighborhood Information meeting, and that a copy of the report be sent to the owners of property proposed for designation.

MOTION: To adopt the recommendation.

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

Present for this item, was Ms. Spencer and other Planning Dept. staff. Ms. Spencer proceeded with a presentation to Council, by way of explaining the CDD concept and its proposed application to lands that have been designated in the Russell Lake area.

The Comprehensive Development District was described as a form of development control, able to be put in place under the Planning Act, based on the use of master plans and development agreements to co-ordinate long-term development. A comparable alternative was the PUD concept, applied in development of the Nantucket Subdivision. CDD agreements cover all development within a given land holding, and permit an integrated housing mix, applicable in this instance, to properties at least ten acres in size, to be developed primarily for residential purposes. Eventually, it might be possible to evolve CDD agreements for redevelopment situations, in the future. At present, they are intended for undeveloped properties in the locations shown on maps circulated with the report to Council.

Zoning will come off the Russell Lake lands, under the CDD designation, and any development of them will be subject to an agreement between the City and the owner. Ms. Spencer outlined the various considerations for both the landowners and Council, in arriving at agreements satisfactory to each of the parties. The master plan itself was explained as a broad document, identifying general road alignments, areas for various types of housing and other uses; also, establishing environmental guidelines and determining the basics of development control.

After Ms. Spencer had completed her presentation, Council had the opportunity for questions about the CDD process, public involvement and the involvement of land owners, the effectiveness of CDD as a development control mechanism, and its compatibility with MPS objectives. The attendance of Mr. Kent Robinson and Mr. Steve MacDonald, who took part in the City's MPS Review process, was noted by Council during the question period; both were present in the gallery for this item. Asked about Municipal Affairs' approval for CDD legislation, when the City has not yet adopted its new MPS, Ms. Spencer did not see this as a problem, and said it is the department's intention to get back to the MPS, so the process can be completed.

Other questions to her, pertained to:

- 1) discussions with the County in regard to boundary adjustments; the existing boundary crosses portions of the lands proposed for CDD designation. Ms. Spencer reported on discussions that have already taken place with the County, and Ald. Hetherington asked that a report on this subject be revisited and brought to Council.
- 2) asked by Ald. Pye about commercial uses vs. residential exclusivity, Ms. Spencer suggested that after construction has been completed, Council have the opportunity to discharge parts of the contract, to be replaced with zoning.
- 3) the D.N.D. lands abutting the land holdings being considered for CDD designation. This 75-acre site is going to be sold by D.N.D. and could eventually become another CDD in this same area.
- 4) Ald. May suggested that the School Board should be made aware of the CDD proposal, considering the implications for school requirements and population.

5) asked how many months this process is expected to take, Ms. Spencer said she hoped it would be finalized before the next building season.

5) Ald. Woods asked if owners can be expected to object to what they may see as down-zoning of their properties. Ms. Spencer pointed out that it will now be possible to address any such concerns through a negotiation process

Ms. Spencer and her staff were thanked by the Mayor for their attendance, and the presentation made to Council.

3.0 SELECTION OF CONSULTANT - HIRING OF CITY ADMINISTRATOR

On motion of Ald. Hetherington and Thompson, Council agreed to deal with item 3.0 at a later point, in camera.

4.0 CONCERNS OF COUNCIL MEMBERS OR QUESTIONS

ALD. MACDONALD

Ald. MacDonald asked to have a flooding problem looked at, affecting homes at 84, 86 and 88 Woodland Ave. He said that the problem appears to be with the sewer line, at the point where it joins Ryland Ave.

Ald. MacDonald requested that consideration be given to the issuing of tax receipts upon request, when they are specifically required by the person making payment.

Ald. MacDonald felt that Council should be ^{considering} all possible saleable assets the City has, as a source of revenue when we need it. The Mayor noted that a list of assets was sent out to members of Council, with a request for a response from each member.

ALD. GREENOUGH

A concern raised by Ald. Greenough had to do with the fact that the City does not pay interest on refunds to property owners who have appealed their assessments, but paid their taxes based on original assessment figures. He felt the Finance & Program Review Committee should reconsider this item and the City's present policy.

MOTION: That the matter be referred to the Finance & Program Review Committee, to be reconsidered.

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

ALD. HETHERINGTON Ald. Hetherington said he has been receiving calls from concerned residents, about their assessments. Some assessments are up considerably, while others are down, without any obvious rationale for the changes. He discussed this overall assessment problem with the Mayor, in trying to determine some way for the City to approach it. He requested that Mr. Smith prepare a report by next week, with information on the assessment roll, and assessments in different areas of the City, indicating whether he sees financial problems for the City, that are being created as a result of assessment inconsistencies.

Other members with concerns about the assessment situation, were Ald. Thompson, Pye, Rodgers, May and Levandier. Ald. Levandier suggested that the municipalities try to get assessment functions back, during the course of regionalization discussions, based on the fact that those functions were administered more satisfactorily as a municipal responsibility.

ALD. MAY Ald. May requested a copy of the press statement made two weeks ago by the Police Chief, regarding the dismissal of a City police officer.

Ald. May asked about Charter amendments for this year, and also suggested that Council should be discussing the subject of tax collection and just how aggressive staff should be getting before fiscal year end.

ALD. THOMPSON Ald. Thompson's inquiry was about wood stove regulations and the possibility of control through a by-law. He asked if it would be possible to get a copy of the by-law enacted by the town of Whitehorse. Ald. Hetherington provided information on the Board of Health discussions, when this matter was before the Board, indicating that it is not an easy problem to resolve.

ALD. WALTON Ald. Walton asked if it might be a good idea to send a letter to the Chamber of Commerce, inviting volunteers from the Chamber to put forward ideas and suggestions, to assist with budget decisions that have to be made, and to meet with Clerk-Treasurer's staff for this purpose. The Mayor said she will be speaking to the Chamber this week, and she will be asking for input as to just what residents and businesses are prepared to forego, in the way of services, to keep the tax rate at its present level.

Police Chief Cole was present in the gallery, and Mayor McCluskey noted that this was his final attendance at a Council meeting, in that capacity. She commended his years of service to the City, and Council acknowledged him as well, with applause.

Council went in camera at 9:15 p.m., on motion of Ald. Hetherington and Thompson. 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.
(Personnel items.)

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

Meeting adjourned at 10:30 p.m.

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

ITEMS:

- Proclamation, page 1.
- 1.0 Presentation, page 1.
- i) World Canoe Championships, page 1.
- 2.0 Reports, page 2.
- 2.1 City Administrator, page 2.
- 2.1.1 CDD Amendments, date for neighbourhood meeting, pg. 2 to 4.
- 3.0 Selection of consultant, City Administrator, page 4.
- 4.0 Concerns of Council members, page 4 & 5.