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**DARTMOUTH CITY COUNCIL
AGENDA**

**TUES., JULY 06/93
7:30 PM
COUNCIL CHAMBER
IN CAMERA
10:00 PM**

INVOCATION

1. **APPROVE THE MINUTES FROM THE MEETINGS:** June 1, 8, 15, & 22, 1993.
2. **BUSINESS ARISING FROM THE MINUTES**
3. **CONCERNS OF COUNCIL MEMBERS OR QUESTIONS (15 MINUTE MAXIMUM)**
4. **DELEGATIONS & HEARINGS OF PROTEST**
5. **ORIGINAL COMMUNICATION**
6. **PRESENTATION**

i) Transportation of Ash from the Proposed Waste-to-Energy Plant to Wright's Cove - Mr. Michael Graham (verbal)

7. **PETITION**

8. **REPORTS**

8.1 **CITY ADMINISTRATOR**

- 8.1.1 Request to Manufacture/Market City of Dartmouth Flag
- 8.1.2 Ferry Safety

8.2 **SOLICITORS**

- 8.2.1 By-law Respecting the Amalgamation of Dartmouth Ferry System with Metro Transit

9. **MOTIONS**

9.1 **ALD. MAY**

i) **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.

ii) **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.

10. NOTICES OF MOTION

IN CAMERA SESSION - 10:00 P.M.

1. Sale of Land - Burnside
2. Amendment to Collective Agreement.
3. Apprehension Costs

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

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

MEMBER ABSENT: ALD. HETHERINGTON

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

INVOCATION

Mayor McCluskey opened the Council meeting with the Invocation.

Item 8.1.3 - Youth Program, was added to the agenda with the agreement of Council.

1.0 APPROVAL OF MINUTES

MOTION: To approve the minutes of Council meetings held on June 1, 8, 15 & 22/93, with one correction to the June 1st minutes, page 2. The correct name of speaker #5 should read: Gary Dumas.

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

2.0 BUSINESS ARISING FROM THE MINUTES

With reference to the meeting of Council mentioned in the June 22nd minutes, to review the Portland Estates CDD Plan, the Mayor asked members to indicate a preference for July 14th or 15th as the meeting date. The date selected was July 14th at 7:30 p.m. in Council Chambers; Council will meet as Committee-of-the-Whole for this purpose.

3.0 CONCERNS OF COUNCIL MEMBERS OR QUESTIONS

. THOMPSON

Ald. Thompson stated his concerns about the most recent traffic accident at the corner of Kelly Dr/ Valleyfield Rd. and Virginia Ave. He said that

guard rails and/or Stop signs are needed at this location, for the protection of property owners, in view of the excessive speeds at which people travel on Kelly Drive. He requested a report back to Council as to what can be done to improve safety conditions in the vicinity of 69 Kelly Drive.

Ald. Sarto expressed similar concerns about the same item, and also requested consideration of Stop signs being installed.

ALD. MAY

Ald. May said he has not yet been able to obtain a list of the earnings and expenses of City employees, although this information was to have been made available some time ago.

Ald. May asked about the three in camera items listed for this meeting, and was advised by the Mayor that one item has been withdrawn, and the item Apprehension Costs will be moved up for consideration in open meeting.

ALD. CUNNINGHAM

Ald. Cunningham asked about applications received for membership on the Police Commission. Ms. Carmichael advised that about ten applications have been received to date, some of which will meet the visible minorities requirement intended.

ALD. MACDONALD

Ald. MacDonald again inquired about bicycle helmets, and was informed that this is a Provincial jurisdiction. He requested that the Province be asked to give the matter some priority.

Ald. MacDonald asked about two problem properties, one at 46 Elmwood Ave., and the other at Howe & Bedford St.; action requested.

He felt there should be something Council can do about the School Board decision to send delegates to conferences that involve major travel expenses, at a time when cut-backs are being made in City and Board budgets. He again stated his objection to the Board's decision.

ALD. WOODS

Ald. Woods gave a brief report on civic duties he performed in the Mayor's absence, in hosting the Rear Admiral of the Russian Fleet and being entertained on the Russian missile cruiser recently in port. He felt that Nova Scotia is missing major opportunities for business initiatives with countries like Russia, and that we should get together with Halifax and the Province to begin exploring these, instead of dwelling on lost opportunities in the fishing and forestry industries.

ALD. GREENOUGH

Ald. Greenough raised concerns about additional compensation costs that can be expected if it becomes necessary to extend the use of the Sackville landfill site, beyond the projected closing date. Members of Council were provided with copies of the Sackville Landfill Compensation Act, and this item will be put on the July 13th agenda for further consideration by Council.

ALD. WALTON

Ald. Walton asked if the Solicitor has had a chance to look at the Young Offenders Act, and possible areas of responsibility that could be assigned to parents. Mr. Moreash said he has not had time yet to do this.

Ald. Walton asked if the formation of an action committee has been discussed with Mayor Ducharme. Mayor McCluskey said she has talked to her and a committee is to be formed.

ALD. MACFARLANE

Ald. MacFarlane was dissatisfied about delays in being able to take action against the property owner at 55 Glenwood Ave. Efforts are being made to have the present tenant evicted and the hearing before the Residential Tenancies Board, in this connection, is scheduled for July 7th. Mr. Moreash explained the legal implications, where the tenant is concerned, but Ald. MacFarlane continued to feel that procedures are unsatisfactory and the response, inadequate.

Both Ald. Thompson and Hawley had concerns that the street sweeper has not yet been in their areas of Wards 1 and 6. Ald. Thompson asked for a copy of the work sheets, showing where the sweeper has been to date.

4.0 DELEGATIONS & HEARINGS OF PROTEST5.0 ORIGINAL COMMUNICATION6.0 PRESENTATIONi) TRANSPORTATION OF ASH, WRIGHT'S COVE AREAPRESENTATION:
MICHAEL GRAHAM

A presentation was made to Council by Mr. Michael Graham, on behalf of residents living on Greenbank Court and Cove Lane, who are objecting to any transportation of ash from the waste-to-energy plant in Burnside, via Wright's Cove Road, for shipment to the National Gypsum mine. Mr. Graham said this road is already in a deplorable condition, and heavy truck traffic over it, for the transfer of ash, would only make the condition worse. The residents also have concerns about the containment of materials being transported, and potential danger from spills and inadequate protective measures in the transportation process.

The Mayor noted that our agreement with respect to the waste-to-energy plant specifies that acceptable routes for haulage are to be approved by Dartmouth, and she has already indicated to the Metro Authority that this route, via Wright's Cove Road, is not acceptable.

Copies of a memorandum from Griffiths Muecke Associates, on the subject of ash transportation, were circulated, and Ald. Levandier suggested that it would be worth setting up a meeting of the residents with one of their representatives, for discussion, after which the residents could go to the Metro Authority, if they still have concerns.

