

Lib. Ref. Dept.

**DARTMOUTH CITY COUNCIL
AGENDA**

**TUES., SEPT. 6/94
7:30 PM
COUNCIL CHAMBER
IN CAMERA SESSION
10:00 PM**

INVOCATION

1. **NOTICE OF RECONSIDERATION** - Ald. MacDonald
 - i) Crossing Guards
2. **2ND APPROVAL, OVER EXPENDITURE - CROSSING GUARDS - \$74,400**
- supplementary report
3. **PUBLIC HEARING**
 - i) Proposed MPS Amendment - Development Boundary - Caledonia Road
4. **APPROVE THE MINUTES FROM THE MEETINGS:** August 16, 23 & 30, 1994.
5. **BUSINESS ARISING FROM THE MINUTES**
6. **DELEGATIONS & HEARINGS OF PROTEST**
7. **ORIGINAL COMMUNICATION**
8. **PRESENTATION**
9. **PETITION**
10. **REPORTS**
 - 10.1 **CHIEF ADMINISTRATIVE OFFICER**
 - 10.1.1 Comprehensive Audit - Development Services
 - 10.1.2 Tender, Contract 94-10, Robert Burns Drive - Street Construction
 - 10.1.3 Application, Retail Video Outlet, Concorde Inn
 - 10.1.4 Landscaping Improvements - Highway 111, Contract PR94-05 (supplementary report)
 - 10.1.5 Gerald B. Gray Memorial Arena - Chiller
 - 10.1.6 Dissolution of Metropolitan Area Planning Commission

10.2 **SOLICITOR**

10.2.1 Terms of Reference (amendments) Youth Advisory Committee

10.3 **SPORTSPLEX COMMISSION**

10.3.1 Infrastructure Program Tender - Sportsplex Addition

11. **MOTION**

11.1 **ALD. BERT THOMPSON**

WHEREAS because of merging traffic at the corner of Oakwood Avenue and Valleyfield Road, traffic congestion is such that potential exists to cause accidents due to reduced safety factors at this location.

BE IT RESOLVED THAT a three-way Stop sign be approved to be placed at the location of Oakwood Avenue and Valleyfield Road to deal with these problems

12. **NOTICES OF MOTION**

13. **CONCERNS OF COUNCIL MEMBERS OR QUESTIONS**

IN CAMERA SESSION - 10:00 P.M.

1. Personnel Matter.

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

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

MEMBER ABSENT: ALD. CUNNINGHAM (OUT OF CITY)

C/A OFFICER: L. CORRIGAN
CITY SOLICITOR: S. HOOD
CITY CLERK TREAS: B. SMITH
DEPARTMENT HEADS & ASSISTANTS

INVOCATION

The meeting was opened by Mayor McCluskey, with the Invocation. She acknowledged the Hon. Jim Smith, who was present in the gallery for the meeting.

STREET CLOSURE REQUESTS

REQUEST:
ROSE STREET

Ald. May presented a street closure request for the section of Rose Street between Maple & Pine Streets, on September 10th (with a Sept. 17th rain date), between the hours of 2:00 p.m. and 10:00 p.m., for a street party. Council was willing to permit a motion to this effect.

MOTION: That permission be given for a requested street closure, for the section of Rose Street between Maple and Pine Streets, on Sept. 10th, between the hours of 2:00 p.m. and 10:00 p.m., for a street party; the rain date is Sept. 17th.

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

REQUEST:
LANTANA TCE.

Just prior to adjournment of the meeting, a similar request was presented by Ald. Hawley, for a street closure on Lantana Terrace (#10 to the end of the cul-de-sac) on September 10th, between 6:00 p.m. and 12:00 midnight, for a block party. (Barricade to be manned.) As with Ald. May's request, a motion was approved by Council for Ald. Hawley's request.

MOTION: That permission be given for a requested street closure, for the section of Lantana Terrace, from #10 to the end of the cul-de-sac, on Sept. 10th, between 6:00 p.m. and 12:00 midnight, for a block party. (Barricade to be manned.)

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

1.0 NOTICE OF RECONSIDERATION (Ald. MacDonald)

i) CROSSING GUARDS

NOTICE OF
RECONSIDERATION

At the August 30th meeting, notice of reconsideration was given by Ald. MacDonald, in connection with decisions taken by Council on the crossing guard item, and three motions adopted. First approval was also given at that same meeting for an over-expenditure in the amount of \$74,400.

Speaking on reconsideration, Ald. MacDonald stated his objection to the decision on giving up one crosswalk guard per ward, and took the position that Ward 4 does not have any locations to give up for this purpose. He felt there are many other items that could be cut from the City budget, before deleting any crossing guard services.

MOTION: To reconsider decisions of Council in connection with crosswalk guards and crossing guard locations, as per Council's action at the meeting of August 30/94.

Moved: Ald. MacDonald
Second: Ald. May
In Favour: Minority of Council
Against: Majority of Council
Motion Defeated

2.0 SECOND APPROVAL, OVER-EXPENDITURE - CROSSING GUARDS (\$74,400.)

SECOND APPROVAL:
CROSSING GUARDS

Council then proceeded to second approval of the over-expenditure in the amount of \$74,400., to provide for crossing guard services at the remaining locations (ie. after deletion of seven locations). First approval was given at the August 30th meeting.

MOTION: To give second approval for the over-expenditure, in the amount of \$74,400., for crossing guard services .

Moved: Ald. Hetherington

Second: Ald. Thompson

In Favour: All members except

Against: Ald. May, Rodgers, MacDonald
Motion Carried

SUPPLEMENTARY REPORT - CROSSWALK GUARD LOCATIONS

REPORT: WARD
LOCATIONS

Before Council, in conjunction with the crosswalk guard item, was a supplementary report from Mr. Corrigan (A/Deputy Chief Tipert) on crosswalk guard locations, by ward, recommended to be discontinued for funding.

Ald. Pye objected to the Ward 5 designation (Brule Street at Overhead), requesting that it be delayed at least until after the construction of Robert Burns Drive has been completed. Ald. Rodgers did not agree that members of Council have been consulted on the ward locations recommended, and said his acquiescence was never given for the Ward 4 location (Crichton Ave./Oakdale Crescent).

Ald. Walton did not object specifically to the Ward 7 location (Johnstone Ave./Clyde Street), but asked that a letter be forwarded to the school administration in the area, concerning the harassment of elementary school children by older students, so they will be allowed to get to the bottom of the hill where there is a crossing guard on duty. He suggested that perhaps the Mayor might forward such a letter to the administration.

Ald. MacFarlane said A/Deputy Chief Tipert is to be commended for the difficult task of choosing locations, and ^{noted} that the crossing guard program will not be subject to any further reductions after this. Any further discussions that may come up, should take place before June of any given year. Ald. Hetherington requested that schools affected be informed in advance of discontinued locations, so that students are duly informed. Ald. Pye asked about notification of the crosswalk guards whose services are being discontinued. Mr. Corrigan said he will be in discussion with the employer (Eagle Security), and will inform Council accordingly. Ald. May referred to a need for coordination between Eagle Security and the Police Service, as to the times the guard is on duty at Bicentennial, where the time on duty was wrong for elementary school children.

MOTION: To approve the locations, by ward, recommended for a discontinuation of funding:

- Ward 1 - Woodlawn Road/Kelly Drive
- 2 - Prince Albert Road/Hawthorne Street
- 3 - Windmill Road/Hare Lane
- 4 - Crichton Avenue/Oakdale Crescent
- 5 - Brule Street at Overhead
- 6 - Mountain Ave. at the Stairs
- 7 - Johnstone Avenue/Clyde Street

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

3.0 PUBLIC HEARING

i) PROPOSED MPS AMENDMENT - DEVELOPMENT BOUNDARY - CALEDONIA RD.

**PUBLIC HEARING:
MPS AMENDMENT
CALEDONIA ROAD** This meeting of Council constituted the public hearing for a proposed MPS amendment, clarifying the location of the development boundary in the Caledonia Road area. With this amendment, the boundaries for the area will have Council approval, and the approval of the Minister of Municipal Affairs. Also, the lands in question, now designated as 'Reserve' will be re-designated to 'Residential'

Present, for purposes of the public hearing, were all members of Council except for Ald. Cunningham.

