

Lib. Ref. Dept.

**DARTMOUTH CITY COUNCIL
AGENDA**

TUES., JUNE 1/93

7:30 PM

COUNCIL CHAMBER

INVOCATION

1. PUBLIC HEARING

- i) Habitat for Humanity
(petition objecting to donation of Crest Road property)

2. APPROVE THE MINUTES FROM THE MEETINGS: May 4, 11, & 18, 1993.

3. BUSINESS ARISING FROM THE MINUTES

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

5. DELEGATIONS & HEARINGS OF PROTEST

CROSSWALK GUARDS

- i) Letter from Bel Ayr Home and School Association re: Crosswalk Guards
- ii) Letter from Dartmouth District Council of Home and School Associations re: Crosswalk Guards

6. ORIGINAL COMMUNICATION

7. REPORTS

7.1 CITY ADMINISTRATOR

- 7.1.1 Rodeo Lounge, 121 Ilsley Avenue, 2nd Annual Country Music Fest (supplementary report)
- 7.1.2 Tender, Pavement Markings
- 7.1.3 Water System Extension - Cherrybrook Area, Phase 2 (supplementary report)

8. **MOTIONS**

8.1 **ALD. MACDONALD**

BE IT RESOLVED that Council direct staff to review recent legislation in other parts of the Country and report back to Council promptly as to a system that can be used to control cats in the City of Dartmouth.

9. **NOTICES OF MOTION**

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

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

REGRETS: ALD. THOMPSON & CUNNINGHAM

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

INVOCATION

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

With the permission of Council, item 7.1.4 was added to the agenda, Contract 93-03, a tender for street construction.

1.0 PUBLIC HEARING

i) PROPERTIES FOR CONVEYANCE TO HABITAT FOR HUMANITY

PUBLIC HEARING:
HABITAT FOR
HUMANITY
PROPERTIES

Council set this date for public hearing of the proposed conveyance of three City-owned properties, requested by the Habitat for Humanity organization, for single-family housing development. The Halifax/Dartmouth Habitat affiliate group is undertaking this housing initiative in the community. The three City properties requested for development in Dartmouth, are:

15 Crest Drive
61 Courtney Road
15A Faulkner St.

For purposes of the public hearing, all members of Council were recorded as being present, with the exception of Ald. Thompson and Cunningham.

A petition was tabled at this time by Ald. May, with respect to the Faulkner Street property, and a petition applicable to the property at 15 Crest Drive, was

previously circulated with the agenda. Members also received copies of the Habitat for Humanity hand-out, circulated to area residents, along with a letter to the Mayor and members of Council, dated May 30/93, from Prof. Tom Emodi, Chairman of the Halifax/Dartmouth affiliate group.

The Solicitor outlined the procedure for the public hearing, divided into three separate sections for each of the three properties concerned. Council then proceeded to the public hearing for 15 Crest Drive.

15 CREST DRIVE

Mayor McCluskey called for speakers in favour of conveying 15 Crest Drive to Habitat for housing purposes. The following speakers were heard in favour:

- 1) Jack Leadam - outlined to Council the extent of information efforts that Habitat has undertaken in neighborhoods where the three sites proposed for housing are located. He addressed some of the concerns raised at the information sessions, and felt that once the objectives of Habitat are more clearly understood, it will be possible to resolve the concerns of area residents satisfactorily.
- 2) Diane Good - felt that the City has a moral obligation to donate land for housing stock in the City.
- 3) Rev. David Ferguson - said that the Habitat project comes at an appropriate time, when the City is no longer able to be funded for affordable housing and other housing programs are not available. He commended the Habitat group as community builders, filling a housing void.
- 4) Susan White - commended the Habitat workers as people with commitment and dedicated community spirit.
- 5) Gary Dumont - described Habitat as being a 'hand up' and not a 'hand out', to assist people in need of affordable housing.
- 6) Rev. Ivan Greg - felt that the lack of knowledge about Habitat for Humanity has led to some of the concerns indicated by Crest Drive residents. He said an open forum with the residents would help to resolve these communication difficulties, and bring both groups to a better level of mutual understanding.

- 7) Douglas Gillett - it is appropriate for Council to hear any objections from area residents, but felt they will be adequately addressed before the housing development proceeds.
- 8) Prof. Tom Emodi - he said the issue is whether the City has the will to provide leadership in affordable housing, now that Federal and Provincial funding sources for housing, are unavailable; Habitat provides the City with an alternative. Habitat is not a social or welfare housing organization, but is about housing ownership for people who would otherwise not be able to have homes of their own. They have built 20,000 houses in the past sixteen years, in 838 communities. In only one Canadian city, Toronto, have they been required to purchase land; otherwise, land was donated in all of the other Canadian municipalities.

Prof. Emodi answered questions from members of Council about the payment of taxes on Habitat properties, by the housing owners; long-term maintenance provisions; contingency arrangements for the help of owners who may be in financial difficulty for periods of time. Asked about pre-blast surveys, where they may be required, he said Habitat would be agreeable to have them carried out.

Ald. May asked if Habitat would proceed with a project in a neighborhood where there is continuing opposition. Prof. Emodi said it would be difficult to proceed in the face of continuing opposition.

- 9) Don Chard - considered Habitat to be one of the finest investment opportunities to come before the City in a long time. We have an obligation to help people who need affordable housing, and Habitat represents one way to do it.

When there were no further speakers in favour, the Mayor called for speakers against the conveyance of 15 Crest Drive for Habitat housing. Council heard Thelma Goldsmith, who resides on the abutting property. She objected to the land at 15 Crest Drive being given away by the City, and was particularly concerned about the potential for flooding problems in back yards and basements, if the site is developed.

Asked by Ald. May if she objected to the property being sold for fair market value, she advised that she and her husband had offered to buy the property from the City, but the offer was refused. She said they felt it should be left the way it is, with no development on it.

Ald. Woods asked about any drainage problems associated with the property; Mr. Fougere said there is nothing that could not be resolved fairly easily. There would likely be slightly more water run-off, as a result of the property being developed, but this would depend on just how the run-off were directed and controlled.

Also speaking against the property conveyance to Habitat, was Louise Morris, a Ward 2 resident, who suggested that Habitat be approached to build a residence for students who are being helped to stay in school, through the initiatives of the Dartmouth Independent Student Association.

Mr. Jim Goldsmith, whose property abuts 15 Crest Drive, informed Council that he had offered to purchase the land from the City, some time ago, but his offer was not accepted. He said he has maintained a portion of the site, in conjunction with his own property, for a number of years. Ald. Greenough noted that until improvements were made to Crest Drive, this land was not in City ownership; it was deeded to the City, for right-of-way purposes, by the original owner, Mr. Misener. Ald. Levandier asked if the property was in fact, intended to be a street reserve, and if so, would a public hearing not have been required to close a street. This point could not be clarified without research.

There were a number of questions about the flooding and drainage concerns raised by Mr. Goldsmith, and Ald. Greenough read to Council, a letter of concern from Paul Collins of 307 Waverley Road, stating his similar concerns. Ald. Greenough referred to the drainage problems already existing in this area, that the City has been called upon to correct.

Both Ald. Sarto and Woods directed questions to the Solicitor, Mr. Fougere, and Ms. Spencer, as to the City's responsibility for any flooding situations that occur where development has been permitted and results in run-off, affecting abutting properties. Ms. Spencer pointed out that conditions required by the City, applicable to various aspects of development, could be provided for in any contractual agreement drawn up in conveying the land.

Mayor McCluskey called three more times for any speakers opposed, and there being none, she declared the public hearing for 15 Crest Drive to be closed, on motion of Ald. Levandier and Woods.

61 COURTNEY RD.

The public hearing was opened for 61 Courtney Road, the second City property proposed for conveyance to Habitat. In the interest of time, speakers in favour, other than those heard previously, for 15 Crest Drive, were called for. At the request of Ald. Pye, Prof. Emodi was recalled to respond to several questions, applicable to the Courtney Road site, and its development. Even though this property is presently zoned for R-2 development, a single-family dwelling is planned by Habitat, and Ms. Spencer suggested that this condition of conveyance, would be appropriate. Since it is an under-sized lot, Ald. Pye asked about the possibility of down-sizing from a four-bedroom building, and Prof. Emodi said that if this is a concern of area residents, Habitat would be prepared to work with them.

Ald. Woods asked that consideration be given to withdrawing the Habitat request for 61 Courtney Road, in favour of properties on True North Crescent. Prof. Emodi indicated a willingness to look at these alternative sites.

There were quite a number of questions to Prof. Emodi about mortgage arrangements for Habitat sites, and Ald. Rodgers requested that copies of mortgage documents be forwarded to the Solicitor, for clarification of the points raised about property being conveyed to Habitat. Prof. Emodi agreed to provide copies of the documents requested.

At the conclusion of questions to Prof. Emodi, and when there were no other speakers in favour (other than those previously heard for 15 Crest Dr.), the Mayor called for speakers opposed to the Courtney Road land conveyance.

Residents with objections were P.J. Watt and Paulette Teriault. Ms. Teriault said she would like to have been informed about the project in advance of this public hearing, and she had concerns about on-going maintenance of Habitat houses after they have been constructed.

Mayor McCluskey called three more times for speakers against, and when there were none, declared the hearing for 61 Courtney Road, closed, on motion of Ald. Levandier and Hetherington.

15A FAULKNER ST.
(WILLIAMS ST.
RESERVE)

The final public hearing opened was for the conveyance of 15A Faulkner Street (also known as the Williams St. Reserve). Mayor McCluskey called three times for speakers in favour, and there were none (other than members of the public heard previously); she therefore called for speakers opposed.

Council first heard from Mike Cook, the lawyer representing residents living in the Faulkner Street area. He referred to the petition presented, bearing the names of 26 residents who are objecting to the conveyance of land to Habitat, by the City.

He questioned the basis for the City being able to give away part of its assets, and also raised a question as to whether the subject property was ever part of a street, as opposed to a street reserve. If it were part of a street, street closing procedures would be required before clear title to the property could be established. He read from a letter forwarded to him by a local resident, who took exception to the action of Council, at the May 4th Council meeting, in rescinding a former motion, with respect to specific stipulations as to future use of the Faulkner Street property. The residents living there prefer to see the land left as a green buffer zone, with no development on it, and they particularly object to it being given away by the City. Mr. Cook said that next year, Habitat could be asking for additional properties for their use, and suggested that as an alternative, they approach Nova Scotia Power about the use of some of their vacant lands for housing purposes.

Ald. May asked if Mr. Cook's clients are prepared to purchase the property in question at the present appraised value. Mr. Cook answered yes, they would be willing to purchase it, to be retained as a green open space area.