Generally, the concerns of the residents received a sympathetic hearing from members of Council, although they recognized that some transportation arrangements have to be made, preferably via a spur line. The Mayor pointed out that as of this time, the National Gypsum mine site has not even been finalized for landfill purposes, until after an environmental assessment can take place. Until then, transportation arrangements cannot be finalized either.

7.0 PETITION

8.0 REPORTS

8.1 CITY ADMINISTRATOR

8.1.1 REQUEST TO MANUFACTURE/MARKET CITY OF DARTMOUTH FLAG

FLAG REQUEST

Report from Mr. Fougere (B. Smith) on a request from Mr. Ross Osborne of Manor Hill Flags, to produce and sell the City of Dartmouth flag, recommending that Council support the request.

MOTION: To adopt the recommendation:

That Council support the request of Mr. Osborne (Manor Hill Flags) to manufacture and market the City of Dartmouth flag.

Moved: Ald. MacFarlane

Second: Ald. Cunningham

Ald. Pye said that any such production of the City flag should be tendered, but it was noted that any other firm, wishing to produce and market the flag, is able to do so and no exclusivity arrangement is being recommended with Mr. Osborne.

There were quite a few other concerns about a standard of quality being maintained in producing the City flags, and whether or not authority to produce them could be revoked if an acceptable standard is not maintained. Ald. May asked why it has taken so long for this item to come to Council, in the first place, considering that Mr. Osborne's letter on the subject dates from Feb. 8/93. In view of the expectations about a top-quality product, and the maintenance of standards of quality, Ald. Greenough suggested giving approval in principle only at this time, while referring the item back to staff, to work out an appropriate agreement with Manor Hill Flags Ltd., so that acceptable standards of production are insured and to confirm that an exclusive right is not being granted to the company, through Council's action in approving the Manor Hill request.

MOTION: To give approval in principle to the flag request from Manor Hill Flags Ltd., and to refer to staff to work out appropriate agreement details.

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

Council agreed that this item should be expedited, and Ald. Cunningham suggested a meeting with Mr. Osborne this week, to speed up the agreement process.

8.1.2

FERRY SAFETY

FERRY SAFETY

Reports from Mr. Smith and Capt. Keddy have been circulated on one of the two incidents that occurred in Halifax harbour in 1990, involving Dartmouth ferries and other vessels in near misses. Capt. Keddy has explained, in his report, the improvements that have subsequently been put in place, to improve safety standards and minimize the recurrence of any future instances where ferry passengers would be at risk.

Capt. Keddy was present for this item, and reviewed the safety measures from his report, with members of Council.

MOTION: To receive and file the report from Mr. Smith/Capt. Keddy.

Moved: Ald. Sarto
Second: Ald. Greenough

Ald. Thompson asked that in future, any such incidents be reported to Council, before they are reported in the media; he said it is only fair that Council be informed first and members enabled to provide answers to their constituents.

While commending Capt. Keddy for the steps that have been taken to correct procedural and safety deficiencies, Ald. MacFarlane said there appears to be a need overall, for for some written policies and standards applicable to the ferry operation; these appear to have been lacking in the past. Ald. May did not feel that responses from Capt. Keddy and his staff, were adequately responded to by the Coast Guard, and that they should have the chance to present their information in some other forum, such as the Public Transportation Advisory Committee. He therefore moved referral to the Committee, for the opportunity to hear more from the staff.

MOTION: To refer the item to the Public Transportation Committee, in order to hear from Capt. Keddy and his staff on the subject of the two incidents involving the ferry, in the harbour.

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

8.1.3 SPECIAL YOUTH PROGRAM

SPECIAL YOUTH PROGRAM

Circulated to members of Council, as the item added to the agenda, was a special Youth Program proposal for the summer, beginning immediately until the first week in September, planned for the Bowles Arena. Presentation of the proposal was made by Geri Kaiser, assisted by Ms. MacKinnon, of Parks & Recreation Dept.

This program proposal has been developed by the Dartmouth Youth Committee, and is a collaborative effort among a number of partners, such as the Police Dept., Boys & Girls Club, Halifax/Dartmouth Y, etc. Some funding assistance, in the amount of \$5,000., will be forthcoming from the Province, and video equipment to be used, will be supplied by a private business person, with 35% of the gross being returned to the Youth Committee, to offset costs.

MOTION: To approve the Youth Program proposal, as presented.

Moved: Ald. Pye
Second: Ald. Sarto

Council was very receptive to this kind of program, intended to provide activities that should relieve some of the vandalism and swarming problems being experienced throughout the City. Ald. Pye said this summer 'pilot' should be monitored and if it is successful, as hoped, consideration should be given to a year-round program. Ald. MacDonald asked why school facilities could not be used for such program activities, and felt the School Board should be approached about the use of school buildings when they are not in use. Ald. May favoured discussions with the School Board, regarding the use of the three schools being closed, to determine their availability.

The vote was taken on the motion.

In Favour: All
Against: None
Motion Carried

Ald. May's motion was then presented, on the use of three schools being closed by the Board.

MOTION: That Parks & Recreation staff be asked to initiate immediate discussions with the School Board, regarding the use of the three schools being closed, for purposes of the youth program, outside the contractual obligations that exist.

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

Further to a point brought up by Ald. May at the June 29th Council meeting, and complaints about the scaring of ducks at Sullivan's Pond by the small model ships in the pond, Ms. Kaiser advised that the model ships are being moved about 200 feet to the south of their location, which should alleviate the problem.

8.2 SOLICITORS

8.2.1 BY-LAW RESPECTING THE AMALGAMATION OF DARTMOUTH FERRY SYSTEM WITH METRO TRANSIT

B. LAW F-500

Accompanying a report from the Solicitor, to Council, was proposed By-law F-500, with respect to the delegation

of responsibility for the operation of the Dartmouth ferry system, to the Metropolitan Authority. Approval of this by-law has been recommended to Council.

MOTION: That leave be given to introduce the said By-law F-500 and that it now be read a first time.

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

MOTION: That By-law F-500 be read a second time.

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

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

MOTION: That By-law F-500 be read a third time and that the Mayor and the City Clerk be authorized to sign and seal the said by-law on behalf of the City.

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

9.0 MOTIONS

9.1 ALD. MAY

- i) MOTION: 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 the 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.

Moved: Ald. May

Second: Ald. Walton

The particular sections of the collective agreement in question, for purposes of the motion, are those from Section 103 onwards, and Ald. May explained why he felt they need to be clarified and why it would be in order to do this through the office of the Justice Minister. Ald. Pye asked the Solicitor if he felt there could be a conflict, as it has been suggested by Ald. May's motion; Mr. Moreash said he thought there may be.