CONFLICT OF INTEREST Ald. Woods declared a conflict of interest, due to the involvement of his firm, and withdrew from his place on Council.

Council has received a report from Mr. Corrigan (V. Spencer) on the proposed development boundary amendments to the MPS, with the recommendation that they be approved. Copies of proposed By-law C-708 were also circulated for approval, if the amendments are approved. Included, is a report on the public information meeting held in the area.

The Development Services presentation to Council was made by Ms. Spencer. She explained, using a map of the lands involved, that the MPS amendments being proposed, represent a validation of a 'working' boundary that has been in place since the 1980's. No zoning change is being proposed from the present H Zone on the lands, and there is no change in the location of the line drawn in 1989. As a servicing boundary, the sewerage capacity is established for the Caledonia Road area (approx. 155 additional acres), and the 'Reserve' lands are re-designated to 'Residential', in keeping with the designation on other serviced areas of the City.

There were a large number of questions from members of Council to Ms. Spencer and Mr. Fougere, especially from Ald. May and Hawley, regarding sewer capacity and its determination. Ald. Hawley also asked about existing water pressure problems on Bonita Drive, and received information from Mr. Fougere on the causes (location on the dividing line between the low and high water systems, elevation of homes in relation to the Mount Edward tank).

On the subject of sewer capacity and its relation to future development requests, Mr. Fougere advised that the City would not accept any private sewer treatment plants, and he advised that capacity determination figures are based on the department's original report from the 1980's. Ald. MacDonald referred to a copy of a letter from a Mr. Cross, who was turned down for subdivision approval in this area some time ago. Ms. Spencer said this application would have been before the map, with land holdings shown by her to Council.

When there were no more questions from Council, the Mayor opened the public hearing, and called three times for any speakers in favour. There were none, and she called three times for speakers opposed. There no speakers opposed, and the public hearing was declared to be closed, on motion of Ald. Pye and Hetherington.

Council proceeded to give three readings to By-law C-708.

BY-LAW C-708

MOTION: That leave be given to introduce the said By-law C-708 and that it now be read a first time.

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

MOTION: That By-law C-708 be read a second time.

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

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

MOTION: That By-law C-708 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. Hetherington
Second: Ald. Thompson
In Favour: All
Against: None
Motion Carried

4.0 APPROVAL OF MINUTES

MOTION: To approve the minutes of meetings held on August 16, 23, & 30th, 1994.

Moved: Ald. Greenough
Second: Ald. Thompson

Ald. May asked about the report from Mr. Corrigan, requested by Ald. Woods on page 11 of the August 16th minutes. Mr. Corrigan said he has requested a report from Conrad Sarty, with a copy to Mr. Fougere, and he expected to hear back soon from that request.

Ald. May then asked to have a transcript from the tape of the August 30/94 minutes included as part of the text on page 7 (Capital Budget Amendment) of those minutes.

AMENDMENT: To include the following transcript from the tape of the August 30th minutes, page 7:

Mayor McCluskey: "The Minister of Housing did talk to me about this and it is in the plans of the Housing Department to do this themselves. Well, they're working on it."

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

Ald. MacFarlane asked about the Porter Dillon report on the water system (regional system), and Mr. Fougere said the final report should be ready for the Water Utility Committee within the next three weeks; from there, it will come to Council.

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

5.0 BUSINESS ARISING FROM THE MINUTES

Reference the comments of Ald. May about terms of reference for the Water Utility Committee and the frequency of their meetings (page 11 of the Aug. 16/94 minutes), Ald. Hetherington advised that he tried on several occasions to have the Committee meet, but a quorum was lacking each time. The Mayor said she had informed members of this fact and had noted this at the Water Utility Committee meeting, which Ald. Hetherington was unable to attend.

In connection with Ald. MacDonald's request for a statement of expenditures & revenue (page 11 of the August 23rd minutes), he requested that the statement, now provided for members, be included for discussion in next week's Council agenda.

MOTION: That the Summary of Revenues & Expenditures report, dated Sept. 2/94, and provided for all members of Council, be included in the Sept. 13th agenda for discussion.

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

Ald. May asked when Council will deal with the Water Utility budget, presented to the Water Utility Committee and considered by them. Mr. Corrigan said it will be within the next few weeks.

6.0 DELEGATIONS & HEARINGS OF PROTEST

7.0 ORIGINAL COMMUNICATION

8.0 PRESENTATION

9.0 PETITION

A petition was presented by Mrs. Wheatley, bearing names of area residents, requesting a No Parking sign on the east side of Victoria Road, from Cherry Drive to Boland Road, between the hours of 7:00 a.m. and 7:00 p.m. daily.

A motion to this effect was presented and adopted.

MOTION: To approve the request for a
No Parking sign on the east side
of Victoria Road, from Cherry Dr.
to Boland Road, between the hours of
7:00 a.m. and 7:00 p.m. daily.

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

Council agreed to move item 10.3.1 up on the agenda.

10.3 SPORTSPLEX COMMISSION

10.3.1 INFRASTRUCTURE PROGRAM TENDER - SPORTSPLEX ADDITION

AWARD TENDER:
SPORTSPLEX
ADDITION

Members have received copies of a memo from the Chairman of the Dartmouth Sportsplex Commission, John Veinot, informing Council of the recommendation unanimously adopted by the Commission, on the awarding of the tender for the Sportsplex Expansion Project. The recommendation is to accept the low bid of Corkum Construction Co. Ltd., for the Sportsplex Expansion Project, with minimum reductions in the amount of \$142,895.00, for a final price of \$1,578,000.

Mr. Veinot addressed Council briefly, presenting the recommendation of the Commission, after which Mr. Bagnell commented on the list of reductions arrived at to produce a bid price within the budgeted amount provided for under the Infrastructure Program. Further to concerns about the \$15,000. contingency amount, Mr. Bagnell said it will be possible to increase the contingency figure to \$100,000., including \$50,000. that has been allocated for Sportsplex renovations.

Several members of Council said they were satisfied with the price for the project, and noted that the expansion is intended to help bring the Sportsplex to a break-even position, as Council has requested for several years at budget time. Ald. Pye was concerned that any Bingo operation in the new facility will be in competition with established community groups and charitable organizations. He hoped the Commission will address this concern further. Mr. Bagnell noted that the Sportsplex is quite willing to hold discussions with these community groups and to consider their participation in Bingo operations. Ald. MacDonald said it is unfortunate that the project did not include the hockey change facilities needed for an AHL franchise.

Members supported the expansion project and the awarding of the tender, with the exception of Ald. May, who quoted from an August 24/94 editorial in a local newspaper, critical of such projects being approved under the Infrastructure Program in preference to more practical ones. He said Council had no say in the Infrastructure decisions, and that the Provincial and Federal Governments chose the Sportsplex project over others on the City list. He had a number of questions about the inclusion of the GST in the bid price, and about responsibility for any cost over-runs. Mr. Corrigan said that over-runs would be charged to the City one hundred percent, and would not be split three ways with the other partners.

Mr. Bagnell explained the Cole Harbour Place experience with the GST, noting that they kept their invoicing separately as an entity qualifying for a one hundred percent GST rebate, even though it was the County that entered into the contract for funding assistance. Ald. May felt that something specific is needed in writing to confirm the GST question he has raised; Mr. Corrigan said confirmation on the GST question will be sought. Ald. May proposed an amendment to the motion presented.

MOTION: To award the tender for the Sportsplex Expansion project to the low bidder, Corkum Construction Co. Ltd., in the amount of \$1,578,000. (including listed reductions), as recommended by the Sportsplex Commission.

Moved: Ald. MacFarlane
Second: Ald. Rodgers

AMENDMENT: To add the words 'inclusive of all taxes' to the motion.

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

Vote on the amended motion:

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

10.0 · REPORTS10.1 CHIEF ADMINISTRATIVE OFFICER10.1.1 COMPREHENSIVE AUDIT - DEVELOPMENT SERVICESCOMP. AUDIT:
DEVELOPMENT
SERVICES

Mr. Corrigan has prepared for Council, a draft Request for Proposals from Management Consultants, for a Comprehensive Audit of Development Services, and in his accompanying report, has recommended that Council approve the draft and direct staff to advertise for and evaluate the proposals.