The second speaker heard by Council was Vince Marsh, representing the Lakeview Shopping Centre Ltd. interests, who have made an offer to the City of \$28,000., for the purchase of the land. He asked that Council consider the company's offer, and that Habitat look at alternate sites. Ald. Rodgers requested a copy of the correspondence with Lakeview in this connection. Ald. May asked Mr. Cook if his clients were aware of this offer, made by Lakeview. Mr. Cook said they thought there was an offer made, but they were not aware of the amount offered the City. Ald. May asked Mr. Marsh if he had met with area residents he said he had not.

The Mayor called three times more for speakers opposed, and then closed the public hearing for 15A Faulkner Street, on motion of Ald. Hetherington and May.

At this point in the meeting, in view of the lateness of the hour, Home & School representatives present to speak on the crosswalk guards issue, indicated that they would wait until the June 8th meeting to make their presentations to Council. Citizens present for this item therefore withdrew from the meeting before Council began debate on the property conveyances.

Speaking first on the property at 61 Courtney Road, Ald. Woods objected to its donation to Habitat, and suggested instead, the use of two lots on True North Crescent, for Habitat's purposes.

MOTION: That Council deny the donation of the property at 61 Courtney Road to Habitat for Humanity.

Moved: Ald. Woods
Second: Ald. Rodgers

Members opposed to the motion, including Ald. Pye, were in favour of the Habitat project for the Courtney Road property, and generally supported their concept of providing affordable housing in the community. Ald. Levandier said it is not the mandate of the City to be involved in housing in the first place. Ald. May proposed in amendment that the property donations to Habitat be denied until such time as they have convinced residents in the immediate areas that their projects are worthwhile; the amendment was not seconded.

Council agreed to continue meeting beyond 11:00 p.m., on motion of Ald. Hetherington and Greenough.

The vote was taken on the motion.

In Favour: Ald. Woods, Rodgers, Greenough
MacDonald, Levandier

Against: All other members
Motion Defeated

MOTION: To approve the donation of the property at 61 Courtney Road, to Habitat for Humanity, for housing purposes.

Moved: Ald. Hetherington
Second: Ald. Pye
In Favour: Ald. MacFarlane, Walton, Sarto
Hawley, Pye, Hetherington
Against: All other members, resulting in a tie vote
Motion Carried, with Mayor McCluskey voting in favour.

NOTICE OF
RECONSIDERATION

Notice of reconsideration was given by Ald. Woods, seconded by Ald. MacDonald.

Council next dealt with the conveyance of 15 Crest Drive. Ald. Greenough supported the position taken by area residents, in expressing their concerns about drainage and flooding problems that are expected if the property at 15 Crest Drive is developed.

MOTION: That the Crest Drive property be deleted from the list of properties identified for the Habitat group, and that neighbors be given the opportunity to purchase the property, for consolidation with their own lots.

Moved: Ald. Greenough
Second: Ald. May
In Favour: Six members, resulting in a tie vote.
Against: Six members
Motion Defeated, with Mayor McCluskey voting against.

MOTION: To approve the donation of the property at 15 Crest Drive, to Habitat for Humanity, for housing purposes.

Moved: Ald. Hetherington
Second: Ald. Walton
In Favour: Six members, resulting in a tie vote.
Against: Six members
Motion Carried, with Mayor McCluskey voting in favour.

NOTICE OF
RECONSIDERATION

Notice of reconsideration was given by Ald. MacDonald, seconded by Ald. Greenough.

A motion was presented by Ald. Levandier for the Faulkner Street property - that it not be donated to Habitat, but disposed of as quickly as possible, to the highest bidder, but was withdrawn when Prof.

Emodi indicated to Council the intention of Habitat to abandon their plans for housing on the Faulkner Street site.

At this time, Ald. Rodgers presented two petitions, relating to crosswalk guards, one bearing 463 names, and the other, 109 names.

7.1.4 CONTRACT 93-03 - STREET CONSTRUCTION TENDER

AWARD TENDER:
CONTRACT 93-03

Tenders have been received for Contract 93-03, street construction (Andover St. & Highfield Park Drive - sidewalk construction). Mr. Fougere recommends that the tender be awarded to the lowest bidder, Ocean Contractors Ltd., with a bid price of \$111,408.40; completion time: 35 workdays.

MOTION: To award the tender for Contract 93-03 (street construction) to the lowest bidder, Ocean Contractors Ltd., with a bid price of \$111,408.40.

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

At 11:55 p.m., Council went in camera, on motion of Ald. Hetherington and Rodgers.

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

ITEMS:

- Invocation, page 1.
- 1.0 Public Hearing, page 1.
- i) Properties for conveyance to Habitat for Humanity, pg. 1 to 8.
 - 15 Crest Drive, page 2.
 - 61 Courtney Rd., page 5
 - 15A Faulkner St., page 6.
- 7.1.4 Award tender, Contract 93-03, street construction, page 9.

Lib. Ref. Dept.

**DARTMOUTH CITY COUNCIL
AGENDA**

TUES., JUNE 8/93

7:30 PM

COUNCIL CHAMBER

RECOGNITION OF DARTMOUTH POLICE TEAM

1. NOTICES OF RECONSIDERATION

- i) Habitat for Humanity - 61 Courtney Road
- ii) Habitat for Humanity - 15 Crest Drive

**CONTINUATION OF COUNCIL AGENDA OF JUNE 1/93
(REPORTS PREVIOUSLY CIRCULATED)**

2. APPROVE THE MINUTES FROM THE MEETINGS: May 4, 11, & 18, 1993.

3. BUSINESS ARISING FROM THE MINUTES

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

5. DELEGATIONS & HEARINGS OF PROTEST

CROSSWALK GUARDS

- i) Letter from Bel Ayr/Mount Edward/Brookhouse Home and School Associations re: Crosswalk Guards (previously circulated)
- ii) Letter from Dartmouth District Council of Home and School Associations re: Crosswalk Guards (previously circulated)

PETITIONS

- 1) Crosswalk Guards
Pleasant, Shirley and Crawford Streets
- 2) Crosswalk Guards
Spring Avenue and Bellevista Drive
- 3) Crosswalk Guards
Lyngby and Hillside Avenues
- 4) Crosswalk Guards
Northbrook School District

6. CROSSWALK GUARDS - POLICE DEPARTMENT (supplementary report)

7. ORIGINAL COMMUNICATION

8. REPORTS

8.1 CITY ADMINISTRATOR (reports previously circulated)

- 8.1.1 Rodeo Lounge, 121 Ilsley Avenue, 2nd Annual Country Music Fest (supplementary report)
- 8.1.2 Tender, Pavement Markings
- 8.1.3 Water System Extension - Cherrybrook Area, Phase 2 (supplementary report)

9. MOTION (previously circulated)

9.1 ALD. MACDONALD

BE IT RESOLVED that Council direct staff to review recent legislation in other parts of the Country and report back to Council promptly as to a system that can be used to control cats in the City of Dartmouth.

10. NOTICES OF MOTION

COUNCIL AGENDA OF JUNE 8/93

11. REPORTS

11.1 CITY ADMINISTRATOR

- 11.1.1 Tender, Clearing & Grubbing - Lot 33B, Burnside Industrial Park (to be circulated)
- 11.1.2 Tender for Single Axle Dump Truck
- 11.1.3 Application to Amend Development Agreement - Lot WDC-1 Alderney Drive

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

PRESENT: MAYOR MCCLUSKEY
ALD. SARTO, THOMPSON
MACFARLANE, MAY
RODGERS, MACDONALD
WOODS, PYE, HAWLEY
WALTON, HETHERINGTON

REGRETS: ALD. CUNNINGHAM
LEVANDIER
GREENOUGH

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

RECOGNITION OF DARTMOUTH POLICE TEAM

Mayor McCluskey began the meeting by recognizing members of the City Police team who recently participated in and won the Red Cross relay race in P.E.I., winning this honor for the third consecutive year. In making presentations to the team members, she commended their level of fitness, and the encouragement being given to have police officers active in fitness generally.

Ald. Woods sought the permission of Council to present a motion that would have precluded the notice of reconsideration previously given by him, but unanimous consent was not received to permit the introduction of the motion. He therefore proceeded to item 1, Notice of Reconsideration. Members of Council were willing to have the motion he was proposing, presented after item 1.

1. NOTICES OF RECONSIDERATION

i) HABITAT FOR HUMANITY - 61 COURTNEY RD.

61 COURTNEY RD. At the June 1st Council meeting, Notice of Reconsideration was given by Ald. Woods, in connection with Council's decision to donate City land at 61 Courtney Road, to Habitat for Humanity, for housing purposes. Ald. Thompson was not present at that meeting, for the public hearing, and he was therefore unable to take part in the item at this time. He withdrew from his place on Council and did not participate in the debate or in voting.

Ald. MacDonald objected to proceeding with reconsideration when members have not yet received copies of the June 1st minutes. He proposed deferral until minutes have been circulated. The Solicitor advised that reconsideration could not be deferred, and that the absence of minutes does not prevent Council dealing with a notice of reconsideration. Ald. MacDonald was provided with a

copy of the June 1st minutes, and no other members of Council requested copies.

Ald. Woods presented a petition from Courtney Road residents, requesting Council's reconsideration of the decision on 61 Courtney Road, pending the outcome of the Secondary Planning Study for their area. He said there is an alternative property that is preferable for Habitat purposes, and encouraged Council to make a compromise by choosing the other site for residential development. Ald. Pye and other Council members had not received copies of the petition presented by Ald. Woods, and these were circulated. Members were given time to read through the petition before voting on reconsideration, which was moved by Ald. Woods and seconded by Ald. Sarto. The vote to reconsider carried, and the original motion, to donate the City property at 61 Courtney Road, to Habitat for Humanity, for housing purposes, was again on the floor for debate.

MOTION: To approve the donation of 61 Courtney Road to Habitat for Humanity, for housing purposes.

Ald. Pye and Hawley continued to support the donation of the Courtney Road property, but a number of other members were willing to select the alternate site proposed by Ald. Woods, instead. Ald. Walton asked for an indication as to the suitability of the True North Crescent property, and the Mayor advised that the Habitat representatives have indicated it would be suitable. Ald. Hetherington inquired about the rezoning procedure for the True North site, and Ms. Spencer informed Council that both a plan amendment and zoning change would be required, probably taking until at least September. After that, a public hearing would have to be held before the property could be donated by the City. Some concern was expressed by members about the loss of a building season while all of these procedures are taking place, whereas the Courtney Road property would be available without these procedures.