Ald. Greenough and some other members questioned whether any useful purpose will be served by the motion, but Ald. MacFarlane's opinion was that any clarification we can get could be helpful with the Police Dept. operation generally. Ald. May considered the clarification to be particularly relevant at this time, with a pending appointment of a new Deputy Police Chief. Ald. Rodgers proposed that the Mayor first make a one-on-one contact with the Minister, through her office, and then proceed with the follow-up called for in the motion. Members were generally in agreement with this approach.

In Favour: All

Against: None

Motion Carried

Ald. May proceeded to his second motion, for which notice was previously given.

ii)

MOTION: 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;

Lib. Ref. Dept.

**DARTMOUTH CITY COUNCIL
AGENDA**

**TUES., JULY 13/93
7:30 PM
COUNCIL CHAMBER
IN CAMERA
10:00 PM**

1. REPORTS

1.1 MAYOR

- 1.1.1 Sackville Landfill Compensation (previously circulated)
- 1.1.2 Military Leave Policy

1.2 CITY ADMINISTRATOR

- 1.2.1 Request to Manufacture/Market City of Dartmouth Flag (supplementary report)
- 1.2.2 Residential Parking Permit By-law
- 1.2.3 Contract 93-10, Prince Albert Road, Water Main Replacement
- 1.2.4 Contract 93-11, Floodlighting - Carl Morash Ball Park (to be circulated)
- 1.2.5 Contract 93-12, Pavement Overlay - Fielding, Irving, Blink Bonnie
- 1.2.6 Contract 93-13, Sidewalk Construction - Celtic Dr
- 1.2.7 Contract 91517D Mount Edward Reservoir Chamber (to be circulated)
- 1.2.8 Sale of Land - 15A Faulkner Street

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

IN CAMERA SESSION 10:00 P.M.

- 1. Sale of Land - Burnside

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

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

REGRETS: ALD. HETHERINGTON (ILLNESS)

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

1.0 REPORTS

1.1 MAYOR

1.1.1 SACKVILLE LANDFILL COMPENSATION

Mayor McCluskey advised that the Sackville Landfill Compensation item is withdrawn from the agenda. The Provincial Government is prepared to deal with the agreement, without resolutions having to be passed by the metro municipalities.

1.1.2 MILITARY LEAVE POLICY

MILITARY LEAVE
POLICY

A report was before Council from Ms. Spencer, A/City Administrator, on the subject of a Military Leave Policy, for which support is being requested by the Canadian Forces Liaison Council. The Mayor advised that a spokesman for reservists, has recently met with her to discuss this Leave Policy, and since it does not involve any cost to the City, it is being recommended.

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

That Council endorse the statement of support and approve the Military Leave policies for Training & for Operational Mission, as attached to the main report from Ms. Spencer.

Moved: Ald. Sarto
Second: Ald. Walton

Ald. May asked that wording be added to the motion, providing for the signing of the statement of support by the Mayor and the City Clerk, and that they be duly authorized. Council agreed to this addition.

The vote was then taken on the motion.

In Favour: All
Against: None
Motion Carried

1.2 CITY ADMINISTRATOR

1.2.1 REQUEST TO MANUFACTURE/MARKET CITY OF DARTMOUTH FLAG

FLAG REQUEST

A supplementary report has come to Council, in connection with the request from Manor Hill Flags Ltd. to produce and sell the City of Dartmouth flag. Attached to the report from Ms. Spencer (D. McBain, V. Carmichael) is a proposed agreement with the company, which addresses concerns raised by Council at the July 6th meeting. The recommendation is to approve the terms of the agreement, as agreed to by both parties to it.

MOTION: To adopt the recommendation:

That Council approve the terms of the agreement, permitting Manor Hill Flags Ltd. to manufacture and market the City of Dartmouth flag.

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

A sample flag produced by the company was available, so that Council members could assess the quality of their product.

1.2.2 RESIDENTIAL PARKING PERMIT BY-LAW

RESIDENTIAL
PARKING BY-LAW

Recommended, for Council's approval, was proposed By-law R-202, which amends the Residential Parking Permit By-law and includes additions to Schedule "A", as requested by residents and/or Aldermen for respective areas designated.

BY-LAW R-202

MOTION: That leave be given to introduce the said By-law R-202, and that it now be read a first time.

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

MOTION: That By-law R-202 be read a second time.

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

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

MOTION: That By-law R-202 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. Sarto
In Favour: All
Against: None
Motion Carried

Ald. Sarto asked about and received information on procedures for making application to receive parking permits.

1.2.3 CONTRACT 93-10, PRINCE ALBERT ROAD, WATER MAIN REPLACEMENT

AWARD TENDER:
CONTRACT 93-10

Report from Ms. Spencer (E. Purdy, G.M. Boyd) on tenders received for Contract 93-10, Prince Albert Road, water main replacement, recommending that the tender be awarded to the lowest bidder, F. A. Tucker (Atlantic) Ltd., with a bid price of \$927,904.00; completion time: 70 workdays. Additional funds required to be allocated from the Water Utility Depreciation Reserve.

MOTION: To award the tender for Contract 93-10 to the lowest bidder, F. A. Tucker (Atlantic) Ltd., as recommended, with the bid price of \$927,904.00.

Moved: Ald. MacFarlane
Second: Ald. Thompson

Ald. Rodgers suggested that there should be some criteria considered for accommodating bids from Dartmouth companies, when they are as close as Woodlawn Construction is to the bid being recommended, from F. A. Tucker, a Truro firm. He asked that staff take a look at this matter, taking into account the economic impact on our own community, when we are able to award tenders locally.

Other members of Council did not support Ald. Rodger's request, preferring to see the present tendering practices of the City maintained and low tenders accepted, other than in a few extenuating situations. Ald. Hawley noted that the construction industry people themselves prefer the low bid policy, and it was felt that if preference starts to be given for Dartmouth firms here, other municipalities will do the same thing, thereby excluding Dartmouth firms in other locations where they may bid throughout Nova Scotia. For the reasons stated, Council did not want to have staff pursue this matter further.

In Favour: All
Against: None
Motion Carried

1.2.4 CONTRACT 93-11, FLOODLIGHTING, CARL MORASH BALL PARK

CONTRACT 93-11:
FLOODLIGHTING

Report from Mr. Fougere (E. Purdy) on tenders received for Contract 93-11, the floodlighting of fields at Carl Morash Ball Park, recommending acceptance of the low bid received from Black & Macdonald Ltd., for the bid price of \$57,915.00, including GST; completion by Sept. 8/93. It was noted in the report that a Provincial grant had been expected to assist with this project, but there is no indication that it will be forthcoming.