After Mr. Corrigan had presented his report, with a brief review of it, a motion for approval was put forward by Ald. Walton and Hawley.

MOTION: To approve the draft Request for Proposals, for the Comprehensive Audit, as recommended, and direct staff to advertise for and evaluate the proposals.

Moved: Ald. Walton
Second: Ald. Hawley

Ald. MacFarlane addressed Council on the subject of proposal call, and some of the details of it, noting that he has discussed this matter with Ald. Cunningham, who is in agreement with points that Ald. MacFarlane wished to have Council consider.

Further to the evaluation process, and the fact that 'personnel records and performance assessments will not be part of the undertaking', Ald. MacFarlane had a problem with this provision, taking the position that there should be full disclosure for purposes of this audit. Mr. Corrigan noted that the intent is to have this audit serve as a positive and useful exercise, and to get away from the idea of an audit as a 'witch hunt'. Ald. MacFarlane maintained his position in favour of full disclosure in this instance. Ald. May said it may be necessary to have some review of performance assessments, even if other personnel records are not included.

One other particular point raised by Ald. MacFarlane pertained to a consideration of short-listed proposals by a committee established by Council, before any final recommendation is made to Council.

AMENDMENT: That Council establish, with the CAO, a committee of Council to review the proposals on the short list.

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

The vote on the motion, as amended:

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

Council agreed to have the Mayor and three members of Council serve on the committee now approved. The Mayor suggested that the appointments to the committee could be made at next week's meeting.

10.1.2 TENDER, CONTRACT 94-10, ROBERT BURNS DR. - STREET CONSTRUCTION

AWARD TENDER:
CONTRACT 94-10

Report from Mr. Corrigan (R. Fougere, G.M. Boyd) on tenders received, Contract 94-10, Robert Burns Drive, street construction between Brule Street and Primrose Street, recommending that the tender be awarded to the lowest bidder, Ocean Contractors Ltd., with a bid price of \$264,554.29; completion time: 40 workdays.

MOTION: To award the tender for Contract 94-10 (street construction, Robert Burns Drive), to the lowest bidder, Ocean Contractors Ltd., with a bid price of \$264,554.29, as recommended.

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

10.1.3 APPLICATION, RETAIL VIDEO OUTLET, CONCORDE INN

APPLICATION:
VIDEO OUTLET

Council has been asked to indicate any objection to an application for a Retail Video Outlet, for Concorde Inn, 379 Windmill Road. A report on this request was before Council from Mr. Corrigan (B. Smith).

MOTION: To indicate no objection to the application for a retail video outlet, submitted by Concorde Inn at 379 Windmill Rd.

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

10.1.4 LANDSCAPING IMPROVEMENTS - HIGHWAY 111, CONTRACT PR94-05

LANDSCAPING:
CONTRACT PR94-05

A supplementary report from Mr. Corrigan was before Council in connection with Contract PR94-05, awarded by Council at the August 30th meeting, to the low bidder, Elmsdale Landscaping. Subsequently, Ald. May questioned the ownership of the land involved, and asked that the tender not be awarded pending clarification of his concern.

In the interest of full disclosure, Mr. Corrigan has brought the fact of Provincial ownership to the attention of Council, and has recommended that Council confirm the awarding of Contract PR94-05 to Elmsdale Landscaping, for a total tendered price of \$98,953.60, as per the action previously taken by Council

MOTION: To award the tender for Contract PR94-05 to Elmsdale Landscaping, as recommended, for a total tendered price of \$98,953.60.

Moved: Ald. Thompson

Second: Ald. Rodgers

Except for Ald. May, MacDonald and Levandier, members of Council supported the motion and the expenditure required for landscaping, considering the continual upgrading of the Burnside/City of Lakes Parks to be important to their success. Ald. May said that instead, there should be improvements to the gabion wall on Thornhill Drive, and to Borden Ave; he felt these projects deserve higher priority and also, that the City should not be paying to landscape Provincial land. It was noted in debate, that the Province has been asked to carry out the landscaping, but is unwilling to do it.

Asked to comment, Mr. Rath advised that costs associated with landscaping, to date, in the Park, have been covered by funds from the Sale of Land account. Asked if the Industrial Commission has approved this item, Mr. Rath said it was one of the projects approved by the Commission for inclusion in this year's budget.

Ald. Woods asked that cost-sharing be sought from the other government levels, for improvements to the Dartmouth approach to the A. Murray McKay Bridge, especially important with the G7 Summit coming here next year. Ald. Pye said it may be a good idea to write to the Transportation Dept., asking them if they are prepared to cost-share in beautification programs generally.

In Favour: All members except

Against: Ald. Levandier, May, MacDonald

Motion Carried

10.1.5 GERALD B. GRAY MEMORIAL ARENA - CHILLER

CHILLER:
GERALD B. GRAY

Report from Mr. Corrigan (G. Kaiser, C. Anthony) on a chiller that has had to be replaced at the Gerald B. Gray arena, in order to make ice for the fall/winter season. Two suppliers were contacted and one was able to supply a replacement unit within two weeks time, thereby avoiding a major ice rental loss. The recommendation to Council is that the \$49,000. required for this project be directed from funds saved from completed capital projects and capital funds not yet committed through the tendering process. The projects involved have been listed in the report.

MOTION: To adopt the recommendation:

That the \$49,000. required for replacement of the chiller be directed from funds saved from completed capital projects and capital funds not yet committed through the tendering process.

Moved: Ald. Thompson
Second: Ald. MacFarlane

Ald. Sarto was concerned that the Beazley Field Accessibility project has been rescheduled to the 1995/96 Capital Budget. Ald. Walton informed Council that it is possible to get into Beazley Field at present, but with some difficulty.

Ald. May said he was willing to have \$12,000. from the Ward 3 capital funds, reallocated for the project, and an amendment for this purpose was presented.

AMENDMENT: To reallocate \$12,000. in Ward 3 capital funds for the Beazley Field Accessibility project, so it can be undertaken this year as scheduled.

Moved: Ald. May
Second: Ald. Rodgers
In Favour: All members except
Against: Ald. Levandier
Amendment Carried

Vote on the motion, as amended:

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

10.1.6 DISSOLUTION OF METROPOLITAN AREA PLANNING COMMISSIONDISSOLUTION
OF MAPC

Report from Mr. Corrigan (A. Galatis) on the dissolution of MAPC, for which a dissolution agreement has been prepared for signing by all four local municipalities. The City of Dartmouth will receive approx. \$27,000. as our percentage of distribution of the MAPC assets. It is recommended that Council accept the agreement for the dissolution of the Metropolitan Area Planning Commission.

MOTION: To adopt the recommendation:

That Council accept the agreement for the dissolution of the Metropolitan Area Planning Commission.

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

10.2 SOLICITOR10.2.1 TERMS OF REFERENCE (AMENDMENTS) YOUTH ADVISORY COMMITTEETERMS OF
REFERENCE:
YOUTH ADVISORY
COMMITTEE

Revised terms of reference for the Youth Advisory Committee have been prepared and recommended to Council by the City Solicitor.

MOTION: To approve the revised terms of reference, as recommended.

Moved: Ald. Levandier
Second: Ald. MacFarlane

Ald. May proposed an amendment to the composition section of the terms of reference, calling for eleven members with at least one member from each ward.

Moved: Ald. May
Second: Ald. Sarto

Ald. MacDonald requested deferral until after a meeting of the Committee, scheduled for September 14th.

MOTION: To defer the item until after the Committee meeting on September 14th.

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

11.0 MOTION11.1 ALD. THOMPSON

WHEREAS because of merging traffic at the corner of Oakwood Ave. and Valleyfield Road, traffic congestion is such that potential exists to cause accidents due to reduced safety factors at this location.

BE IT RESOLVED that a three-way Stop sign be approved to be placed at the location of Oakwood Ave. and Valleyfield Road, to deal with these problems.