The vote was taken on the motion on the floor and it was defeated by a vote of six to four.

ii) HABITAT FOR HUMANITY - 15 CREST DRIVE

15 CREST DR.

Notice of Reconsideration was also given at the June 1st meeting, for the property at 15 Crest Drive, also approved for donation to Habitat for Humanity. Mayor McCluskey advised at this time that agreement has subsequently been reached with the abutting property

owner, and Ald. Greenough has withdrawn his objection to the motion of June 1st. Ald. MacDonald again raised his point about minutes not having been received prior to reconsideration, but having received the information from Mayor McCluskey, concerning Ald. Greenough's withdrawal of objection, Council did not proceed further with the notice of reconsideration. Members agreed to permit the introduction of a motion by Ald. Woods, as per his request noted on page 1 of these minutes.

MOTION: WHEREAS Dartmouth City Council has rigorously debated and adopted the concept of donating City-owned land to Habitat for Humanity, for the purposes of constructing single family housing.

AND WHEREAS, in their request, the Habitat for Humanity organization has been open to a number of possible neighbourhood sites in Dartmouth;

AND WHEREAS the City has recently purchased property on True North Crescent in Highfield Park, with a strong possibility that it be considered for rezoning, to allow construction of single family houses;

AND WHEREAS the north-end Secondary Planning Study contains strong recommendations regarding the creation of more home ownership in the Pinecrest/Highfield area;

THEREFORE, BE IT RESOLVED that Dartmouth City Council donate one (1) single family building lot on True North Crescent, if and when it is zoned for such a use;

AND FURTHER, BE IT RESOLVED, that in the event the True North Crescent property does not receive such an appropriate designation, Habitat for Humanity be offered acceptable sites for housing purposes. Donation of the True North site to be subject to the required public hearing.

Moved: Ald. Woods

Second: Ald. Walton

The main concern stated during debate was about the lengthy process involved before the True North property can be turned over to the Habitat people for development. Ald. Hetherington asked that the process be started as quickly as possible and expedited as a priority item.

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

2.0 APPROVAL OF MINUTES

MOTION: To approve the minutes of meetings held on May 4, 11, and 18th, 1993.

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

3.0 BUSINESS ARISING FROM THE MINUTES

4.0 CONCERNS OF COUNCIL MEMBERS OR QUESTIONS

Item 4.0 was deferred until the end of the agenda.

5.0 DELEGATIONS & HEARINGS OF PROTEST

CROSSWALK GUARDS

i) LETTER FROM BEL AYR/MOUNT EDWARD/BROOKHOUSE HOME & SCHOOL ASSOCIATIONS RE CROSSWALK GUARDS

CROSSWALK GUARDS

As the first in a series of presentations, in connection with the crosswalk guard issue, Council heard Mrs. Dorothy Bailey, President of the Bel Ayr Home & School Assn. She stated the concerns of her Association, at the loss of crosswalk guards, in particular, at the Lucien/Dorothea Drive location, and described the security and protection provided by crossing guards, in the case of elementary-school-age children.

Mr. John Ross, representing the Mount Edward Home & School Association, was especially concerned about losing crosswalk guards at the Lucien/Grimes intersection, and at Mount Edward & Brigadoon Ave., both being heavy traffic locations, especially at morning rush hour. He asked that all possible alternatives be considered, such as three-way Stop signs, overhead crosswalk signs, and well-painted and maintained crosswalk markings. Both Mr. Ross and Mrs. Bailey stressed the importance of pedestrian safety, in the context of all City considerations.

Another letter circulated to members of Council, with the other submissions, was from Mrs. Jean Brinn of 14 Piper Street, indicating her concerns about the Spring Ave. & Belle Vista crosswalk guard location.

Mr. Greg Hayward addressed Council on behalf of Brookhouse parents and students, noting that a large number of new students are expected at this particular school in September, and crosswalk supervision will therefore be required more than ever before. He referred to driver inattention and distractions as contributing hazards to school children crossing streets, emphasizing further the importance of having crosswalk guards on duty.

ii) LETTER FROM DARTMOUTH DISTRICT COUNCIL OF HOME & SCHOOL ASSOCIATIONS RE CROSSWALK GUARDS

Heard on behalf of the Dartmouth District Council of Home & School Associations, was Ms. Charlene de Conde. She submitted a letter she has received from a concerned parent, Lisa Embree of 228 Princess Margaret Blvd., copies of which were provided for the information of all Council members. She then proceeded with her presentation, divided into considerations such as:

- weather conditions
- pedestrian traffic
- vehicular traffic
- topography
- crossing guards "other functions"

She said that crossing guards do much more than get children safely across the street; they assist children in distress and report any suspicious people walking or driving in the area travelled by children on their way to school. They also protect younger children from any unwarranted action on the part of older children.

PETITIONS

1) Crosswalk Guards, Pleasant, Shirley & Crawford Streets

Further to the petition from residents living in the Pleasant, Shirley, and Crawford Street area, circulated to Council members, Ald. Walton advised that this location is not one identified in the cut-back list, in view of the recognized safety hazard that exists and the number of accidents that have already occurred there.

2) Crosswalk Guards, Spring Ave. and Bellevista Drive

Copies of a letter from Robert & Susan Houlihan, 40 Bellevista Drive, and a petition bearing approx. 84 names of parents opposed to the termination of crossing guard services at Spring & Bellevista, have been circulated.

3) Crosswalk Guards, Lyngby & Hillside Ave.

Ald. Rodgers brought Council's attention to petitions presented by him from parents opposed to the removal of crossing guards from the Lyngby/Hillside intersection (bearing 109 names), and from the Northbrook School district, supported by 463 signatures. Heard as well, was Mr. Bruce Sutherland, representing the Crichton Park Home & School Association. He stated the opposition of his Association to crosswalk guard reductions.

Another petition circulated to Council, came from parents of children using the Crichton Ave/Glen Manor crosswalk, along with a letter from Mark Eldridge of 88 Russell Street, for the Northbrook Home & School.

4) Crosswalk Guards, Northbrook School District

Referred to above, as part of the presentation of petitions made by Ald. Rodgers, and outlined in #3.

Ald. Woods had a number of questions for Mr. John Ross, pertaining to the participation of parents in alternative arrangements for street crossing protection for their children. He noted the education cost per student, already being assumed by the City taxpayers, and discussed with Mr. Ross, possible areas where parents could assist the City more in safety programs.

There was one further presentation, at a later point, by Mrs. Robertson, a crosswalk guard at the Five Corners intersection. She presented a petition from residents who live on streets at or near Five Corners, and cited instances of driver inattention and disregard for pedestrian safety. These instances were meant to point out some of the dangers that exist for children crossing streets, in addition to other dangerous situations where crossing guards offer protection for them.

In connection with the suggested use of older school students, as crosswalk guards, on a volunteer basis, Ms. Sandra Everett, in her capacity as President of the Nova Scotia School Boards Association, informed Council that the Association would not be able to supply liability insurance for children acting as crosswalk guards.

6.0

POLICE DEPT. REPORT

Police Chief MacRae presented his supplementary report to Council on the subject of crosswalk guard services. He said he shared the concern of parents about the safety of their children, but pointed out that there is only provision in the Police Dept. budget to fund 30 crosswalk guard positions, necessitating the elimination of 20 locations where services were formerly

being provided. He said the criteria used in determining the 20 locations proposed for elimination, were based on a review of each crossing, with respect to traffic volume, the presence of other traffic controls, and the determination that most locations were not main thoroughfares. His department is prepared to train volunteer crossing guards, as a possible alternative, but is not able to devote police personnel to the aspects of organization and supervision. He said that basically, it is not possible to fund additional crossing guards, over the number 30, from his present budget for 1993/94.

Several members of Council referred to the major response this issue has raised among citizens in their wards, and therefore felt it has a higher priority than some other City priorities in the budget. There was a general willingness to reinstate the 20 crosswalk guard positions, or at least, as many as are required for the fall school opening (ie. where school closings are planned, positions could be terminated).

MOTION: To give first approval to an amount not to exceed \$110,000. for crosswalk guard services for September, as a budget over-expenditure.

Moved: Ald. Thompson
Second: Ald. Pye

Ald. May felt that between now and the fall opening of school, there is time to look at other alternatives and to determine just exactly what the expenditure needed would be ; also, to wait for the ruling on the City's Pay Equity appeal. Other members were not prepared to delay a decision and supported the motion..

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

Second approval for this over-expenditure to be given at the June 15th Council meeting.

- 7.0 ORIGINAL COMMUNICATION
- 8.0 REPORTS
- 8.1 CITY ADMINISTRATOR
- 8.1.1 RODEO LOUNGE, 121 ILSLEY AVE., SECOND ANNUAL COUNTRY MUSUC FEST

RODEO LOUNGE:
COUNTRY MUSIC
FEST

A supplementary report from Mr. Fougere, with accompanying letter from Ms. Angel Frost, was before Council, in connection with the Liquor License application from Parkside Restaurant & Rodeo Lounge, to permit them to hold the second annual Country Music Fest at their location, 121 Ilsley Ave. Funds raised from this event go to the support of Christmas Daddies.

Mr. David Frost explained to Council the measures that will be taken to address last year's noise problems; the direction of the stage will be changed toward Sackville and a tarpaulin will also be used to curtail noise from the event. Ald. Pye asked about a possible termination of the event at 11:00 p.m., and Mr. Frost said this could be done if events were started at an earlier time during the day. He did acknowledge, however, that it would be hard to raise the same amount of money, with an 11:00 p.m. closing, as could be raised if music is allowed until 2:00 a.m.

Ald. Woods felt the owners of Rodeo Lounge should have a sound expert assess the noise problem and determine just what can be done to avoid the kind of problems experienced last year. Ald. Hawley felt that when events are held in the City, it is expected that there may be some noise associated with them, such as the Grand Prix races in Halifax and the boat races at Dartmouth waterfront. Ald. Woods said he would be prepared to go along with a motion of agreement to indicate no objection to the license being sought, provided the owners come back to Council, to explain how noise is to be controlled.

MOTION: To agree to indicate no objection to the issuance of a license for Rodeo Lounge, provided they come back to Council to explain how noise from the Music Fest is to be controlled.

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

8.1.2 TENDER, PAVEMENT MARKINGSAWARD TENDER:
PAVEMENT
MARKINGS

Report from Mr. Fougere (E. Purdy) on tenders received for the 1993 pavement marking program, called for two components, Contract T93-01 and Contract T-93-02, recommending that the tenders be awarded to the lowest bidders in each of the contracts.

MOTION: To award the tenders, as recommended, for the 1993 pavement marking program, as follows:

Contract T93-01: awarded to Provincial Maintenance, for small machine application, with a tender price of \$40,215.95; completion time: 4 weeks.