MOTION: To award the tender for Contract 93-11 to the low bidder Black & Macdonald Ltd., for the bid price of \$57,915.00, as recommended.

Moved: Ald. Walton
Second: Ald. Levandier

In view of the fact that a committee of Council will be meeting with the Premier on July 19th, to discuss several items with him, it was suggested by Ald. Hawley that this tender be added to the list of items for discussion, and a decision on it, deferred until July 20th, in the interim.

MOTION: To defer the awarding of the tender for Contract 93-11 until after the committee of Council has met with the Premier, on July 19th; deferral is to the July 20th Council meeting.

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

(Ald. Woods arrived.)

Ald. Thompson asked that particular attention be paid to the location of the light poles, when they are installed, so there is not a repeat of the Beazley Field problems.

1.2.5 CONTRACT 93-12, PAVEMENT OVERLAY, FIELDING, IRVING, BLINK BONNIE

AWARD TENDER:
CONTRACT 93-12

Report from Ms. Spencer (E. Purdy, G.M. Boyd) on tenders received for Contract 93-12, asphalt pavement overlay: Blink Bonnie Terrace, Fielding Ave., and Irving St. The recommendation is to award the tender to the lowest bidder, Ocean Contractors Ltd., with a bid price of \$114,864.50; completion time: 20 workdays.

MOTION: To award the tender for Contract 93-12 to the lowest bidder, Ocean Contractors Ltd., with a bid price of \$114,864.50, as recommended.

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

1.2.6 CONTRACT 93-13, SIDEWALK CONSTRUCTION, CELTIC DR.

AWARD TENDER:
CONTRACT 93-13

Report from Ms. Spencer (E. Purdy, G.M. Boyd) on tenders received for Contract 93-13, concrete sidewalk, Celtic Drive, recommending that the tender be awarded to the lowest bidder, Ocean Contractors Ltd., with a bid price of \$125,521.70; completion time: 30 workdays.

MOTION: To award the tender for Contract 93-13 to the lowest bidder, Ocean Contractors Ltd., with a bid price of \$125,521.70, as recommended.

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

1.2.7 CONTRACT 91517D Mount Edward Reservoir Chamber

AWARD TENDER:
CONTRACT 91517D

Report from Mr. Fougere (E. Purdy) on tenders received for Contract 91517D, Mount Edward Reservoir Chamber, recommending that the tender be awarded to the lowest bidder, Harbour Construction Co. Ltd., with a bid price of \$78,519.50; completion time: 12 weeks.

MOTION: To award the tender for Contract 91517D to the lowest bidder, Harbour Construction Ltd., with a bid price of \$78,519.50, as recommended.

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

1.2.8 SALE OF LAND - 15A FAULKNER STREET

SALE OF LAND:
15A FAULKNER ST.

Report from Ms. Spencer (T. Rath) on an offer to purchase the City-owned lot at 15A Faulkner Street, received from Lakeview Shopping Centre, in the amount of \$38,000. The recommendation to Council is that the sale of the lot be authorized. Resolution 93-25 has been prepared.

MOTION: To approve Resolution 93-25 and to adopt the recommendation:

That Council approve the resolution, authorizing the sale of 15A Faulkner Street to Lakeview Shopping Centre, for \$38,000., subject to the lot being sold for construction of a duplex residence.

Moved: Ald. Thompson
Second: Ald. Sarto

Ald. May asked about the need for street closing procedures, since a street reserve is involved, but the Solicitor and Mr. Purdy confirmed that such procedures would not be required, since the reserve was never used for street purposes. Ald. May then proposed that conditions of sale be attached to the property, and moved deferral for this purpose; the motion to defer was not seconded.

Ald. Levandier advised that he has canvassed the people on Faulkner Street, and since the property is now going to be sold and not given away by the City, they are in concurrence with the recommendation.

In Favour: All
Against: None
Motion Carried

It was noted that a rezoning would be required for other than duplex development on this property.

2.0 CONCERNS OF COUNCIL MEMBERS OR QUESTIONS

During the concerns/questions period, there were items raised and discussed, common to several members of Council; these were:

SALARY INCREASES - METRO AUTHORITY

Recent salary increases approved by the Metro Authority for the Chairman and the Executive Director, were questioned, and Ald. Levandier explained to Council, as a member of the committee that reviewed their salaries, why increases were recommended. He referred to the heavy workload and major responsibilities that both Mr. Fenton and Mr. Jackson have had to assume, during all the months of issues such as the landfill and other controversial decisions. He said that for the qualifications and background these two people bring to their positions, the salary increases they received are more than justified.

Ald. Rodgers asked if Council could be informed as to whether the increase for Mr. Jackson was a step increase or a level increase. The Mayor agreed to have this information provided, as requested.

PROBLEMS WITH UNSIGHTLY PROPERTIES/PREMISES

Properties and premises in unsatisfactory condition, were brought to Council's attention, as follows:

- 1) Curley Drive duplexes - Ald. MacFarlane
- 2) 6 Lilac Street - Ald. Walton
- 3) Vacent lot on Bow Street - Ald. Cunningham
- 4) 14 Owen Drive - Ald. Sarto
- 5) 14 Major Street - Ald. Greenough
- 6) 10 Eaton Ave. - Ald. MacFarlane (remaining work at this address to be undertaken shortly, as reported to Council by Mr. Fougere).

The lack of progress with any improvements to the buildings and properties at the various locations noted above, was a major source of concern and frustration to the Aldermen who raised the points about them. The Solicitor said the main problem is not with our Unsightly Premises By-law, but with delays in legal proceedings caused by court backlogs. Once the cases are able to be brought to court, only minimum fines are being imposed on the property owners and these do not serve as adequate deterrents. These two factors make the legal process difficult and generally ineffective, in terms of results for the City.

The Mayor suggested to Council that in view of this continuing lack of progress and resolution, Council should consider a meeting with Don Shea and Valerie

Spencer, in September, when all the various factors can be discussed with them at length. Members were in favour of such a meeting being arranged.

STATUS OF MUSEUM BOARD

Ald. MacDonald indicated his intention to resign from the Museum Board, and questioned the status of the Board. He felt the present hours of operation for the Museum are inadequate, and Ald. May asked why the Quaker House is not open and who closed it. He also inquired about the Museum Board, and the Mayor said she and the Solicitor have been looking at the requirements for a new board, with advisory functions.

ALD. MACDONALD

Other concerns/inquiries of Ald. MacDonald were:

- 1) the storing of Natal Day trophies in the basement of the Museum, when they should be on display at some appropriate location.
- 2) concerning comments of Sgt. Malcolm of the City police force, with regard to prostitution problems on Hester Street. The Mayor plans to meet with area residents and the police to discuss this problem further.
- 3) the lack of street cleaning to date in Ward 4.