Moved: Ald. Thompson

Second: Ald. Sarto

Ald. Levandier objected to another three-way Stop sign being approved without any recommendation from the T.M.G. He said the number of these signs has reached the point where they are becoming more of a safety problem than a help in resolving traffic problems.

MOTION: To refer the three-way Stop request for Oakwood Ave/Valleyfield Road to the T.M.G., for recommendation.

Moved: Ald. Levandier

Second: Ald. Hawley

In Favour: All members except

Against: Ald. Thompson

Motion Carried

12.0 NOTICES OF MOTION

The following notice of motion was given for the next regular Council meeting:

Ald. MacFarlane

WHEREAS traffic at Hawthorne and Erskine Streets poses a significant hazard to pedestrian safety;

BE IT RESOLVED that a four-way Stop sign be placed at this location to resolve this problem.

While the Concerns of Council item was not dealt with, Ald. Pye stated his concerns about a recent incident in which he felt that a citizen had not been properly dealt with by the animal control service. Mr. Corrigan said it was not possible to resolve the matter amicably

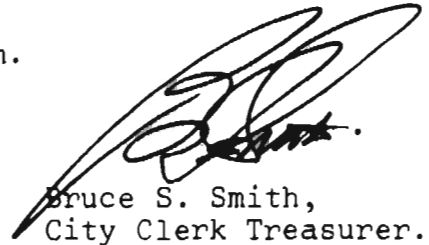
with this person, when he became threatening and abusive. He explained the situation that staff were placed in under these circumstances, and the action that had to be taken in this instance of irrational behaviour.

Council went in camera at 10:45 p.m., on motion of Ald. Thompson and Sarto. After reconvening in open meeting, the action taken in camera was ratified.

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

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

Meeting adjourned at 10:50 p.m.



Bruce S. Smith,
City Clerk Treasurer.

ITEMS:

- Invocation, page 1.
 - Street closure requests, page 1.
 - 1.0 Notice of reconsideration, page 2.
 - i) Crossing guards, page 2.
 - 2.0 Second approval, over-expenditure, crossing guards, page 2.
Supplementary report, crosswalk guard locations, page 3.
 - 3.0 Public Hearing, page 4.
 - i) Proposed MPS Amendment, Development Boundary, Caledonia Rd.,
By-law C-708, pg. 5. page 4 and 5.
 - 4.0 Approval of minutes, page 6.
 - 5.0 Business arising from the minutes, page 7.
 - 6.0 Delegations & Hearings of Protest, page 7.
 - 7.0 Original Communication, page 7.
 - 8.0 Presentation, page 7.
 - 9.0 Petition, page 7.
 - 10.3 Sportsplex Commission, page 8.
 - 10.3.1 Infrastructure Program tender, Sportsplex addition, page 8.
 - 10.0 Reports, page 10.
 - 10.1 Chief Administrative Officer, page 10.
 - 10.1.1 Comprehensive Audit, Development Services, page 10.
 - 10.1.2 Tender, Contract 94-10, Robert Burns Dr., page 11.
 - 10.1.3 Application, retail video outlet, Concorde Inn, page 11.
 - 10.1.4 Landscaping improvements, Highway 111, Contract PR94-05, pg.12.
 - 10.1.5 Gerald B. Gray Memorial Arena, chiller, page 13.
 - 10.1.6 Dissolution of MAPC, page 14.
 - 10.2 Solicitor, page 14.
 - 10.2.1 Terms of Reference, Youth Advisory Committee, page 14.
 - 11.0 Motion, page 15.
 - 11.1 Ald. Thompson, page 15.
 - 12.0 Notices of motion, page 15.
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Lib. Ref. Dept.

**DARTMOUTH CITY COUNCIL
AGENDA**

**TUES., SEPT 13, 1994
7:30 P.M.
COUNCIL CHAMBER**

1. PRESENTATION

- i) Solid Waste Disposal - County of Halifax

2. REPORTS

2.1 CHIEF ADMINISTRATIVE OFFICER

- 2.1.1 Summary of Revenues & Expenditures with Year-End Forecasts
- 2.1.2 Tender for Municipal Tractor #94-56
- 2.1.3 Amendment to Land Use By-law - 303 Main Street (set dates for neighborhood information meeting and public hearing)
- 2.1.4 Capital Contract PR9406 - Eileen Stubbs Ave - Sidewalk and Landscaping
- 2.1.5 Reduction in Pension Plan Contributions Levels

3. Dartmouth & Burnside - City of Lakes Business Park - Promotional Materials (information report & materials for Council's perusal)

4. CONCERNS OF COUNCIL MEMBERS OR QUESTIONS

LOCATION: CITY COUNCIL CHAMBERS

TIME: 7:30 P.M.

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

MEMBERS ABSENT: ALD. RODGERS, MACDONALD

C/A OFFICER: L. CORRIGAN
CITY SOLICITOR: S. HOOD
ASST. CITY CLERK: V. CARMICHAEL
DEPARTMENT HEADS & ASSISTANTS

PROCLAMATION

At the opening of the meeting, Mayor McCluskey proclaimed September 18th, 1994 as Terry Fox Day, and read a Proclamation inviting citizens to participate in this year's Terry Fox Run.

Ald. MacFarlane rose on a point of privilege, and at his request, a minute of silence was observed in memory of Randy Connors, whose death occurred on this date.

2.0 REPORTS

2.1 CHIEF ADMINISTRATIVE OFFICER

2.1.1 SUMMARY OF REVENUES & EXPENDITURES - YEAR-END FORECASTS

SUMMARY: REVENUES & EXPENDITURES A Summary of Revenues & Expenditures, with Year-End Forecasts, has been provided for Council by Mr. Corrigan, as prepared by Mr. Smith.

MOTION: To receive and file the report.

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

Ald. Sarto asked if the recommended Pension Plan contribution reduction would offset some of the deficit being forecast for year-end. Mr. Smith estimated that saving to be about quarter of a million dollars; this amount would be an offsetting factor.

2.1.2 TENDER FOR MUNICIPAL TRACTOR \$94-56

AWARD TENDER: Tenders have been received for a new municipal tractor,
MUNICIPAL TRACTOR provided for in the 1994/95 Capital Budget, and in his
report to Council, Mr. Corrigan has recommended
acceptance of the second lowest overall tender, submitted
by Saunders Equipment, in the amount of \$60,292.36 net
price, after trade-in allowance and including GST.
The lowest overall tender did not meet requirements.

MOTION: To award the tender for a municipal
tractor (#94-56) to the second lowest
overall bidder, Saunders Equipment Ltd.,
for the net price of \$60,292.36, after
trade-in allowance and including GST,
as recommended to Council.

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

2.1.3 AMENDMENT TO LAND USE BY-LAW - 303 MAIN STREET

SET DATE FOR A report from Mr. Corrigan, with accompanying documentation,
HEARING: was before Council on the proposed amendments to M.P.S.
303 MAIN STREET and the Land Use By-law, for 303 Main Street. It has been
recommended that Council waive the requirement for a
neighbourhood consultation meeting, and instruct staff
to proceed with a neighbourhood information meeting;
and that Council set Tues., November 8/94 as the date
for public hearing of this application.

MOTION: To adopt the recommendations:

- 1) That Council waive the requirement for a
neighbourhood consultation meeting and
instruct staff to proceed with a neighbour-
hood information meeting.
- 2) That Council set Tues., November 8/94
as the date for public hearing of this
application.

At first, an alternate date (Nov. 15/94) was proposed,
since the appointment of Boards and Committees will take
place on November 8th. In order to expedite the applic-
ation, however, Council agreed to hold both the public
hearing and the appointments on the same night, November 8 .

Moved: Ald. Greenough
Second: Ald. Thompson
In Favour: All members except
Against: Ald. Cunningham
Motion Carried

2.1.4 CAPITAL CONTRACT PR9406 - EILEEN STUBBS AVE.- SIDEWALK AND

AWARD TENDER:
 CONTRACT PR9406

LANDSCAPING
 Report from Mr. Corrigan (B. Stevens, C. Macomber, H. George) on tenders received for Capital Budget Contract PR94-06 (Eileen Stubbs Ave. sidewalk and landscaping), recommending that the tender be awarded to the low bidder, Elmsdale Landscaping, for a total tender price of \$102,102.07, including GST, and that funds required be directed to this project from the surplus in the Highway 111/Burnside entrance account.