Contract T93-02: awarded to Provincial Pavement Marking Division of 463051 Ontario Ltd., for centerline machine applications, with a tender price of \$24,204.94; completion time: 2 weeks.

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

8.1.3 WATER SYSTEM EXTENSION, CHERRYBROOK AREA, PHASE 2

WATER SYSTEM
EXTENSION:
CHERRYBROOK

In a supplementary report to Council, Mr. Fougere (E. Purdy, Conrad Sarty) has provided answers to the questions raised at the April 27th Council meeting, in connection with the water system extension request for the Cherrybrook area, Phase 2 (original report to Council, dated March 23/93). The report recommended in favour of the water extension.

MOTION: To adopt the recommendation of the A/City Administrator: that the Dartmouth Water Utility pay to the Halifax County Municipality a single capital payment of \$52,300. from the Depreciation Reserve account, on completion of the installation and on receipt of a Bill of Sale and the cost breakdown, as required for the Utility Plant Ledger, the financial arrangement being subject to approval of the Public Utilities Board.

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

9.0 MOTION

9.1 ALD. MACDONALD

At his request, Council agreed to defer Ald. MacDonald's

motion, for which notice was previously given, to the next regular meeting, on June 15th.

11.0 REPORTS

11.1 CITY ADMINISTRATOR

11.1.1 TENDER, CLEARING & GRUBBING, LOT 33H B.I.P.

AWARD TENDER:
LOT 33-H B.I.P.

Report from Mr. Fougere (E. Purdy, D. Rix) on tenders received for the clearing & grubbing of Lot 33-H, Akerley Blvd., Burnside Industrial Park, recommending that the tender be awarded to the low bidder, Maritime Excavators, for the bid price of \$19,586.14, and that Resolution 93-23 be approved, authorizing the withdrawal of \$35,000. from the Burnside Land Account, to cover the total cost of this project.

MOTION: To award the tender for the clearing and grubbing of Lot 33-H, Akerley Blvd. to the low bidder, Maritime Excavators, for the bid price of \$19,586.14, as recommended.

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

RESOLUTION
93-23

Resolution 93-23, also recommended for approval, was also adopted by Council, in connection with the awarding of the contract.

MOTION: To approve Resolution 93-23, as recommended, authorizing the withdrawal of \$35,000. from the Burnside Land Account, to cover the total cost of the project.

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

Ald. Hetherington asked about the unsightly condition of a piece of land on Burnside Drive, owned by Inter-Provincial Developments, and Mr. Fougere agreed to check on the need for it to be cleaned up by the owners.

11.1.2 TENDER FOR SINGLE AXLE DUMP TRUCK

AWARD TENDER:
SINGLE AXLE
DUMP TRUCK

Report from Mr. Fougere (Harry George, Rod MacDonald) on tenders received for a single axle dump truck, to replace a 1986 Mack single axle dump truck, recommending that the tender, including the optional "on spot" traction chains, be awarded to the lowest evaluated bidder, Burnside International Truck Sales. Total net cost of purchase, after trade & including GST, is \$55,620.62.

MOTION: To award the tender as recommended for a single axle dump truck, to the lowest evaluated bidder, Burnside International Truck Sales, for the total net purchase price, after trade & GST, in the amount of \$55,620.62.

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

11.1.3 APPLICATION TO AMEND DEVELOPMENT AGREEMENT - LOT WDC-1ALDERMEY DRIVE

APPLICATION:
AMEND AGREEMENT
LOT WDC-1
ALDERNEY DR.

Report from Mr. Fougere (V. Spencer, G. L'Esperance) on a request to permit minor alterations to the previously approved apartment complex for Lot WDC-1, Alderney Drive. It is being recommended that the necessity for a neighbourhood consultation meeting be waived in this instance, and that Council request staff to proceed directly to a neighbourhood information meeting.

MOTION: To adopt the recommendation: that the necessity for a neighbourhood consultation meeting be waived in this instance, and that Council request staff to proceed directly to a neighbourhood information meeting.

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

As an item of concern, Ald. Walton asked that the Bridge Commission be asked to look at their present policy of requiring drivers to get out of their cars

and retrieve tokens that fall on the ground, when commissionaires are on duty and could perform this service for drivers, especially in the case of drivers who have difficulty getting in and out of their cars. This question to be raised by Council's representative on the Commission.

Meeting adjourned at 10:35 p.m.



V. Carmichael,
Asst. City Clerk.

ITEMS:

- Recognition of Dartmouth Police Team, page 1.
- 1.0 Notices of Reconsideration, page 1.
- i) Habitat for Humanity, 61 Courtney Rd., page 1 & 2.
- ii) Habitat for Humanity, 15 Crest Drive, page 2 & 3
- 2.0 Approval of minutes, page 4.
- 3.0 Business Arising from the Minutes, page 4.
- 4.0 Concerns of Council members or questions, page 4.
- 5.0 Delegations & Hearings of Protest, page 4.
- Crosswalk Guards, page 4.
- i) Letter: Bel Ayr/Mount Edward/Brookhouse H.& S. Assn., pg. 4.
- ii) " Dartmouth District Council, H.&S. Assn., page 5.
- Petitions, page 5.
- 1) Crosswalk guards, Pleasant, Shirley & Crawford Sts., pg. 5.
- 2) " " , Spring Ave. & Bellevista Dr., page 5.
- 3) " " , Lyngby & Hillside Ave., page 6.
- 4) " " , Northbrook School District, page 6.
- 6.0 Crosswalk Guards, Police Dept. report, page 6 & 7.
- 7.0 Original Communication, page 7.
- 8.0 Reports, page 7.
- 8.1 City Administrator, page 7.
- 8.1.1 Rodeo Lounge, 121 Ilsley Ave., Country Music Fest, pg. 7 & 8.
- 8.1.2 Tender, pavement markings, page 8.
- 8.1.3 Water system extension, Cherrybrook area, Phase 2, page 9.
- 9.0 Motion, page 9.
- 9.1 Ald. MacDonald, page 9.
- 11.0 Reports, page 10.
- 11.1 City Administrator, page 10.
- 11.1.1 Tender, Clearing & grubbing, Lot 33-H, B.I.P., page 10.
- Resolution 93-23, page 10.
- 11.1.2 Tender for single axle dump truck, page 11.
- 11.1.3 Application to amend Development Agreement, Lot WDC-1, pg. 5.

Lib Ref Dept

**DARTMOUTH CITY COUNCIL
AGENDA**

**TUES., JUNE 15/93
7:30 PM
COUNCIL CHAMBER**

RECOGNITION OF AUDREY MANZER FOR LONG SERVICE ON LAKES ADVISORY BOARD

1. **SECOND APPROVAL, OVER-EXPENDITURE - CROSSWALK GUARDS**
(not to exceed \$110,000).

CONTINUATION OF COUNCIL AGENDA OF JUNE 8, 1993

2. **MOTION**

2.1 **ALD. MACDONALD**

BE IT RESOLVED that Council direct staff to review recent legislation in other parts of the Country and report back to Council promptly as to a system that can be used to control cats in the City of Dartmouth.

3. **NOTICES OF MOTION**

COUNCIL AGENDA OF JUNE 15, 1993

4. **PRESENTATIONS**

- i) Financial Statements
- ii) Housing Committee
- iii) Advisory Committee on Human Rights

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

6. **REPORTS**

6.1 **CITY ADMINISTRATOR**

- 6.1.1 Contract 93-07, Watermain Replacement, Portland Street
- 6.1.2 Set Aside Program

6.2 **WATER UTILITY COMMITTEE**

- 6.2.1 Water Utility 1993/94 Budget

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

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

REGRETS: ALD. SARTO, MACDONALD
MACFARLANE

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

RECOGNITION OF AUDREY MANZER FOR LONG SERVICE ON L.A.B.

After the meeting had been opened by Mayor McCluskey, Mrs. Audrey Manzer came forward to be recognized by the City and honored by a presentation, for her long years of service on the Lakes Advisory Board, as a charter member in 1971, and as Chairman for the following twenty-one years. The Mayor commented on the approach that has been taken by the Board toward lake protection in Dartmouth, through cooperative initiatives with developers. Also, that during its 21 years in operation, one hundred residents of the community have served on the Board, representing their various organizations. A floral presentation was made to Mrs. Manzer, and she responded with thanks to the Mayor and Council.

1.0 SECOND APPROVAL, OVER-EXPENDITURE, CROSSWALK GUARDS

SECOND APPROVAL: An over-expenditure, not to exceed \$110,000., was before
CROSSWALK GUARDS Council for second approval, having received first approval at the June 8th Council meeting; this would be the maximum amount required to reinstate crosswalk guard services deleted from the budget as a cost-saving measure, but would not necessarily be required in the full amount of \$110,000.

MOTION: To give second approval for the over-expenditure, not to exceed \$110,000. for the reinstatement of crosswalk guard services; actual amount of the expenditure to be subsequently determined.

Moved: Ald. Thompson
Second: Ald. Pye

Ald. Levandier, Greenough and Cunningham, who had not been present when the over-expenditure received first approval, felt they could not support the motion, in view of the City's financial position and with \$700,000. still to be taken out of this year's budget. Ald. Hawley noted that the full amount of \$110,000. represents a maximum figure only, and is not likely to be required in total to reinstate crossing guards where they are most needed. Discussion followed as to how this will be determined and what alternatives are to be considered, in order to provide crossing guard services in some other form, such as with the assistance of local Home & School Associations.

Ald. Thompson and Rodgers were committed to supporting the over-expenditure, based on the concerns of residents and their indication that safety for their children is a high priority item in the budget. Ald. Greenough felt that at least, the item should be looked at by a committee, to determine the actual cost figure involved, and what form service should take. A motion of referral to the Public Works & Safety Committee was presented.

MOTION: To refer the item to the Public Works & Safety Committee, for study (ie. to determine locations where crossing guards are required most, what other alternatives can be considered, etc.) Members of Council to be notified of this meeting.

Moved: Ald. Greenough
Second: Ald. Cunningham

Ald. Hawley pointed out that it will be difficult to assess crosswalk needs once school is out for this year; any counts at existing locations would have to be made before the end of this year's school term. As the debate continued, Ald. Greenough indicated that he would be willing to withdraw his motion of referral, in order to first proceed with the vote on second reading for the over-expenditure. Ald. Cunningham, as seconder, was not willing to withdraw the referral motion, however, and the vote was taken on it.

In Favour: Majority of Council
Against: Minority of Council
Motion Carried

At this point in the meeting, Council observed a minute of silence in memory of Art Russell and Jack Regan, both of whom died within recent days. They were well-known citizens and were remembered for service to the community.