ALD. WALTON

Other concerns/inquiries of Ald. Walton were:

- 1) has permission been received from the Transportation Dept. for the signal lights at Pleasant and Everette Street. Mr. Purdy advised that we still have not received permission.
- 2) Ald. Walton suggested that the condition of the Curley Drive units be brought to the attention of the Board of Health.

ALD. MAY

Other concerns/inquiries of Ald. May were:

- 1) parking problem at the Hawthorne Street property on which the lockkeeper's house was formerly situated.
- 2) status of the by-law for procedures for the Police Commission to set the Police Dept. budget; requested something on this by September.
- 3) status of the former police station property; Mr. Rath advised that there are negotiations going on with one prospective purchaser.

- 4) asked that the company printing City maps be asked not to show Victoria Road as a through street, creating confusion for tourists and truckers. Mr. Rath to speak to the people who produce the maps again.

ALD. THOMPSON

Ald. Thompson asked that the Pension Committee members be informed of the personnel who are not in the City Pension Plan.

Ald. Thompson also requested information on the status of the Power Smart program; how much of it is done and what remains to be completed.

He made one further request, for proper lighting on the walkway between Elwin Crescent and Mount Edward Road, poorly lit at present.

ALD. CUNNINGHAM

Ald. Cunningham asked about the tender for Celtic Drive work; Mr. Purdy said it can be expected to start quite soon.

ALD. SARTO

Ald. Sarto inquired about the overhead crosswalk lights for the location at Valleyfield and Spikenard; Mr. Purdy said they are in the design stage.

ALD. GREENOUGH

Two projects inquired about by Ald. Greenough were: Waverley Road from Barry's Run to Breeze Drive, and improvements to the intersection of Lethbridge and Waverley Road. Mr. Purdy said design work is proceeding for both and they will be done this year.

ALD. WOODS

Ald. Woods sought an expression of opinion from Council on public response to the in-house landscaping project in Burnside and whether or not there has been any adverse impact on other City areas being maintained.

In general, Council did not seem to have received any more complaints than in other years, although Ald. MacDonald felt the Burnside work is at the expense of other City areas. Ald. Greenough noted that the influence of budget cuts in the Parks & Rec. budget has to be taken into account here as well. He suggested that representatives of the Department discuss some of these issues with Council, and that they first give Council a report on the item. Ald. Woods, who is acting in a liaison capacity for purposes of the landscaping services, said he would continue to keep Council informed.

ALD. THOMPSON

Ald. Thompson requested that during the meeting with the Premier, he be asked about the 107 by-pass extension.

ALD. SARTO

Ald. Sarto asked to be provided, by next week, with a

copy of the notice that goes out from the City to property owners in violation of the Unsightly Premises By-law.

ALD. GREENOUGH

In view of the discussion about step increases in salary, as they apply to Metro Authority staff, Ald. Greenough felt that Council should have a report on what we are doing in the City, where our own staff are concerned.

At 9:30 p.m., Council went in camera, on motion of Ald. Thompson and Levandier. At 10:40 p.m., Council reconvened briefly in open meeting for the purpose of passing a number of motions requiring approval. Council first ratified the action taken in camera, which was to adopt a report from the City Solicitor, with three recommendations.

MOTION: To approve the Solicitor's report of July 9/93, and the three recommendations it contains, with respect to:
 (1) the Instrument of Incorporation of the new Industrial Commission.
 (2) Resolution 93-26
 (3) Resolution 93-27

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

1) MOTION: That Council approve the Instrument of Incorporation for a new Dartmouth Economic Development Commission, as per Attachment 1.

2) MOTION: That Council approve Resolution 93-26, as amended with the addition of the following section:

AND WHEREAS the price hereinafter mentioned is considered by Dartmouth City Council to be the fair actual value of the lands;

3) MOTION: That Council approve Resolution 93-27, as recommended by the Solicitor.

Moved #1: ^{Ald.} Hawley & Greenough; #2: ^{Ald.} Greenough & Sarto
& Second: #3: Sarto & Hawley
In Favour: Motions #1, 2, & 3: All
Against: Motions #1, 2, & 3: None
Motions # 1, 2 & 3 Carried

Ald. May asked that Mr. Rath advise Council on the status of the Burnside Sale of Land Account, after this year's budget and after withdrawal of the \$578,000. amount covered by Resolution 93-27.

Council went back in camera at 10:40 p.m., on motion of Ald. MacFarlane and Hawley. Adjournment was from the in camera meeting.

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

ITEMS:

- 1.0 Reports, page 1.
- 1.1 Mayor, page 1.
- 1.1.1 Sackville Landfill Compensation, page 1.
- 1.1.2 Military Leave Policy, page 1.
- 1.2 City Administrator, page 2.
- 1.2.1 Request to manufacture/Market City of Dartmouth flag, pg. 2.
- 1.2.2 Residential Parking Permit By-law, page 2.
By-law R-202, page 2 & 3.
- 1.2.3 Contract 93-10, Prince Albert Rd., water main replacement, pg.
- 1.2.4 Contract 93-11, Floodlighting, Carl Morash Ball Park, pg. 4.
- 1.2.5 Contract 93-12, Pavement overlay, Fielding, Irving, etc, pg. 5
- 1.2.6 Contract 93-13, Sidewalk construction, Celtic Dr., page 5.
- 1.2.7. Contract 91517D Mount Edward Reservoir Chamber, page 5.
- 1.2.8 Sale of land, 15A Faulkner St., page 6.
- 2.0 Concerns of Council members or questions, pg. 7 to 10.

DARTMOUTH CITY COUNCIL

AGENDA

**TUES., JULY 20/93
7:30 PM
COUNCIL CHAMBER
IN CAMERA
10:00 PM**

PUBLIC HEARINGS

- i) Amendments to MPS and Land Use By-Law - True North Crescent
- ii) Application to Amend Development Agreement - Lot WDC-1 Alderney Drive
- iii) Appeal from Refusal to Grant Minor Variance - Lloyd Green, 886 Portland Street

REPORTS:

1.1 CITY ADMINISTRATOR

- 1.1.1 Contract 93-11, Floodlighting - Carl Morash Ball Park (deferred from July 13/93)
- 1.1.2 Contract 93-09 Storm Sewer - Lakecrest Drive (to be circulated)
- 1.1.3 Contract 93-16 Asphalt Overlay - Day Avenue and Gaston Road (to be circulated)
- 1.1.4 Contract 93-17 Asphalt Overlay- Various Streets
- 1.1.5 Contract 93-18 Intersection Modifications Alderney Drive - King Street and Portland Street
- 1.1.6 Contract 92-26 - Victoria Road Overpass Structure (to be circulated)
- 1.1.7 Portland West CDD - Set Date for Public Hearing

2.1 PARKS & RECREATION DEPARTMENT

- 2.1.1 Landscaping Maintenance (oral)

IN CAMERA SESSION 10:00 P.M.