MOTION: To award the tender for Capital Contract PR94-06 to the low bidder, Elmsdale Landscaping, for a total tender price of \$102,102.07, including GST, as recommended. Required funds to be directed to this project from the surplus in the Highway 111/Burnside entrance account.

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

2.1.5 REDUCTION IN PENSION PLAN CONTRIBUTIONS LEVELS

REDUCTION:
 PENSION PLAN
 CONTRIBUTIONS

Report from Mr. Corrigan (Roddy Macdonald) on the 2% reduction being recommended by the Pension Committee in pension contributions, in consideration of the results of the 1993 pension plan valuation. This reduction has been recommended to Council.

MOTION: To adopt the recommendation:

That Council approve a reduction in pension plan contribution levels, totalling 2.01%, and set the new pension plan contribution levels for employees and the City as:

Employee	7.70%
City	8.47%

16.17%

Further, that these new rates be effective with the pay period ending October 7, 1994.

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

BY-LAW P-409

Proposed By-law P-409 was before Council, requiring three readings, to amend the City of Dartmouth Employees' Retirement Pension Plan.

MOTION: That leave be given to introduce the said By-law P-409 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-409 be read a second time.

Moved: Ald. Greenough
Second: Ald. Levandier

Ald. May asked several questions about the actuarial report and requested a copy of it by tomorrow's date. Asked about the unfunded liability, Mr. Smith said it is the opinion of the Actuary that the contribution rates now established are more than adequate for funding purposes.

Ald. May then provided information on the record of the City's contribution to the Pension plan during the years of the '90's, noting that the cost of contributions doubled over a 12-month period, from 1991 to 1992. He considered these costs to be at the expense of the citizens, whose services have been cut back to make up for pension contributions by the City.

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-409 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. Hawley
Second: Ald. Thompson
In Favour: All
Against: None
Motion Carried

3.0 DARTMOUTH & BURNSIDE - CITY OF LAKES BUSINESS PARK
PROMOTIONAL MATERIALS

PROMOTIONAL
MATERIALS:
BURNSIDE

Members received with their agenda, copies of the new promotional brochures for both Dartmouth and Burnside/City of Lakes Business Park.

MOTION: To receive and file the promotional material received.

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

Council was shown the new promotional video for Burnside/City of Lakes Business Park, and had the opportunity to comment on it afterwards. Mr. Corrigan noted that the narrator (Ald. Cunningham) and all of the people featured in the video, have volunteered their time and effort. Copies of the video are to be sent to all members of Council, and they were asked to make use of their copies for promotion purposes whenever possible.

Ald. May questioned the lack of any mention of Woodside Park and the downtown in this new material. Mr. Rath advised that provision has been made in this year's budget for a Woodside brochure.

Several members commented favourably on the video and its quality, including the participation of the business community.

MOTION: That Council endorse the efforts of those involved in the production of the video, and the companies that participated.

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

APPOINTMENT - HALIFAX-DARTMOUTH PORT DEVELOPMENT COMMISSION

APPOINTMENT:
PORT COMMISSION

Circulated to members at this time, were copies of a letter from Elaine Brown, the City's representative on the Halifax-Dartmouth Port Development Commission, whose terms expires on Nov. 11/94, and who is eligible to serve one more consecutive term. She is asking to represent the City for the one remaining term allowed her.

MOTION: To approve the appointment of Elaine Brown as the City's representative on the Halifax-Dartmouth Port Development Commission, for the term for which she is eligible.

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

4.0

CONCERNS OF COUNCIL MEMBERS OR QUESTIONS

ALD. CUNNINGHAM

Ald. Cunningham asked about the status of the water situation. Mr. Corrigan said the Water Utility Committee has met and given direction to staff, the Porter Dillon study has been completed, the portable lab has completed its work, a visit by a delegation was made to Pockwock, and a report on all of this, plus the capital & operating budgets for the Utility, will be coming to Council within the next two or three weeks.

ALD. HAWLEY

Ald. Hawley suggested the idea of a mail-out list, for the use of interested companies, of building permit applications for new construction and renovations, thereby making available for a charge, information that business people could benefit from, and receive in a shorter period of time than they are now able to access the same information. Mr. Corrigan said he will be meeting with Mr. Meech on Sept. 16th and he will mention this idea to him.

ALD. MAY

Concerns of Ald. May:

- 1) problems that people in the Ward 3 area are having with dirty water and ruined clothing that has been washed in it. He asked about compensation, and Mr. Corrigan

advised that people would have to document their claims, which would then be reviewed individually.

- 2) when is the Harbour Cleanup presentation being made to Council? Mr. Corrigan said a complete report will be going out Friday for the September 20th Council meeting.
- 3) Blue Cross payment by the City for employees. Since this was a confidential report sent to Council members, Ald. Thompson requested that it be dealt with in camera at the Sept. 20th meeting.

ALD. THOMPSON

Ald. Thompson asked that consideration be given to the idea of corporate sponsors, who would take on responsibility for landscaping and improving sections of the entrances to the City. He has discussed this possibility with Mr. Stevens, and asked if a report could be provided on the idea.

ALD. WALTON

Ald. Walton had two concerns: (1) the condition of the property at 25 Irving Street, which remains unchanged. Could the City clean up the property and bill the owner, in order to have it improved? The Mayor asked that attention be given to Ald. Walton's concern.

(2) the distance that people in Portland Estates are having to walk to get to their bus stop - 1½ km., including students trying to get to school, university, and people needing to get to work. Ald. Walton asked to have this concern raised at the next meeting of the Metro Authority by Dartmouth members.

ALD. HETHERINGTON Concerns of Ald. Hetherington:

- 1) asked about the Old Ferry Road/Foston & Portland Street project: Mr. Fougere said it is to be done this fall; now in the process of being engineered.
- 2) the possibility of some kind of lighting on Highway 111, so that the jersey barrier can be seen by drivers. Ald. Walton said he has talked to Mr. Purdy about reflective paint on top of the barrier, but Ald. Hetherington did not feel this is adequate. Mr. Fougere noted that there is no power along the section of highway in question.
- 3) asked about the opening of Eisener Blvd. Mr. Fougere said it is close to opening; this will make it possible to improve the bus situation.
- 4) Ald. Hetherington advised members, of the Board of Health meeting on Sept. 15th at noon, when the subject of City water quality will be discussed.

ALD. PYE

Ald. Pye asked that in future years, members of Council and of the Police Commission be informed in advance of the annual memorial service which commemorates police officers and guards, who have died in the line of duty. He recently attended this year's service and felt that Council and the Police Commission should have the opportunity to attend in the future.

He asked Mr. Fougere to have a large hole in the pavement patched, on Princess Margaret Blvd., at the access point to the A. Murray McKay Bridge.

ALD. GREENOUGH

Ald. Greenough was concerned about the cut-back in evening service on bus route 50, which serves the Montebello area. He said this service change is causing hardship and inconvenience for many people, and asked that it be taken up with Metro Authority and by the Public Transportation Advisory Committee, to try and have later service on route 50 reinstated.

His second concern was about the status of the CountryView lands in Shubie Park, which were under negotiation some time ago with the owners. Mr. Corrigan gave a verbal report on the negotiations that have continued with the owners, now complicated somewhat by discussions about an exchange of lands with the City and involving a financial component as well. The CountryView owners are supposed to be coming back with another offer. He summed the negotiations as 'moving along fairly slowly'. Asked about possible Provincial assistance, Mr. Corrigan went on to explain those details in addition to the other information provided.

ALD. MACFARLANE

Concerns of Ald. MacFarlane:

- 1) asked to be informed of the completion date for renovations that are supposed to be taking place at civic #1 & 3 Curley Drive. No work is taking place there at present.
- 2) the property at 14/14A Centre Street, which contains a lot of debris and requires attention.
- 3) requested a report on the subject of building requirements, with staff clarification of points of confusion that have been created by recent changes (Schedule A). The Mayor agreed that Council should be taking a serious look at the requirements, the Home Occupancy By-law, and the Minimum Standards By-law.