2.0 MOTION

2.1 ALD. MACDONALD

In the absence of Ald. MacDonald, his motion was deferred until next meeting of Council.

3.0 NOTICES OF MOTION

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

Ald. May

- (a) WHEREAS the Police Act gives a Police Chief or a Board of Police Commissioners, the power to appoint and promote police officers;

AND WHEREAS By-law P-901 gives the Chief of Police the power to appoint or promote police officers;

AND WHEREAS the collective agreement between the City of Dartmouth and the Dartmouth Police Association contains clauses which provide for promotion of police officers by the City Administrator;

BE IT RESOLVED that the collective agreement be referred to the Minister of Justice, to determine if the collective agreement complies with the Police Act.

- (b) WHEREAS the Police Act allows two or more municipalities to enter into an agreement for the amalgamation of their police forces;

BE IT RESOLVED that the City of Dartmouth initiate discussion with the City of Halifax and the Town of Bedford, with the intent of developing an agreement for a unified police force;

AND BE IT FURTHER RESOLVED that the Provincial Government assist the discussion.

4.0 PRESENTATIONSi) FINANCIAL STATEMENTSFINANCIAL
STATEMENTS
1992/93

Members of Council have received their copies of the 1992/93 Financial Statements, as prepared by Doane Raymond; Mr. Mallowney and Ms. MacLeod were present for the presentation of the Statements to Council. The Chairman of the Audit Committee, Ald. Rodgers, reported to Council that the Statements have been reviewed, and that the Committee recommends their approval to Council.

MOTION: To approve the 1992/93 Financial Statements, as recommended by the Audit Committee.

Moved: Ald. Rodgers

Second: Ald. Woods

Mr. Mallowney then proceeded with his presentation, which took the form of a series of overhead slides, highlighting the main financial items contained in the Financial Statements. In his report to Council, circulated in conjunction with the Statements, Mr. Smith has noted that the City was able to achieve its total revenue forecast, but the expenditure components have attributed to the year-end \$1.9 million dollar deficit. In his presentation, Mr. Mallowney identified each of these contributing components. He directed Council's attention to several notations in the Statements, relative to specific individual figures from the overview; in particular, the accumulated Ferry deficit (pg. 40); the figures for valuation allowances and unresolved assessment appeals (pg. 41); capital debt figures (Pg. 51). Ald. Levandier asked about the nine-million-dollar figure for uncollected taxes, and Mr. Mallowney noted that this time last year, it was 9.7 million. Asked about the City's present debt figure (\$64 million dollars), Mr. Mallowney said it is not 'horrendous' for a city of this size. As long as it is kept at a reasonable level, it is considered acceptable.

Ald. May asked that Council be circulated with an information page received by the Audit Committee, under the heading 'Industrial Park - Work in Progress/ Land & Development Costs'. He said Council should be aware of the amount of money tied up in Burnside, which the City now needs for other purposes.

The vote was taken on the motion to approve the Financial Statements

In Favour: All
Against: None Motion Carried

ii) HOUSING COMMITTEEPRESENTATION:
HOUSING
COMMITTEE

The second presentation made to Council was by Ms. Kathleen Jennex, on behalf of the City's Housing Committee. A submission from the Committee, based on the points raised in the presentation, had been previously circulated to members of Council with the agenda for this meeting.

Ms. Jennex expressed the Committee's concern about budget decisions that have resulted in the deletion of the Housing Director's position, and in general, the withdrawal of the City from a housing program formerly undertaken. She questioned the future of the Committee, under the circumstances, and asked if Council is prepared to provide even some limited resources for the Committee to continue its work, especially with regard to the annual housing seminar, at a cost of \$1,600.

Ald. Hetherington felt it is important to keep the Housing Committee functioning, even if it has to come under some other umbrella, such as one of the Healthy Dartmouth committees. Ald. Greenough suggested it might be preferable to have the Committee function through the Planning Dept.

MOTION: To refer the submission of the Housing Committee to staff, for report and recommendation on the future of the Committee.

Moved: Ald. Hetherington
Second: Ald. Thompson

Ald. Pye asked that staff consult with Ms. Jennex and the Housing Committee, in determining what the future of the Committee should be, and what they would see as a minimal cost for continuing their work.

In Favour: All
Against: None
Motion Carried

iii) ADVISORY COMMITTEE ON HUMAN RIGHTSADVISORY
COMMITTEE ON
HUMAN RIGHTS

Members of Council received with their agenda, a submission from the Advisory Committee on Human Rights, and heard at this time from Mr. Tim Gabriel, Vice-Chair of the Committee.

The specific concerns of the Committee, brought to Council's attention in Mr. Gabriel's presentation, were:

- 1) amendments made by Council to By-law P-902, before its approval and without the knowledge of the Committee, until after the action had been taken. Mr. Gabriel described the by-law as 'unrecognizable' by the time it was passed.
- 2) the termination of the position of Employment Equity Co-ordinator, and without consultation with the Committee. Mr. Gabriel said this action contravenes the provisions and intent of the Memorandum of Understanding, signed between the City and the N. S. Human Rights Commission, in 1987.
- 3) the status of terms of reference for the Committee, which have been drafted but not finalized to date.

He felt that the Committee is being ignored in Council's decision-making process, and requested:

- a) that Council consult with the Committee where the advice of the Committee is warranted.
- b) that when Council agrees to act on the advice of the Committee, it does so.
- c) that Council reinstate the position of Employment Equity Co-ordinator or something similar, such as a cost-shared position with the other local municipalities.

Mr. Fougere pointed out that the duties of this position have been transferred to the Human Resources Dept, as provided for in the Affirmative Action Plan, but Mr. Gabriel maintained that the adequacy of services cannot help but suffer under those circumstances.

Ald. May did not agree with points raised by Mr. Gabriel in his presentation. He said he had urged the Committee to have terms of reference established and their position clarified through this means. Also, he questioned the action of the Committee in calling a press conference for this date, considering that the views of the Committee should first be communicated to Council before any such action is taken by an advisory body. He felt it is not the role of advisory committees to function in this way, but Mr. Gabriel's opinion was that the press conference was justified in a situation where the concerns of the Committee have been ignored, and the Committee bypassed in decisions where they should have been consulted.

The Mayor later indicated that she would have hoped that areas of concern or misunderstanding could have been discussed between the Committee and Council, before press releases were issued. She requested that in future, a copy of Council agendas be forwarded to the Advisory Committee, so they are made aware of items that may concern them, on a regular basis. Ald. Hetherington also suggested the reinstatement of a Council member on the Committee, so that a better liaison between Council and the Committee can be maintained. Ald. May asked the Mayor to convene a meeting between the Committee and Council, specifically to enhance communication and clarify points at issue.

Ms. Sue Edmonds, Chair of the Committee, also addressed Council briefly. She said the Committee cannot operate in a vacuum and has to be made aware of matters where the input of the Committee is required.

Ald. Cunningham said the Committee is owed an apology for being overlooked in connection with the items where they should have been involved, but it was not done intentionally by Council. He said it may be a good idea to think about putting the Council agenda on Cable TV, in advance of meetings, as a means of informing the public and committees, thereby improving lines of communication. Most members who spoke, after the Committee presentation, agreed on the need for better communication in the future.

MOTION: To refer the Committee's submission to staff, for report back to Council on the three main items of concern identified, that is: (1) the terms of reference for the Committee and their finalization; (2) the position of Employment Equity Co-ordinator; and (3) By-law P-902 and changes to it with regard to Police Commission membership for blacks and minorities.

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

Ald. May requested that minutes from meetings of the Advisory Committee be referred along with the motion, for consideration of points and items not covered by the actual wording of the motion.

(Ald. Levandier left the meeting.)

5.0 CONCERNS OF COUNCIL MEMBERS OR QUESTIONS

ALD. WALTON

Ald. Walton had major concerns about acts of vandalism and violence being committed by young people, with no regard for the law, and causing a serious situation in his area, with people threatening to take action themselves if something is not done about the lawlessness problems. He said something has to be done about the Young Offenders Act, which is the cause of much of the problem. The Mayor acknowledged the seriousness of the crimes being committed, and said the police are aware of them and trying to do what they can, given their limitations.

ALD. PYE

Ald. Pye asked to have the street cleaner in the north end of the City, and that priority be given to Courtney Road for cleaning.

He also requested that the Minimum Standards inspector look at apartment buildings on Pinecrest Drive, both exterior and interior inspections; requested in particular was an inspection at 126 Pinecrest Dr.

ALD. HAWLEY

Ald. Hawley requested the street cleaner on Lakecrest Drive, the upper end, where a lot of gravel is scattered over the street.

ALD. MAY

Ald. May asked about the contents of a memo from a staff member, finding its way into the report of the Advisory Committee on Human Rights. Mr. Fougere said he did not know if the memo was passed to the Committee, or not, and he has not been able to find a copy of it for his own office.

6.0 REPORTS6.1 CITY ADMINISTRATOR6.1.1 CONTRACT 93-07, WATERMAIN REPLACEMENT, PORTLAND ST.AWARD TENDER:
CONTRACT 93-07

Report from Mr. Fougere (E. Purdy, G.M. Boyd) on tenders received for Contract 93-07 (water main replacement, Portland Street), recommending that the tender be awarded to the lowest bidder, Campbell & Rowter Contracting Ltd., with a bid price of \$103,750.32; completion time: 30 workdays. Additional funds required to be allocated from the Water Utility Depreciation Reserve.

MOTION: To award the tender for Contract 93-07 to the lowest bidder, Campbell & Rowter Contracting Ltd., with a bid price of \$103,750.32, as recommended. Additional funds required to be allocated from the Water Utility Depreciation Reserve.

Moved: Ald. Thompson

Second: Ald. May

Ald. Hetherington asked about traffic control plans for the duration of this construction project; otherwise, there are likely to be major traffic tie-ups on these main streets of the City, all summer. He discussed his concerns with Mr. Fougere and Mr. Purdy. Mr. Fougere said the T.M.G. will be looking at potential traffic problems and that a plan will be drawn up for the project and the Alderman informed.

In Favour: All

Against: None

Motion Carried

6.1.2 SET ASIDE PROGRAM

SET ASIDE
PROGRAM

A report from Mr. Fougere was before Council on the 1993 set aside program for black entrepreneurs, in the amount of \$372,600., concluding with two recommendations.

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

- 1) that Council approve the 1993 set aside program for six projects, as listed in the report, for a total construction budget amount of \$372,600., to follow the 1992 set aside guidelines.
- 2) that Council commission the City's Advisory Committee on Human Rights to prepare for Council's consideration, a goal or mission statement for the set aside program; this report to be ready for consideration by Council no later than the first meeting of Council in October of 1993.