- 1. Amendment to Contract Agreement

RECEIVED

JUL 19 1993

**DARTMOUTH REGIONAL
LIBRARY**

UNAPPROVED

Library - Ref Dept.

DARTMOUTH CITY COUNCIL

JULY 20, 1993

LOCATION: CITY COUNCIL CHAMBERS

TIME: 7:30 P.M.

MEMBERS PRESENT: MAYOR MCCLUSKEY

ALDERMEN SARTO, THOMPSON

WALTON, MACDONALD

MAY, LEVANDIER

PYE, WOODS, HAWLEY

GREENOUGH, MACFARLANE

CUNNINGHAM

MEMBERS ABSENT:

ALD. RODGERS

HETHERINGTON (ILLNESS)

CHIEF ADMINISTRATIVE OFFICER: L. CORRIGAN

CITY SOLICITOR: M. MOREASH

CITY COMPTROLLER: D. MCBAIN

DEPARTMENT HEADS & ASSISTANTS

APPOINTMENT - CHIEF ADMINISTRATIVE OFFICER

At the opening of the meeting, Mayor McCluskey formally announced the appointment of Mr. Larry Corrigan as the City's new Chief Administrative Officer. She outlined Mr. Corrigan's background and training, both with the City and prior to coming on City staff. Council acknowledged the appointment with applause, this being Mr. Corrigan's first meeting in his new position.

PETITION - NANTUCKET SUBDIVISION

Ald. Sarto tabled a petition from residents of Nantucket Subdivision, requesting that it be passed to Mr. Corrigan, to confer with staff on the feasibility of complying with the request of the residents.

THANKS - ALD. HETHERINGTON

On Ald. Hetherington's behalf, Ald. Walton extended thanks publicly to the #2 Fire Station, for their prompt rescue work, on the occasion of Ald. Hetherington's recent accident.

Ald. Greenough then rose to extend thanks to Mr. Fougere, for his services as Acting City Administrator over recent months. Council acknowledged Mr. Fougere, who was present in the gallery, with applause.

Ald. May asked for and received permission to add a resolution, for presentation to the Metropolitan Authority, on the subject of Wright's Cove Road. This item was added at the end of the regular agenda.

Mr. Corrigan advised that item 1.1.6, Contract 92-26, has been deleted from the agenda, so the possibility of cost-sharing can be explored before going to tender.

PUBLIC HEARINGSi) AMENDMENTS TO MPS AND LAND USE BY-LAW - TRUE NORTH CRESCENTAMENDMENTS:
TRUE NORTH
CRESCENT

This date was set by Council for public hearing of amendments to the MPS and Land Use By-law, affecting five City-owned properties on True North Crescent. The zoning change, initiated by Council, would rezone the five properties from TH Zone to a dual zone, TH and R1-M (Single Family Modified). Reports and documentation, applicable to the proposed rezoning, have been circulated with the agenda. The Planning & Development Department are recommending in favour of the rezoning application.

CONFLICT OF
INTEREST

Ald. Woods declared a conflict of interest on this item, since his own property on Monique Ave. abuts the lands under consideration. He withdrew from his place on Council and did not participate in the debate or in the vote on the motions.

Recorded as being present for the public hearing were all members of Council, with the exception of Ald. Rodgers and Hetherington.

The Planning Dept. presentation to Council was made by Mr. L'Esperance. He explained why it is being recommended that the properties be zoned, temporarily, with both the TH and R1-M Zones, thereby allowing for development flexibility, following which, the 'unused' zone on each property can be lifted; the lots will then be left a single zone, which reflects their actual use.

Questions to Mr. L'Esperance dealt mainly with the dual zoning recommendation and procedures relating to this kind of zoning mechanism.

The Mayor opened the public hearing for the MPS amendment to the five City lots on True North Crescent. She called three times for speakers in favour. When there were none, she called three times for speakers opposed. Again, there was no one wishing to be heard, and the public hearing was therefore declared to be closed, on motion of Ald. Pye and Levandier.

BY-LAW C-700

Proposed By-law C-700 was before Council, to implement the MPS amendment, and Council proceeded with three readings of the by-law.

MOTION: That leave be given to introduce the said By-law C-700 and that it now be read a first time.

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

MOTION: That By-law C-700 be read
a second time.

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

In second reading, Ald. Pye asked if the questions raised at the neighborhood information meeting were answered for area residents. Mr. L'Esperance said that staff were unable to give answers, since the ultimate development decisions about the properties are still to be made by Council.

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

MOTION: That By-law C-700 be read a third
time and that the Mayor and the City
Clerk be authorized to sign and seal
the said by-law on behalf of the City.

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

Mayor McCluskey then opened the public hearing for the Land Use By-law amendments, and called three times for speakers from the public, in support of the application. There were no speakers in favour, and she proceeded to call for speakers opposed. After calling three times, and with no speakers wanting to be heard, she declared the hearing closed, on motion of Ald. Thompson and Walton.

BY-LAW C-701

Proposed By-law C-701 was presented for Council approval, being the by-law required to implement the Land Use By-law amendments applicable to the True North properties.

MOTION: That leave be given to introduce
the said By-law C-701 and that
it now be read a first time.

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

MOTION: That By-law C-701 be read a second time.

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

It was noted by Ald. MacDonald that a public hearing would still be required before any one of the True North Crescent lots can be given by the City to the Habitat for Humanity group, as previously discussed by Council. He was advised that this is correct.

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

MOTION: That By-law C-701 be read a third time and that the Mayor and the City Clerk be authorized to sign and seal the said by-law on behalf of the City.

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

ii) APPLICATION TO AMEND DEVELOPMENT AGREEMENT - LOT WDC-1
ALDERNEY DRIVE

AMEND DEVELOPMENT Council also set this date for public hearing of an
AGREEMENT: LOT WDC-1 application to amend the Development Agreement for
Lot WDC-1 Alderney Drive, to accommodate:

- 1) six additional dwelling units, for a total of 116.
- 2) a 1,460 sq. ft. increase in the amount of commercial space to be included in the project, for a total of 2,710 sq. ft.
- 3) the elevator mechanical penthouse, an 8-foot addition to one corner of the roof.

Reports, and including proposed Resolution 93-28, have been circulated to all members of Council.

With the exception of Ald. Rodgers & Hetherington, all members of Council were recorded as being present for this public hearing.

The Planning Dept. presentation to Council was made by Mr. L'Esperance. He explained each of three component changes being requested, which are considered to be minor changes only. He advised that the Planning & Development Dept. recommends in favour of the application to amend the Development Agreement, and in favour of Resolution 93-28, to accomplish the changes requested.