With a two-thirds majority vote in favour of a motion being presented, Ald. MacFarlane and May proceeded with one.

MOTION: To request a building requirements report from staff, clarifying points of confusion referred to by Ald. MacFarlane, for Council discussion.

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

4) Ald. MacFarlane asked about the status of the Joffre/Lakefront Road walkway. Mr. Fougere said the easement required is not yet approved for the location of the walkway.

ALD. SARTO Ald. Sarto advised that he has forwarded a letter to Brian Smith about bus route 54, and Mr. Smith is reviewing that situation.

1.0 PRESENTATION

i) SOLID WASTE DISPOSAL - COUNTY OF HALIFAX

PROPOSAL: Present for the final item, deferred from the beginning of the meeting, were: Mayor Randy Ball, Mr. Meech and other senior staff members from the Municipality of the County of Halifax, along with Mr. Gridley of Vaughan Engineering Associates Ltd. and Mr. Donnelly of the Lura Group. They were in attendance for the presentation of the proposal by Halifax County for assuming responsibility for the operation of a Regional Solid Waste Management System.

Introductory remarks were made by Mayor Ball. He said there now appears to be no immediate solution to the waste management problem for the metropolitan area, and was concerned that unless some initiative begins to be taken soon, nothing will be in place by the time of the Sackville landfill close-out, set for Dec. 31, 1996. The County is therefore making a proposal to the local metro Councils, already approved by County Council, for Halifax County to assume the responsibility for solid waste management, based on the Comprehensive Responsibility Model, proposed as Alternative 1 in the report prepared by Vaughan Consultants and the LURA Group.

Under this option, the County would take on responsibility for waste disposal, for a waste strategy, and for diversion programs (recycling, etc.); also, to control the types of materials accepted at the landfill site. Garbage collection would continue to be the responsibility of each municipal unit. After capital and operating costs, the County would expect a 10% return on their investment. All regulations would come under Provincial legislation and the Utility Review process.

Details of the proposal were explained further to Council in the presentation given by Mr. Donnelly and Mr. Grindley. Mr. Donnelly compared Alternative #1, the Comprehensive Responsibility option, with Alternative #2, a Shared Waste Management Responsibility, which would differ in that the Metro Authority would be responsible for delivering the diversion programs, and the County would have a 'meaningful influence over waste strategy'. Under both options, responsibility and liability for the Highway 101 landfill, would remain with Metro Authority.

Mr. Grindley went through all of the cost implications for the County, and for the other local municipalities buying the waste management service. He also reviewed the schedule that will have to be followed in order to meet a start-up date before the Sackville landfill closing.

After the presentation concluded, members of Council were able to ask questions and comment. Ald. Woods had several questions about the relationship of Metro Authority and the municipalities in the process the County is proposing. He asked how the County will be able to select and establish a landfill site when Metro Authority was not able to do it. Mayor Ball felt his own municipality would have a better rapport with its own citizens in attempting to find a site.

Ald. Levandier, MacFarlane and Pye had reservations about the proposal, for different reasons. Ald. Pye questioned the adequacy of the public hearing process and the proposed exemption of the process from the Planning Act. Ald. MacFarlane was concerned about a lack of participation in the process by the other local municipalities, suggesting that Council would in fact, be giving up a voice that members should have on this issue, on behalf of our own citizens. Ald. Levandier maintained that Strategy 5 was the best solution in the first place, and that it should have been allowed to proceed. Mayor Ball noted during the discussion that the County had also supported Strategy 5.

(Ald. Hetherington left the meeting during the course of the questions and discussion.)

Ald. May said the resolution adopted by County Council should be referred to Mr. Corrigan and the City Solicitor, and a motion to refer the entire proposal to staff was eventually adopted. Members commending the initiative of the County in coming forward with their proposal, were: Ald. Greenough, Hawley, Cunningham and Walton.

MOTION: To refer the proposal to staff
for analysis and to bring back
a report to Council within a
couple of weeks time.

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

Meeting adjourned at 10:45 p.m.



V. Carmichael,
Asst. City Clerk.

ITEMS:

- Proclamation, page 1.
 - 2.0 Reports, page 1.
 - 2.1 Chief Administrative Officer, page 1.
 - 2.1.1 Summary of Revenues & Expenditures, page 1.
 - 2.1.2 Tender for municipal tractor \$94-56, page 2.
 - 2.1.3 Amendment to Land Use By-law, 303 Main St., page 2.
 - 2.1.4 Capital Contract PR 94-06, Eileen Stubbs Ave., page 3.
 - 2.1.5 Reduction in Pension Plan contribution levels, page 3.
By-law P-409, page 4.
 - 3.0 Dartmouth & Burnside/City of Lakes Promotional materials, pg. 5
Appointment, Halifax-Dartmouth Port Commission, page 6.
 - 4.0 Concerns of Council members or questions, page 6 to 9.
 - 1.0 Presentation, page 9.
 - i) Solid Waste Disposal, County of Halifax, page 9 to 11.
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DARTMOUTH CITY COUNCIL AGENDA

TUES., SEPT 20/94

7:30 P.M.

COUNCIL CHAMBER

1. **PRESENTATION**

- i) Actuarial Valuation - Paul Conrad

2. **REPORTS**

2.1 **CHIEF ADMINISTRATIVE OFFICER**

- 2.1.1 Contract 94-22 Farrell Road and Elwood Dr.
2.1.2 Application, Retail Video Outlet, Adult Only Video,
132 Main Street
2.1.3 Halifax Harbour Clean-Up Inc.
2.1.4 Strategic Planning for Regional Municipal Reform

2.2 **CITY SOLICITOR**

- 2.2.1 Terms of Reference (Amendments) - Youth Advisory Committee

2.3 **DARTMOUTH LAKES ADVISORY BOARD**

- 2.3.1 Purple Loosestrife

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

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

C/A OFFICER: L. CORRIGAN
CITY SOLICITOR: S. HOOD
DEPARTMENT HEADS & ASSISTANTS

Deputy Mayor Pye opened the meeting and welcomed Grade Seven students from Ellenvale Jr. High, present with their teacher, Dave Wilson.

Deputy Mayor Pye informed Council that Mayor McCluskey, who is on the executive of the Union of Nova Scotia Municipalities, is attending the conference in Sydney for the next four days. He also congratulated Ald. Cunningham and MacFarlane on being elected by acclamation in Ward 2. The rest of Council acknowledged their election with applause.

Ald. May rose to extend congratulations to Greg Nepean, on his election by acclamation to the Dartmouth District School Board. At age eighteen, Mr. Nepean is the youngest Board member to be elected or acclaimed. Other members of Council acknowledged his election also.

APPROVAL OF AGENDA

A motion for approval of the agenda was presented by Ald. Hetherington and Thompson. At the request of Ald. May, and with a two-thirds majority vote, Council agreed to add the item Concerns of Council members or Questions. Mr. Corrigan requested the addition of in camera items, and with these changes, the motion for approval of the agenda carried.

1.0 PRESENTATION

i) ACTUARIAL VALUATION - PAUL CONRAD

ACTUARIAL
VALUATION

Members of Council received with their agenda, the report on the Valuation of the City of Dartmouth Pension Plan, as at Dec. 31/93, as prepared by the firm of William M. Mercer Ltd. Presentation of the report, already given to the Pension Committee; was made to Council at this time by Paul Conrad, Actuary with the Mercer firm.

Ald. Greenough, Chairman of the Pension Committee, noted the 2% reduction in pension contributions, just approved by Council, indicating the good performance of the Pension Plan.

Mr. Conrad, in his presentation to Council, also made reference to the good year the Plan has had, being able to reduce the unfunded liability at a faster rate than projected, resulting in a net unfunded liability figure of about nine million dollars, as compared with twenty million dollars last year. Accordingly, there was sufficient margin in the current contribution rates, so that the total of City and employee contributions to the plan could be reduced by about 2% of pensionable earnings. The unfunded liability is now able to be eliminated in approx. seven years, 5.5 years ahead of schedule. The assets of the Plan stand at \$106,829,400., and the closing balance of the Fund, as at Dec. 31/93, was \$89,009,174.