Moved: Ald. Hetherington

Second: Ald. Thompson

In connection with this item, Council agreed to hear Mr. Raymond Sheppard, who presented a submission (copies of which were circulated), outlining some problems that are seen to exist in the black community, with certain aspects of the set aside program, with its existing policies. The submission has named several black organizations having input on this matter, and Mr. Fougere said that once agreement is reached among these organizations, they can then meet with the City staff who are working on the program. Mr. Harry George, present for this item, agreed that it is important to get the ideas of people the program is intended

for, so that when the program is being reviewed by the Advisory Committee, they have this information to assist them in their discussions.

On motion of Ald. Walton and May, Council agreed to continue meeting after 11:00 p.m.

Also heard by Council, was Mr. David Hill of the Minority Construction Assn. of Nova Scotia. He said there is some confusion in the black business community, associated with the program, and he felt it should be at a level of at least one million dollars and moving forward faster than it is. However, he commended the City for being the first municipality in the province to put 'their money where their mouth is'. Mr. Fougere later noted that the City has been contacted by the Province of Ontario, for information on our program, considered to be a leader in Canada.

Responding to a request from Ald. Rodgers, Mr. George said the committee will be looking to these spokesmen from the various groups for recommendations, so they can be taken into account in preparing the mission statements for guidance in the 1994 program.

In answer to a question from Ald. May, Mr. Fougere advised that this is intended to be a minority set aside program (ie. as opposed to a black program only).

In Favour: All
Against: None
Motion Carried

6.2 WATER UTILITY COMMITTEE

6.2.1 WATER UTILITY 1993/94 BUDGET

WATER UTILITY
BUDGET

The Water Utility Committee has dealt with the 1993/94 operation budget for the Water Utility, and has recommended its approval to Council. A report to this effect, from the Committee Chair, Ald. Hetherington, has been previously circulated with the agenda.

MOTION: That the Water Utility budget for the 1993/94 operation of the Utility, be approved by Council, as recommended by the Water Utility Committee.

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

Meeting adjourned at 11:15 p.m.

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

ITEMS:

- 1.0 Recognition of Audrey Manzer for long service, L.A.B., pg. 1
- 2.0 Second approval, over-expenditure, crosswalk guards, Pg. 1 & 2
- 2.1 Motion, page 3.
- 2.1 Ald. MacDonald, page 3.
- 3.0 Notices of Motion, page 3.
- 4.0 Presentations, page 4.
- i) Financial Statements, page 4.
- ii) Housing Committee, page 5.
- iii) Advisory Committee on Human Rights, page 5 to 7.
- 5.0 Concerns of Council members, page 8.
- 6.0 Reports, page 8.
- 6.1 City Administrator, page 8.
- 6.1.1 Contract 93-07, Watermain replacement, Portland St., pg. 8
- 6.1.2 Set aside program, page 9.
- 6.2 Water Utility Committee, page 10.
- 6.2.1 Water Utility 1993/94 Budget, page 10.

Lib. Ref. Dept.

**DARTMOUTH CITY COUNCIL
AGENDA**

**TUES., JUNE 22/93
7:30 PM
COUNCIL CHAMBER
IN CAMERA
10:00 PM**

CONTINUATION OF COUNCIL AGENDA OF JUNE 15, 1993

1. MOTION

1.1 ALD. MACDONALD

BE IT RESOLVED that Council direct staff to review recent legislation in other parts of the Country and report back to Council promptly as to a system that can be used to control cats in the City of Dartmouth.

COUNCIL AGENDA OF JUNE 22/93

2. REPORT

2.1 FINANCE & PROGRAM REVIEW COMMITTEE

2.1.1 Review of 1993/94 Operating Budget (to be circulated)

3. PRESENTATION

i) Ward Boundaries Review Committee Report

4. REPORT

4.1 CITY ADMINISTRATOR

4.1.1 Amendment to MPS Land Use By-law - True North

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

IN CAMERA SESSION - 10:00 P.M.

1. Amendment to Collective Agreement
2. Sale of land - Burnside (to be circulated)

RECEIVED

JUN 21 1993

DARTMOUTH REGIONAL
LIBRARY

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

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

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

1.0 MOTION

1.1 ALD. MACDONALD

MOTION: WHEREAS Council may make by-laws for the seizure, impounding, and detention of unlicensed dogs, and of dogs, horses, cattle, and other animals unlawfully permitted to be upon a street or at large;

AND WHEREAS Council may make by-laws providing for reasonable charges to be imposed by the City for their seizure, impounding and detention, and their maintenance while impounded;

AND WHEREAS Council may make bylaws providing for their sale and destruction in cases where such charges are not paid or where, under the terms of the by-law, such sale or destruction is prescribed;

AND WHEREAS the City presently has a system in place for the control of dogs;

AND WHEREAS there is a serious problem at the present time with regards to uncontrollable cats in the City of Dartmouth;

BE IT RESOLVED that Council direct staff to review recent legislation in other parts of the country and report back to Council promptly as to a system that can be used to control cats in the City of Dartmouth; and that Council be prepared to deal with recommendations within the next month.

Moved: Ald. MacDonald

Second: Ald. May

In the presentation of his motion, Ald. MacDonald gave several examples of instances where cats are causing problems in neighborhood, especially during summer months. Many of these problems rest with irresponsible owners of the animals, who allow them to run at large, over the properties of other citizens. Cats are also abandoned and left to fend for themselves as strays, again by irresponsible owners.

Ald. Sarto, a member of the ad hoc committee that has already looked at ways of addressing problems with cats, suggested that staff contact the City of Edmonton and the Town of Wolfville, two communities where citizen committees have been established to mediate complaints about cat problems.

In Favour: All

Against: None

Motion Carried

2.0 REPORT

2.1 FINANCE & PROGRAM REVIEW COMMITTEE

2.1.1 REVIEW OF 1993/94 OPERATING BUDGET

BUDGET REVIEW

Ald. Rodgers presented a report from the Finance & Program Review Committee, prepared in connection with the \$700,000. budget reduction required to meet the tax rate set for 1993/94. He thanked staff and members of Council for their participation in the review and preparation process.

Members of Council were circulated with copies of the report and recommendations for reducing the budget and for a new organizational structure being proposed for the City. Ald. Rodgers' presentation at this meeting, dealt only with that section of the report pertaining to the budget, and the City's financial position, which has necessitated adjustments in order to be able to balance the 1993/94 budget. He brought to Council's attention, in particular, the statement on page 2 of the report, which reads: "This is the first time in Dartmouth's history that net departmental expenditures have been lower than the level of the previous year."

A motion was placed on the floor, for the adoption of the first recommendation from the report.

MOTION: That City Council approve the budget adjustments listed in Appendix A, totalling a \$700,000. net reduction in the 1993/94 Operating Budget.

Moved: Ald. Rodgers

Second: Ald. Woods

Mr. Corrigan gave the overview of the recommended budget adjustments, totalling \$960,000., from which amount it is proposed that a \$100,000. allocation increase be authorized for the Sportsplex and \$160,000. provided in additional funding for school program purposes, for a net budget reduction amounting to the \$700,000. figure required. Mr. Corrigan gave an explanation of each item on the budget reduction list, in particular, item #3, involving the adjustment in the School Board deficit estimate, where the Committee has recommended a \$519,000. saving, based on the year-end deficit change in the figure projected by the Board at budget time.

Ald. Levandier felt the School Board is being unfairly penalized in this instance, and he asked the Solicitor about Council's action in proposing to change the budget allocation for the Board, at this point in the year. The Solicitor said she did not see a problem in Council looking at a change, since the information on which a decision would be made is now different from that presented at budget time. Mr. Corrigan again explained to Council, the basis for the Committee's recommendation, in view of the deficit change; otherwise the full amount of the original deficit estimate would have had to be provided for by the Board as their first spending priority in their budget.

Ald. Hawley preferred to see the \$100,000. allocation for the Sportsplex, go to the School Board instead. Both he and Ald. Sarto were concerned about the impact of continued reductions in funding for education, and the detrimental results that can be expected in the City's education system.

Ald. Greenough proposed an amendment that would reinstate half of the \$19,000. amount to be cut from the School Board budget.

AMENDMENT: That the City split the \$519,000. amount, 50/50 with the School Board, giving them a total of \$260,000., instead of the \$100,000. proposed, and that the \$100,000. required to make up the difference, be referred to Finance & Program Review Committee, to be determined and recommended.

Ald. May suggested simplifying the amendment by setting the budget allocation for School Board at \$18,303,000., and referring the \$100,000. requirement, to make up the budget saving required, to the Committee. Members concurred with this revised version of the amendment.

Moved: Ald. Greenough
 Second: Ald. Hawley
 In Favour: Seven members) Tie vote with the Mayor voting
 Against: Seven members) against.
Amendment Defeated

The vote was taken on the main motion, to adopt recommendation #1, from the Committee report.

In Favour: Eight members
 Against: Six members
Motion Carried

Ald. Rodgers proposed that the remainder of the Committee's report be deferred for consideration at the June 29th Council meeting, if Council would prefer to deal with it then. A motion to refer the rest of the report and recommendations 2 to 5 to the June 29th meeting, was adopted.

MOTION: To refer the remainder of the Finance & Program Review Committee report, and recommendations 2 to 5, to the June 29th Council meeting.

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

While the motion was in progress, Ald. Levandier indicated his wish to give notice of reconsideration, with respect to the previously-adopted motion, dealing with budget reductions. The Mayor noted that a motion was already on the floor and notice of reconsideration would have to be given after the vote was concluded. A break in Council proceedings followed, and no notice of reconsideration was subsequently given.

3.0

PRESENTATION

i)

WARD BOUNDARIES REVIEW COMMITTEE REPORT

WARD BOUNDARIES REVIEW REPORT

Presentation of the Ward Boundaries Review report followed. Copies of this report were circulated with the agenda, and it was presented at this time

by the Chairman, Mr. Dan Brownlow, assisted by Mr. Phil Elliott, the Ward 1 representative on the Committee. Several other members of the Ward Boundaries Committee were also present for this item, and were acknowledged by Mr. Brownlow in his introductory remarks. The Mayor thanked the Chairman and Committee members for all the time and effort they have put into their study and preparation of a report for Council. The Mayor also suggested that Council consider setting a date for a public meeting, at which time representations from interested citizens, could be heard in connection with the report and its recommendations. Members of Council agreed with the Mayor's suggestion.