The Mayor opened the public hearing for this application and called three times for speakers in favour. Hearing no speakers in favour, she then called three times for any speakers opposed. There were no speakers opposed, and the public hearing was therefore declared to be closed, on motion of Ald. Sarto and Greenough.

RESOLUTION
93-26

Council proceeded to the approval of Resolution 93-28, as recommended for approval by the Planning & Development Dept.

MOTION: To approve Resolution 93-26, authorizing amendments to the Development Agreement for development of Lot WDC-1 Alderney Drive.

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

The Architect for this project was present, and responded to a question about the start of construction, delayed at present for some financial details still to be resolved.

iii) APPEAL FROM REFUSAL TO GRANT MINOR VARIANCE - LLOYD GREEN,
886 PORTLAND STREET

APPEAL:
886 PORTLAND ST.

The third public hearing held on this date, was to hear an appeal to Council from the refusal to grant a minor variance, the request for appeal having been received from Mr. Lloyd Green of 886 Portland Street. A minor variance has been refused him by Planning Dept., for a garage he applied to build on his property, at a location that does not meet the minimum street setback requirements.

Members of Council have received a report from the Development Officer, and one from the Solicitor, in connection with the appeal request.

Except for Ald. Rodgers and Hetherington, all members of Council were recorded as being present for purposes of the public hearing.

Mr. L'Esperance made the presentation to Council for the Planning & Development Dept. He explained the details of the two permits required by Mr. Green, in order to build his garage, and later indicated the three reasons for refusal of a minor variance that would have allowed the garage on the site chosen by Mr. Green. These reasons are:

- 1) the variance is not minor (22 feet to 3.8 feet), in that it violates the intent of the Land Use By-law;
- 2) there are other locations on the property which could easily accommodate the garage.
- 3) construction was commenced by the pouring of a concrete slab, without a permit, considered to be an intentional disregard of the Land Use By-law requirements.

Mr. Green's appeal against the refusal to grant the variance, is based on the following:

- 1) he had verbal agreement that all his dimensions from property lines were o.k.
- 2) he did not feel there would be any adverse effects to any properties in the area resulting from the construction of a garage on his land adjacent to Portland Street.
- 3) he also did not feel that he had intentionally disregarded any requirements of the Land Use By-law, and as far as "minor", that is in the hands of the Development Officer.

The three above-noted reasons are direct transcript from a letter received from Mr. Green, requesting his appeal.

It was noted, in the presentation, that Mr. Green's property is located at the top of Breakheart Hill, on Portland Street, where visibility for motorists is an important consideration, along with the aesthetics of the streetscape.

At the conclusion of Mr. L'Esperance's explanation as to why a minor variance was refused by Planning Dept., in this situation, the applicant, Mr. Green, had the opportunity for hearing before Council, as to the desirability of decreasing the street setback from 22 feet to 3 feet, 8 inches.

Mr. Green stated to Council that he had verbal agreement from the Building Inspector, with the dimensions he showed

to the Inspector. This actual drawing, as brought to the department originally by Mr. Green, was available and passed around among members of Council, so it could be seen first-hand by them.

Mr. Green considered the location chosen by him for his garage to be suitable and unobtrusive to traffic on Portland Street. He said there is a bus lane in front of his property and therefore traffic would not be adversely affected. Responding to questions from Council, he explained that he did not want to locate the garage elsewhere on his land because he plans to subdivide it at some later time, and the garage would interfere with that process.

Most questions from members concerned the verbal communication of the Building Inspector, and the area of misunderstanding that was created as a result, when Mr. Green initially came to Planning Dept. for permission to build his garage. Mr. L'Esperance gave assurance that his department is completely satisfied that a misunderstanding arose and that the information given Mr. Green was not a verbal o.k. He noted that there are other suitable sites on Mr. Green's property for the garage, and further, that the concrete slab for it was poured with no permit having been issued, which, in his opinion, represents an intentional disregard for the Land Use By-law requirements. This opportunity for Mr. L'Esperance to address Council, was the second procedural step in the hearing process, after Council had heard from Mr. Green.

The next step was to hear from any other parties who would have received a notice of the hearing, and the Mayor called for any speakers who have been so notified. There were none.

Asked about the possibility of starting the garage again at a location in compliance with the 22-foot minimum setback requirement, Mr. Green said he does not have the financial resources to begin again. He said the concrete slab already poured cost him \$800.

When there were no further questions from Council to either Mr. Green or Mr. L'Esperance, the hearing was declared to be closed, on motion of Ald. Thompson and Greenough.

MOTION: To deny the application for appeal, from Mr. Greene.

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

REPORTS

1.1 CITY ADMINISTRATOR

1.1.1 CONTRACT 93-11, FLOODLIGHTING - CARL MORASH BALL PARK

AWARD TENDER:
CONTRACT 93-11

Contract 93-11, deferred from the July 13th Council meeting, to request cost-sharing from the Province, was again before Council. The Mayor advised that Provincial cost-sharing still cannot be confirmed at this time. Not wanting to delay the entire project until Council's next meeting on August 10th, it was suggested that the tender be awarded on the basis of lighting for one field only at this time, representing the cost to be funded by the City, with authority being given to proceed with the second field if cost-sharing should be approved by the Province subsequently. The tender was therefore awarded to the low bidder, Black & Macdonald Ltd., in the amount of \$57,915.00, with authority for the contract to be extended for the second field, if cost-sharing is received.

MOTION: That the tender for floodlighting one field at the Carl Morash Ball Park, be approved and awarded to the low bidder, Black & Macdonald Ltd., as originally recommended, in the amount of \$57,915.00, with authority being given for extension of the contract in the event of cost-sharing being approved subsequently by the Province.

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

1.1.2 CONTRACT 93-09 STORM SEWER, LAKECREST DRIVE

AWARD TENDER:
CONTRACT 93-09

Report from Mr. Corrigan (R. Fougere, E. Purdy) on tenders received for Contract 93-09 (storm sewer, Lakecrest Drive to Raymond Street), recommending that the tender be awarded to the lowest bidder, Doug Richards Backhoe & Trucking Ltd., with a bid price of \$67,286.95; completion time: 30 workdays.

MOTION: To award the tender for Contract 93-09 to the lowest bidder, Doug Richards Backhoe & Trucking Ltd., with a bid price of \$67,286.95, as recommended.

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

1.1.3 CONTRACT 93-16 ASPHALT OVERLAY, DAY AVE. & GASTON ROAD

AWARD TENDER:
CONTRACT 93-16

Report from Mr. Corrigan (R. Fougere, E. Purdy) on tenders received for Contract 93-16 (asphalt overlay, Day Ave. & Gaston Road), recommending that the tender be awarded to the lowest bidder, Ocean Contractors Ltd., with a bid price of \$151,875.80; completion time: 15 workdays.