Members were able to ask questions of Mr. Conrad, following his presentation. A motion to receive and file the report was then adopted.

MOTION: To receive and file the Actuarial Report on the City Pension Plan, as at Dec. 31/93, as presented.

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

2.0 REPORTS

2.1 CHIEF ADMINISTRATIVE OFFICER

2.1.1 CONTRACT 94-22, FARRELL ROAD & ELWOOD DRIVE

AWARD TENDER:
CONTRACT 94-22

Report from Mr. Corrigan on tenders received for Contract 94-22, Farrell Road (curb & sidewalk construction) and Elwood Drive (street construction), recommending that the tender be awarded to the lowest bidder, Ocean Contractors Ltd., with a bid price of \$155,290.17; completion time: 25 workdays.

MOTION: To award the tender for Contract 94-22 (Farrell Road & Elwood Dr.) to the lowest bidder, Ocean Contractors Ltd., with a bid price of \$155,290.17, as recommended.

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

Ald. Hetherington requested that members receive copies of the running total on projects that have come in over/under budget, making up the \$79,000. figure reported by Mr. Corrigan.

2.1.2 APPLICATION, RETAIL VIDEO OUTLET, ADULT ONLY VIDEO

132 MAIN STREET

APPLICATION:
132 MAIN STREET

Council has been requested to indicate any objection to an application for a retail video outlet for Adult Only Video at 132 Main Street. It is noted in the report to Council on this item, that the Police Service has expressed concerns with this application.

Ald. Sarto stated his objection to the application, which he felt contributes further to problems on Main Street with the establishment of undesirable outlets such as this one. He said a petition of objection is pending against the application, and he would like to have a written report from Police Services, regarding their concerns, noted in the report to Council.

MOTION: To defer the item, pending the expected petition and a written report on concerns from Police Services.

Moved: Ald. Sarto
Second: Ald. Thompson

A majority of members favoured a strong objection being indicated by Council, without waiting, to be subsequently backed up with the petition and other letters of objection from community groups, to substantiate Council's position. During debate, information was given by Ald. Walton and Hetherington on a meeting they were able to have with Dennis Smith, Manager for the Amusements Regulations Section of the Dept. of Housing & Consumer Affairs. It was suggested that in this instance, with the Main Street application, the Aldermen for Wards 1 and 6 could arrange such a meeting with Mr. Smith, to personally convey their own objection and that of their residents.

Asked about the concerns of Police Services, A/Deputy Chief Tipert said they relate to the moral and social aspects of the proposed video outlet. These same concerns were expressed by members of Council, who did not want to see the outlet allowed to open.

Ald. Hetherington noted the importance of documentation to back up objections being discussed with Dennis Smith, if a successful position is to be made with him.

Vote on deferral:

In Favour: None
Against: All
Motion Defeated

(Ald. Woods was present from this point in the meeting.)

MOTION: That Council request that the application be denied, due to the strong public views opposed to the product that would be marketed, and the strong family orientation of the proposed location. Listed in this connection were:

Schools, churches
Conservatory of Music
Family food outlets, such
as Dairy Queen, McDonald's
Smitty's, Burger King, etc.

Also, that the Ward 1 and Ward 6 Aldermen be permitted to meet with Mr. Dennis Smith to discuss the application, and present documentation.

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

2.1.3 HALIFAX HARBOUR CLEAN-UP INC.

REPORT: HHCI

Members of Council received a report from Mr. Corrigan with their agenda on Halifax Harbour Cleanup Inc., with recommendations on page 9 of the report.

Mr. Corrigan presented the report to Council at this point in the meeting. He gave an overview of HHCI, the limited liability company established for purposes of the harbour clean-up project; also, an overview of the project itself. He went on to explain difficulties that have arisen with the Board of HHCI, on which he serves, as a result of the fact that power within the company rests with a Management Committee, rendering the position of the Board as basically redundant.

Problems with budget provisions and most functions of the company, were detailed for Council. Members were advised that total project costs to March 31/94 amount

to \$19,325,029., of which Dartmouth's participation has been 8.6% or approx. \$1.7 million to date. The City's Special Reserve Fund, to pay for Dartmouth's share of the project costs, will reach about \$15 million by the end of this fiscal year, and, with the \$1.7 million already contributed, Dartmouth will have funded its total commitment to the project, originally established at the figure of \$16,800. million.

Mr. Corrigan gave a number of reasons for his opinion that the Board of HHCI serves 'little useful purpose in its present form'; these include: (1) the minor role played in the project by the Board; (2) the potential for conflict of interest on the part of the Board Directors; (3) the lack of meaningful Board meetings; (4) the mandate of the Board; and (5) uncertainty about the viability of the project. Also referred to in this same connection was the lack of continuity among Board members, and the environmental assessment process which resulted in a 'fundamentally different project than contemplated', when originally planned. Also, the cost of the project is now up to \$400 million from the original project cost of \$195+ million, making the project impossible to fund by the partners. Uncertainty about Federal and Provincial funding commitments reflect this impasse, created by the major escalation in cost projections.

Now proposed, to try and salvage the project in some way, is a public/private partnering initiative, in order to refocus the project, beginning with a proposal call for consultants, at a cost of \$500,000., to be paid for by the Federal and Provincial Governments. Members received with their report, copies of the proposal call, including the Terms of Reference for the public/private partnership initiative.

Council preferred to deal individually with the recommendations from Mr. Corrigan, and they were approved as per the following record:

Recommendation #1:

That City Council write to the Minister responsible for the Harbour Cleanup to call for an immediate conference on HHCI. The conference should be attended by senior politicians and administrators of the three levels of government.

MOTION: To adopt recommendation #1.

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

Recommendation #2

That City Council reaffirm its commitment, in writing, to Ministers Dingwall and Abbass, to improving the quality of water in Halifax Harbour, based on the participation of the funding partners as defined in the original agreement. (Underlined words added at the suggestion of Ald. Greenough, a revision to wording proposed by Ald. Rodgers.)

MOTION: To adopt recommendation #2, with additional wording.

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

Ald. Hetherington said we must make sure that we are able to get at least a two-year exemption from another environmental assessment process. He referred to the major cost added to the project, subsequent to the last EA process.

Ald. MacFarlane questioned whether the project can be salvaged at all, and whether Dartmouth should continue with any further funding beyond this point. Ald. Thompson felt that a commitment was made to continue at budget time when the surcharge was approved (at a lower rate). Ald. Rodgers and MacDonald asked about legal action and discussed any possibility of this with Mr. Corrigan.

Recommendation #3

That City Council seek a reaffirmed commitment (including funding) from the Federal and Provincial Governments.

MOTION: To adopt recommendation #3.

Moved: Ald. Hawley
Second: Ald. Thompson

AMENDMENT: To add to the motion, the words 'within sixty days'.

Moved: Ald. May
Second: Ald. MacDonald
In Favour: Minority of members
Against: Majority of members
Amendment Defeated

Recommendation #4

That City Council support HHCI's Public/Private Partnering Initiative, as outlined in the report and in the Terms of Reference.

CONFLICT OF INTEREST

Ald. Woods declared a conflict of interest on this recommendation, based on the fact that the company he is with is one of the proponents involved. He left his place on Council to sit in the gallery while the recommendation was before Council.

MOTION: To adopt recommendation #4.

Moved: Ald. Hetherington

Second: Ald. Thompson

Concerns stated in debate were about where the project will go after the consultants make their report, the keeping of all possible options open, and protection of the best interests of the taxpayers in all of this. There was considerable misgiving about further participation by the City and going forward again, when it is not known at this time what the status is of either Federal or Provincial funding commitments. Mr. Corrigan said the alternatives are either to make a new start with the project or let it die. He felt it may be possible to still end up with a cleanup of the harbour, through a new project definition.

In Favour: All

Against: None

Motion Carried

A fifth recommendation, proposed originally by Ald. Hetherington, was re-worded, after discussion, and then presented by him.

Recommendation #5

That Council request the Federal and Provincial Governments to fund all HHCI operations while the study is being completed.