In his introductory comments, Mr. Brownlow reviewed briefly the public participation process that was followed by the Committee, to seek as much input from citizens as possible. He said the document produced is, in effect, a working paper for Council's use and for public discussion purposes. The Committee is not trying to convince Council to accept one option over another, but has tried to put the results of public response in a form useful to Council.

In highlighting the report for Council, Mr. Elliott provided information on the opportunities given for public input, and outlined the eight basic issues identified by the Committee for consideration. These, in turn, were each elaborated, leading up to the determination of six options for ward distribution and representation, one of which has been specifically recommended by the Committee. Recommended, is the creation of five equal population wards of 13,500, plus or minus 10%; each ward would have two aldermen, for a total of 10 aldermen. Also recommended, is the formation of a Ward Committee for each ward.

In his concluding statements, Mr. Brownlow brought to Council's attention, the school district application that will be determined by the end of this year, and suggested that some liaison with the School Board may be desirable; otherwise, difficulties could arise at election time, if school district boundaries are different from ward boundaries. He advised that copies of all Committee minutes and tapes are available, as well as submissions made to the Committee, on file with the Asst. City Clerk. Copies of the Committee's report are being provided to all citizens who appeared before the Committee, now that the report has been formally presented to City Council. Mr. Brownlow said it has been a good experience working with the Committee established, and he thanked staff members for their assistance during the process.

MOTION: To set October 12th as the date for a public meeting to hear any citizens, in connection with the Ward Boundaries report, and for Council discussion.

Moved: Ald. Thompson
Second: Ald. Sarto
In Favour: All members except
Against: Ald. May
Motion Carried

Members who spoke during debate, commended the work of the Committee, and favoured the public hearing process, called for in the motion. Ald. Thompson asked that a copy of the Committee report be placed in the library for easy access, and also, that copies be provided for people requesting them. Ald. Sarto asked if the meeting in October could be publicized as much as possible, including an information insert with the water billings or tax billings.

MOTION: That in addition to regular advertising means, notices of the public meeting in October, be sent out with water or tax billings, from the City. He asked that a miniature boundary map be included as well, if possible.

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

Ald. Thompson said that for the record, he wanted to inform Council of calls he has received from Ward 1 residents in the Woodlawn area, who are concerned about possible changes in the Ward 1 boundaries. The Mayor noted that all such concerns can be presented by the residents at the October hearing. She again thanked Mr. Brownlow and his Committee for their report and presentation.

4.0 REPORT

4.1 CITY ADMINISTRATOR

4.1.1 AMENDMENT TO MPS⁶ LAND USE BY-LAW - TRUE NORTH

AMENDMENT: Mr. Fougere has submitted a report to Council on the MPS & LAND USE proposed amendments to the MPS and Land Use By-law, BY-LAW, TRUE NORTH to permit the R-1M Zone to be used on three parcels of land acquired by the City on True North Crescent.

Two additional City properties are being recommended for inclusion as well, and it has been recommended that Council set July 20th as the date for public hearing of the proposed amendments.

MOTION: To set July 20th as the date for public hearing of the MPS and Land Use By-law amendments for City properties located on True North Crescent, as recommended.

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

Further to a memo from the Director of Planning & Development, on the subject of the Portland Estates CDD plan, Council agreed to hold a meeting to review the plan, as suggested by the Mayor.

MOTION: To hold a meeting for the purpose of reviewing the Portland Estates CDD plan, as suggested.

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

Council went in camera at 10:15 p.m., on motion of Ald. Hetherington and Thompson.

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

ITEMS:

- 1.0 Motion, page 1.
 - 1.1 Ald. MacDonald, page 1.
 - 2.0 Report, page 2.
 - 2.1 Finance & Program Review Committee, page 2.
 - 2.1.1 Review of 1993/94 Operating Budget, page 2 to 4.
 - 3.0 Presentation, page 4.
 - i) Ward Boundaries Review Committee report, page 4 to 6.
 - 4.0 Report, page 6.
 - 4.1 City Administrator, page 6.
 - 4.1.1 Amendment to MPS & Land Use By-law, True North, page 6 & 7.
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Lib. Ref. Dept.

**DARTMOUTH CITY COUNCIL
AGENDA**

**TUES., JUNE 29/93
7:30 PM
COUNCIL CHAMBER
IN CAMERA
10:00 PM**

1. REPORTS

1.1 FINANCE & PROGRAM REVIEW COMMITTEE

1.1.1 Budget and Operations Review (previously circulated)
(referred from June 22/93 meeting)

1.2 CITY ADMINISTRATOR

- 1.2.1 Contract 93-08, Concrete Curb & Sidewalk,
Ellenvale Avenue
- 1.2.2 Amendment for Land Use By-law - 4 Renfrew
Street/271A Pleasant Street (set date for public
hearing)
- 1.2.3 Application to Amend Development Agreement
Lot WDC1 Alderney Drive (set date for public hearing)
- 1.2.4 Professional Engineering Services - Burnside Park

1.3 INDUSTRIAL COMMISSION

1.3.1 Appointment to Industrial Commission

2. CONCERNS OF COUNCIL MEMBERS OF QUESTIONS (15 MINUTE MAXIMUM)

IN CAMERA SESSION - 10:00 P.M.

1. Sale of land - Burnside (to be circulated)

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

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

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

The Mayor opened the meeting by recognizing retiring Deputy Police Chief Eric Fraser, who has served over thirty-two years with the Dartmouth force. A presentation was made to him by Mayor McCluskey and she wished him well in his retirement, on behalf of Council.

A minute of silence was then observed in memory of Bob Cullen, a former police officer with the Dartmouth force, whose death occurred within the past few days.

1.0 REPORTS

1.1 FINANCE & PROGRAM REVIEW COMMITTEE

1.1.1 BUDGET AND OPERATIONS REVIEW

BUDGET AND
OPERATIONS
REVIEW

Council resumed consideration of the budget and operations review report of June 21/93, from the Finance & Program Review Committee, containing five main recommendations to Council. Recommendation #1, pertaining to the budget reductions, was dealt with and adopted at the June 22nd Council meeting.

A presentation associated with recommendation #2, a conceptual framework for a new organizational structure as per Appendix B-3, was made to Council by Mr. Fougere. He explained the process that has been followed in arriving at the organizational structure changes proposed, to achieve a "flattening" of the present structure. The number of City departments would be reduced to six and staff functions would be consolidated, for purposes of efficiency and increased operational effectiveness; a corresponding reduction in overall expenditures would be expected as one of the beneficial results, as well. The initial guidelines proposed represent a conceptual framework for further study, and ultimately, a report would come to Council in a final form, after all of the consultation process has been concluded.

MOTION: To adopt recommendation #2 from the report of the Finance & Program Review Committee:

That City Council approve, in principle, the conceptual framework for a new organizational structure, as outlined in Appendix B-3.

On this basis, the City will immediately begin the implementation process to effect the changes envisioned, to be overseen on a continuing basis by the Finance & Program Review Committee.

Moved: Ald. Rodgers

Second: Ald. Greenough

Ald. Rodgers commented on some of the economic benefits the City can expect from the proposed restructuring process, but some members had minor reservations about implementation of changes taking place without sufficient input from staff and some assurance of their involvement in the process.

Ald. Hetherington and Hawley favoured an amendment that would have deleted the second paragraph of the recommendation altogether, but a second amendment was presented by Ald. Greenough, which changed the wording slightly, while still retaining the paragraph.

AMENDMENT: To amend the second paragraph with the wording change: On this basis, the City will immediately begin the consultation process with staff to bring about the changes envisioned, to be overseen on a continuing basis by the Finance & Program Review Committee.

Moved: Ald. Greenough

Second: Ald. Sarto

Ald. MacDonald said that any such restructuring of the City organization, should also include School Board and administration staff and departments, so that education costs can be better controlled, along with City costs.

As the debate went on, members spoke to both the amendment for complete deletion of the second paragraph, and the wording change put forward as an alternative. Ald. Levandier questioned whether any mandate had ever been given to the Finance & Program Review Committee to make a recommendation on organizational restructuring, and Ald. Hetherington felt that any delegation of overseeing should be to Committee-of-the-Whole and not to

any one of the committees of Council. Ald. Rodgers further explained the intention of the Finance Committee, and it was noted by Ald. Greenough that all subsequent reports and recommendations would come to Council for the final say on organizational changes. Also, it was noted that many members of Council have been present at the Finance Committee meetings already held to deal with the item before Council.

At the conclusion of debate, the vote was taken on the second amendment presented (see text on page 2).

In Favour: Nine members
Against: All other members
Amendment Carried

Approval of this amendment resulted in the first amendment being over-ruled (amendment of Ald. Hetherington and Hawley), and no vote was taken on it. Council proceeded to the vote on the main motion, as amended by the change in wording in paragraph two of recommendation #2.

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

Council moved on to recommendation #3, and a motion for its adoption was presented.

MOTION: To adopt recommendation #3 from the report of the Finance & Program Review Committee:

That City Council endorse the concept of closer links between the City's Recreation Dept. and the Dartmouth Sportsplex, as outlined in Appendix C.

Moved: Ald. Greenough
Second: Ald. Sarto

Ald. MacDonald asked if the Sportsplex Commission has endorsed the recommendation or dealt with it. Mr. Fougere noted that Sportsplex representatives have been taking part in the discussions with Recreation Dept., and the Commission will have a report on the outcome, in September. Ald. Pye felt that the YM/YWCA should be in on the discussions, from this point.

The vote was taken on recommendation #3.

In Favour: All
Against: None
Motion Carried

MOTION: To adopt recommendation #4 from the report of the Finance & Program Review Committee:

That City Council instruct staff to immediately begin preparation of the Capital and Operating Budgets for the fiscal year 1994/95.

Moved: Ald. Sarto
Second: Ald. Hetherington

Ald. May said he would like to see a three-year operating budget, in addition to the three-year capital budget Council already receives.

AMENDMENT: That a three-year operating budget be prepared, rather than just for the next fiscal year.

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

The vote was taken on the motion, as amended.

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

MOTION: To adopt recommendation #5 from the report of the Finance & Program Review Committee:

That City Council maintain a committee to liaise with the Dept. of Municipal Affairs, on issues which affect the City and its taxpayers.

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

1.2 CITY ADMINISTRATOR1.2.1 CONTRACT 93-08, CONCRETE CURB & SIDEWALK, ELLENVALE AVE.

AWARD TENDER:
CONTRACT 93-08

Report from Mr. Fougere (E. Purdy, G.M. Boyd) on tenders received for Contract 93-08, concrete curb and sidewalk, Ellenvale Ave., recommending that the tender be awarded to the lowest bidder, P. J. Concrete Services Ltd. and Tartan Drywall Ltd., with a bid price of \$179,771.84; completion time: 40 workdays

MOTION: To adopt the recommendation of the A/City Administrator:

That the tender for Contract 93-08 (concrete curb & sidewalk, Ellenvale Ave.) be awarded to the lowest bidder, P. J. Concrete Services Ltd., and Tartan Drywall Ltd., a Joint Venture, with a bid price of \$179,771.84.