MOTION: To award the tender for Contract 93-16 to the lowest bidder, Ocean Contractors Ltd., with a bid price of \$151,875.80, as recommended.

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

1.1.4 CONTRACT 93-17 ASPHALT OVERLAY, VARIOUS STREETS

AWARD TENDER:
CONTRACT 93-17

Report from Mr. Fougere (E. Purdy, G.M.Boyd) on tenders received for Contract 93-17 (asphalt pavement overlay, various streets), recommending that the tender be awarded to the lowest bidder, Ocean Contractors Ltd., with a bid price of \$189,788.04; completion time: 25 workdays.

MOTION: To award the tender for Contract 93-17 to the lowest bidder, Ocean Contractors Ltd., with a bid price of \$189,788.04, as recommended.

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

1.1.5 CONTRACT 93-18 INTERSECTION MODIFICATIONS, ALDERNEY DR.AWARD TENDER:
CONTRACT 93-18KING STREET & PORTLAND STREET

Report from Mr. Fougere (E. Purdy, G.M. Boyd) on tenders received for Contract 93-18 (street reconstruction, Alderney Drive - King Street & Portland Street), recommending that the tender be awarded to the lowest bidder, Standard Paving Maritime Ltd., with a bid price of \$121,980.00; completion time: 20 workdays.

MOTION: To award the tender for Contract 93-18 to the lowest bidder, Standard Paving Maritime Ltd., with a bid price of \$131,980.00, as recommended.

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

Ald. Hawley asked about the funding of this project, which came in over budget. Mr. Corrigan advised that there is an overall favourable variance of \$58,000. which will cover this cost.

1.1.7 PORTLAND WEST CDD - SET DATE FOR PUBLIC HEARINGSET DATE FOR
PUBLIC HEARING:
PORTLAND WEST
CDD

Members of Council have received amendments relative to the Portland West development agreement, reviewed with Committee on July 14th. In the accompanying report of July 13th, from Mr. Fougere (V. Spencer, Roger Wells), it has been recommended that Council amend the draft agreement and, in accordance with the amendments circulated, and set Aug. 10/93 as the date for public hearing of the Portland West development agreement application.

MOTION: To amend the draft agreement as recommended and to set Aug. 10/93 as the date for public hearing of the Portland West development agreement application, as recommended.

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

RESOLUTION - WRIGHT'S COVE ROAD

Further to the item added to the agenda, at the request of Ald. May, he proceeded to introduce a resolution, as follows:

MOTION: BE IT RESOLVED that Dartmouth City Council immediately inform Metropolitan Authority that pursuant to the offer by the City to host the Waste to Energy plant proposed by Metropolitan Authority, that the City does not regard Wright's Cove Road as a designated truck route and that Metropolitan Authority cease any consideration of Wright's Cove Road as a route for transporting waste or ash to or from any facility associated with the proposed Integrated Waste Management plan of the Metropolitan Authority.

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

It was suggested that with this resolution, it may not be necessary to hold the meeting planned with area residents.

2.1 PARKS & RECREATION DEPT.

2.1.1 LANDSCAPING MAINTENANCE

VERBAL REPORT

As previously request^{ed} at Council, Ms. Geri Kaiser was present to give a verbal report on the status of landscape maintenance this summer, given the impact of budget cuts on this program and the impact of the Burnside project.

She explained to Council how the loss of positions in the horticultural section of the department, and associated bumping process among members of staff, has affected the summer maintenance program, including grass-cutting on City properties. She also noted that residential property owners and business property owners are not cutting the grassed sections between the curb and sidewalk, as they should be, adding to some of the present maintenance problems. It was noted that there may, in fact, be a City by-law in place, requiring grass-cutting by property owners, at these locations.

Ald. Sarto requested a list of City lands (developed), divided into wards, and Ald. Pye asked for a report on the playgrounds and areas the City maintains, throughout the City, with information on how frequently they are maintained. The Mayor pointed out that it is becoming increasingly difficult to provide members of Council with major staff reports, in view of staff reductions and with less people available to produce the reports. She said she will be asking Council for a policy on this matter, so that some directives can be established for requests at Council, when information could be obtained individually by members of Council, at the various City department offices.

Ald. Pye later indicated that he would be willing to wait for a month or 1½ months for the report he has requested. Ald. May suggested that the Parks & Recreation Advisory Board discuss the impact of budget cuts on Parks & Rec. programs, and advise Council accordingly.

Ald. MacFarlane asked about the assistance of volunteers, such as people associated with the Freedom Foundation, who have been looking for a project to take on for the City. He was advised that Mr. Muzzin is checking on this possibility with union representatives.

At the conclusion of the regular agenda, Ald. May requested that Council go in camera for an item he wished to raise. The item previously listed for an in camera meeting (amendment to Contract Agreement) was withdrawn from the agenda, at an earlier point, by Mayor McCluskey.

Members were willing to go in camera, at the request of Ald. May, and on motion of Ald. Thompson and Sarto, Council went in camera at 9:50 p.m. Adjournment was from the in camera meeting, at 10:00 p.m.



D. McBain,
Acting City Clerk-Treasurer

ITEMS:

- Appointment, Chief Administrative Officer, page 1.
Petition, Nantucket Subdivision, page 1.
Thanks, Ald. Hetherington, page 1.
Public Hearings, page 2.
- i) Amendments to MPS & Land Use By-law, True North Cres., pg. 2
 - By-law C-700, page 2.
 - By-law C-701, page 3.
 - ii) Application to amend Development Agreement, Lot WDC-1, pg. 4.
 - Resolution 93-26, page 5.
 - iii) Appeal from refusal to grant minor variance, 886 Portland Street, page 5 to 8.
- Reports, page 8.
- 1.1 City Administrator, page 8.
 - 1.1.1 Contract 93-11, floodlighting, Carl Morash Ball Park, pg. 8.
 - 1.1.2 Contract 93-09, Storm Sewer, Lakecrest Dr., page 8.
 - 1.1.3 Contract 93-16 Asphalt overlay, Day Ve. & Gaston Rd., pg. 9.
 - 1.1.4 Contract 93-17 Asphalt overlay, various streets, page 9.
 - 1.1.5 Contract 93-18 Intersection, Alderney Dr: King St. & Portland Street, page 10.
 - 1.1.7 Portland West CDD, Set date for public hearing, page 10.
 - Resolution, Wright's Cove Rd., page 11.
 - 2:1 Parks & Recreation Dept., page 11.
 - 2.1.1 Landscaping Maintenance, page 11 & 12.
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