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

1.2.2 AMENDMENT TO LAND USE BY-LAW - 4 RENFREW ST. & 271A PLEASANT S

SET DATE:
4 RENFREW ST.
271A PLEASANT ST.

Report from Mr. Fougere (V.M. Spencer) on an application to amend the Land Use By-law, involving a portion of Civic 4 Renfrew Steet, and Civic 271A Pleasant Street (Part Lot 23 and part Lot 18), recommending that August 24, 1993 be set as the date for public hearing.

MOTION: To set August 24/93 as the date for public hearing of an application to amend the Land Use By-law, 4 Renfrew St. and 271A Pleasant Street (Part Lot 23 and Part Lot 18).

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

1.2.3 APPLICATION TO AMEND DEVELOPMENT AGREEMENT, LOT WDC1 ALDERNEY DRIVE

SET DATE:
LOT WDC1
ALDERNEY DR.

Report from Mr. Fougere (V.M. Spencer, G. L'Esperance) on the application to amend Development Agreement, Lot WDC1, Alderney Drive, recommending that July 20, 1993 be set as the date for public hearing of the application.

MOTION: To set July 20/93 as the date for public hearing of an application to amend the Land Use By-law, Lot WDC-1, Alderney Drive, as recommended.

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

1.2.4 PROFESSIONAL ENGINEERING SERVICES - BURNSIDE PARK

ENGINEERING
SERVICES:
BURNSIDE PARKS

A report from Mr. Fougere was before Council on the City's contract with CBCL Ltd. for professional engineering services for the Burnside Parks, which expires on July 2/93, and the proposed extension of that contract for a further two-year period, to July 2/95. Two recommendations have been made to Council in the report.

MOTION: To adopt the recommendation of the A/City Administrator:

That the contract agreement with CBCL Ltd. for professional engineering services for the Burnside Parks, be extended for a two-year period, to July 2/95; and further, that the billing rates for these services be frozen at their present level for the full two years, or until the City ends the wage freeze on its employees, whichever occurs first.

Moved: Ald. Sarto
Second: Ald. Greenough

CONFLICT OF
INTEREST

Ald. Woods declared a conflict of interest on this item, being employed with CBCL Ltd., and withdrew from his place on Council to sit in the gallery.

Several members, willing to support the contract extension, did not agree with the wage freeze proviso included, and an amendment was made, to have it deleted from the recommendation, and the motion.

AMENDMENT: To delete from the recommendation, the words '. . . or until the City ends the wage freeze on its employees, whichever occurs first'.

Moved: Ald. Pye
Second: Ald. Thompson

Ald. Hetherington requested information on: how much CBCL were paid by the City last year; what has been the increase in rates paid to them over the past few years; and when was the last increase?

Ald. Hawley opposed the motion, and felt that Council needs to be informed and notified of Industrial Commission meetings, so members can attend if they wish to. Ald. Walton asked if it would be possible for members of Council to have copies of the past three Commission minutes, for information.

When the vote was taken on the amendment, it carried.

In Favour: All members
Against: None
Amendment Carried

The vote followed on the motion, as amended

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

1.3 INDUSTRIAL COMMISSION

1.3.1 APPOINTMENT TO INDUSTRIAL COMMISSION

APPOINTMENT:
IND. COMMISSION

As a result of Ald. Woods' resignation, Council has been asked to appoint an aldermanic representative to take his place on the Industrial Commission. Names placed in nomination were: Ald. Hetherington, MacFarlane, and MacDonald. Following a vote by secret ballot, the Mayor declared Ald. MacDonald to be duly appointed to serve on the Commission to fill the vacancy created by Ald. Woods' resignation.

SUMMER RECESS

SUMMER RECESS

Dates for Council's summer recess were proposed by Ald. Hetherington, and a motion presented.

MOTION: That Council's summer recess be set for the last two weeks in July and the first three in August, except when Council is required to meet for public hearings or to award tenders.

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

2.0 CONCERNS OF COUNCIL MEMBERS OR QUESTIONS

ALD. PYE

Ald. Pye requested that a presentation be included in next week's Council agenda, by residents concerned about ash being hauled through the Wright's Cove Road area. The Mayor suggested that the presentation should really be made to the Metro Authority, and Ald. Pye then asked to have it at both the Authority and Council meetings.

ALD. SARTO

Ald. Sarto asked that consideration be given to a Stop sign on Collins Grove, at either Collins Grove Ridge or Collins Grove Court; noted by Mr. Purdy.

He discussed with Mr. Fougere, the traffic delay at Alderney Drive/Portland Street & Prince Albert Road, suggesting police control of traffic at peak hours, at this point. Due to a lack of police officers for these duties, Mr. Fougere said there is not really much that can be done about the problem.

ALD. WALTON

Ald. Walton asked the Solicitor about the status of 6 Lilac Street. Mr. Moreash said the City is in a position to resolve this problem, and he will be speaking to Mr. Fougere tomorrow about arrangements.

Ald. Walton asked that a two-way Stop sign be considered at Portland Estates Blvd. West and Hedgewood Road, for the protection in particular, of small children in the area.

Concerns have been brought to his attention about the timing of the lights at Five Corners; the interval in the timing sequence is too short at present, to allow traffic through when it should be able to move.

Ald. Walton asked the Solicitor if anything can be put in the form of a by-law or regulation, requiring parents to be responsible for the actions of their children. Mr. Moreash said he would have to give this inquiry some consideration, before he could advise.

ALD. MACDONALD

Ald. MacDonald provided Council with information on the Natal Day program planned for this year, including 24 waterfront events.

In connection with his second item, regarding bicycle helmets, the Mayor said this subject has been raised at the Police Commission meeting, with a response requested.

Ald. MacDonald noted that four members of the School Board will be attending a conference in Victoria, and three, in Edmonton. He questioned the expenditure involved during times of fiscal restraint.

Referring to the Set Aside Program in Alabama, he noted that it was challenged in that state, by other contractors, and legal action followed. Ald. MacDonald suggested that we should be looking at any similar legal problems the City might face, resulting from our own program.

ALD. HETHERINGTON Ald. Hetherington requested that the street painting program be started as soon as possible, now that school is out for the summer.

His second inquiry was about the street lights for Everette Street; where are they?

Ald. Hetherington asked to have the section of Portland Street, from Gaston Road to Prince Arthur, looked at, to see what can be done about the rippling in the pavement. The surface of the pavement on this section is a problem for motorists, in its present condition.

ALD. MACFARLANE Ald. MacFarlane referred to a document received from the Traffic Safety Board, on the subject of a near-accident in the harbour, involving one of the Dartmouth ferries. The Mayor asked that this item be put on next week's agenda for further consideration.

Ald. MacFarlane questioned the office rent being paid by the Harbour Cleanup Corp., in relation to that of the Port Commission, more than double. He asked what is involved for this major expenditure by the Harbour Cleanup Corp.

He requested a report on unsightly properties at 55 Glenwood Ave., and on the Curley Drive units, where problem conditions have existed for some time now.

ALD. MAY Ald. May asked to be assured that the T.M.G. will have the Thistle Street traffic conditions included in their next agenda, and further, that both he and Ald. Levandier be notified in advance of the meeting.

He brought to the attention of Council, a number of concerns indicated to him about the motorized boats (miniature size), being operated on Sullivan's Pond, and scaring the ducks away from the main park area at the Pond. He asked to have these concerns looked into further.

A. HAWLEY

Ald. Hawley requested that Engineering Dept. prepare an estimate for the cost of extending sidewalk in front of the Ian Forsyth School, and that funding be allocated from other tenders that come in under budget.

Ald. Hawley also asked that meetings of the Grants Committee be started to deal with this year's grant requests, and that the crosswalk guards item come back to Council soon, so it can be dealt with before school opening in the fall.

ALD. CUNNINGHAM

Ald. Cunningham inquired about 55 Glenwood Ave., and about the Murray Hill Drive property, about which, he said, little has been done, to date.

ALD. GREENOUGH

Further to the sidewalk request of Ald. Hawley, noted above, Ald. Greenough mentioned the tender for sidewalk on Andover Street, as a project that came in under budget, and from which funding might be allocated.

ALD. THOMPSON

Ald. Thompson passed to the Asst. City Clerk, a letter from Spring Ave/Clydesdale residents, on the subject of problems with swarming in the Spring Ave. area; this letter to be forwarded to the Chief of Police for his attention.

A. HETHERINGTON

Ald. Hetherington said he would like to see a by-law enacted that would require property owners to cut the grass in front of their properties, from the sidewalk to the curb. He referred to a number of small parks in Ward 7, where the grass needs to be cut and has for some time, as a second concern.

Ald. Walton commended Mayor McCluskey for being the one local municipal representative to attend the FCM meeting, on the subject of making a city safer for women. The Mayor said it was a worthwhile session.

Council went in camera at 10:10 p.m., but subsequently reconvened to deal with By-law P-302, which was given three readings in open meeting.

BY-LAW P-302

MOTION: That leave be given to introduce the said By-law P-302 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 P-302 be read
a second time.

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

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

MOTION: That By-law P-302 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. Thompson
Second: Ald. Hetherington
In Favour: All
Against: None
Motion Carried

On motion of Ald. Hetherington and Greenough, Council
then went back in camera, at 10:25 p.m., to deal with
a further item of business. Adjournment was from the
in camera meeting.

V. Carmichael

V. Carmichael,
Asst. City Clerk.

ITEMS:

- 1.0 Reports, page 1.
- 1.1 Finance & Program Review Committee, page 1.
- 1.1.1 Budget & Operations Review, page 1 to 4.
- 1.2 City Administrator, page 5.
- 1.2.1 Contract 93-08, Concrete curb & sidewalk, Ellenvale, pg. 5
- 1.2.2 Amendment to Land Use By-law, 4 Renfrew St/271A Pleasant, pg.5
- 1.2.3 Application to amend Development Agreement, Lot WDC1, pg.5.
- 1.2.4 Professional engineering services, Burnside Park, page 6.
- 1.3 Industrial Commission, pg. 7.
- 1.3.1 Appointment to Industrial Commission, page 7.
- Summer recess, page 7.
- 2.0 Concerns of Council members, page 8 to 10.
- By-law P-302, page 10 & 11.