Moved: Ald. Hetherington

Second: Ald. Thompson

In Favour: All

Against: None

Motion Carried

REQUEST: With a two-thirds majority vote of Council, Ald.
 DARTMOUTH COVE Levandier was permitted to request a report from
 OUTFALL staff, to be brought back as soon as possible, on
 extending the outfall pipe at Dartmouth Cove further
 out into the water, at its present location.
 He explained to Council the problems that area
 residents have experienced, especially all summer,
 with the outfall in the cove.

2.2 CITY SOLICITOR

2.2.1 TERMS OF REFERENCE, YOUTH ADVISORY COMMITTEE

YOUTH ADVISORY Revised Terms of Reference for the Youth Advisory Committee
 COMMITTEE were again before Council, having been deferred from a
 previous meeting. Ald. MacDonald again asked to have them
 deferred, this time to the meeting of October 4th.

MOTION: To defer the revised Terms of
 Reference for the Youth Advisory
 Committee to the Oct. 4th Council
 meeting.

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

The requested deferral was until after the Youth
 Advisory Committee scheduled for September 28th.
 Ald. MacDonald asked if any member of Council could
 attend in his place, or could chair the neighborhood
 information meeting he has to chair on the same evening.
 Ald. MacFarlane agreed to look at his schedule to see
 if he might be free for one of these.

2.1.4 STRATEGIC PLANNING FOR REGIONAL MUNICIPAL REFORM

STRATEGIC Mr. Corrigan has circulated a discussion paper on
 PLANNING: the subject of regional municipal reform, prepared
 MUNICIPAL REFORM by local CAO's, and has recommended that it be referred
 to the Management Advisory Committee for review.

MOTION: To adopt the recommendation:

That the discussion paper on regional
 municipal reform, be referred to the
 Management Advisory Committee for review.

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

2.3 DARTMOUTH LAKES ADVISORY BOARD2.3.1 PURPLE LOOSESTRIFE

PURPLE LOOSESTRIFE The Lakes Advisory Board has submitted a report to Council on the subject of purple loosestrife, a noxious plant that poses a threat to lakes and waterways, including lakes in our watershed. Small patches of this plant have been found on the unused extension of Wildwood Blvd., at the foot of Cranberry Lake, and the Board has made two recommendations to Council to eliminate this threat to City lakes and waterways.

MOTION: To approve the recommendations of the Lakes Advisory Board, as follows:

- 1) That the City, through the Parks & Rec. Department, in consultation with other government agencies, take all possible steps to remove and destroy any identified plants before they are firmly established.
- 2) That a public education program be undertaken, on the identification and destruction of the plant, by distributing pamphlets through the water bill mailouts.

Copies of the Purple Loosestrife pamphlet were circulated with the agenda for this meeting, in conjunction with the Board's recommendations.

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

CONCERNS OF COUNCIL MEMBERS OR QUESTIONS

ALD. MACDONALD

Ald. MacDonald questioned the contents of a letter from Development Services to a day care centre on Victoria Road, regarding children from the centre being allowed to play outside the building in the yard. He requested further information from the City Solicitor as to the Home Occupation requirements referred to by Development Services in this situation.

ALD. RODGERS

Ald. Rodgers later commented on concerns of local residents about this day care operation, which now has nine children instead of six, and is planning to expand to accommodate eleven. He said that by-law requirements are simply being followed in the stipulations from Development Services, and that the interests of the majority should be protected - in this case, the area residents who are opposed.

ALD. MAY

Ald. May requested a copy of the letter written by the Mayor to the Minister of Housing, in connection with the deferred capital items for Ward 3. A decision on these items was deferred for two weeks by Council.

Ald. May asked how Council is going to make its position on a regional police force known to Mr. Bill Hayward, in time for his report to the Province. Mr. Corrigan noted the deadline for making a report, and agreed that it will be difficult for Council to forward one. A request was already made to the Minister for the deadline to be extended, but it was not. Mr. Corrigan went on to explain what staff are doing in the way of preparing a paper for submission.

ALD. HETHERINGTON

Ald. Hetherington had already asked about the possibility of a plebiscite on the question of regional policing, and whether it would be possible at this point to hold one in conjunction with the municipal election. The City Solicitor said the City Charter provides for the holding of plebiscites, but she was unsure of the time factor here, with the Dartmouth election so close, especially the advance polls. With a two-thirds majority vote of Council in favour, Ald. Hetherington was permitted to move a motion of referral to staff, to look at the time factor.

MOTION: To refer the question of a plebiscite to staff, for a determination of the time factor for the upcoming municipal election in Dartmouth.

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

Ald. Hetherington's other items of concern were:

- 1) 32 Renfrew Street: cars being painted there in the garage, and there is an encroachment on City property.
- 2) 25 Johnstone Ave.: the residents who have moved into this house have been trying to get a water bill since January. Requested that when the bill is sent, it be divided into two payments so the residents will not have such a major cost all at once.
- 3) cars being damaged at the corner of Victoria Road and Park Ave.

ALD. THOMPSON

Ald. Thompson brought two letters to Council's attention and passed them to the Asst. City Clerk. The first letter, from 16 Carlson Court, concerned bus schedule changes for route 58 (Woodlawn), for consideration of the Public Transportation Advisory Committee; and the second, from Dartmouth United Under Fifteen Soccer Team, seeking funding assistance for their trip to the National Championships in Saskatoon, forwarded to the Mayor's office for consideration.

Ald. Woods left the meeting during Concerns & Questions.

On motion of Ald. Rodgers and May, Council agreed to meet beyond 11:00 p.m. (Ald. Hetherington, Hawley and MacFarlane voting against).

Council went in camera at 11:05 p.m., on motion of Ald. Thompson and Sarto. After reconvening in open meeting, the action taken in camera was ratified.

MOTION: To ratify the action taken while meeting in camera on this date (Personnel and Legal items).

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

Meeting adjourned at 11:30 p.m.



V. Carmichael,
Asst. City Clerk.

ITEMS:

- Approval of agenda, page 1.
 - 1.0 Presentation, page 1.
 - i) Actuarial Valuation, Paul Conrad, page 1.
 - 2.0 Reports, page 2.
 - 2.1 Chief Administrative Officer, page 2.
 - 2.1.1 Contract 94-22, Farrell Road & Elwood R., page 2.
 - 2.1.2 Application, Retail Video Outlet, 132 Main Street, pg. 3.
 - 2.1.3 Halifax Harbour Clean-up Inc., page 4 to 8 incl.
 - 2.2 City Solicitor, page 8.
 - 2.2.1 Terms of reference, Youth Advisory Committee, page 8.
 - 2.1.4 Strategic Planning for Regional Municipal Reform, pg. 8.
 - 2.3 Dartmouth Lakes Advisory Board, page 9.
 - 2.3.1 Purple Loosestrife, page 9.
 - Concerns of Council members or questions, page 9 to 11 incl.
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Lib. Ref. Dept.

DARTMOUTH CITY COUNCIL AGENDA

TUES., SEPT 27/94

7:30 P.M.

COUNCIL CHAMBER

1. **PUBLIC HEARING**

- i) Amendment to Municipal Planning Strategy and Land Use By-law
- Mount Edward Road Reservoir Site and C Zone (Conservation)

2. **REPORTS**

2.1 **CHIEF ADMINISTRATIVE OFFICER**

- 2.1.1 - Water Utility Operating Budget
- Water Utility Capital Budget
- Halifax-Dartmouth Metropolitan Area
Regional Water Study - Phase II
- Dartmouth Water Treatment Facility Work Group
- 2.1.2 Plebiscite - Unification of Police Forces
- 2.1.3 Regional Solid Waste Management Proposal - Halifax
County Municipality
- 2.1.4 Furnace Park Renovations

2.2 **BOARD OF HEALTH**

- 2.2.1 Water Treatment Plant

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

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

C/A OFFICER: L. CORRIGAN
CITY SOLICITOR: M. MOREASH
ASST. CITY CLERK: V. CARMICHAEL
DEPARTMENT HEADS & ASSISTANTS

Mayor McCluskey opened the meeting and welcomed students present (Grade Seven) from Ellenvale Junior High School.

At the request of Ald. Sarto, members agreed to add an item to the agenda, pertaining to transit service, to follow the public hearing.

Ald. Sarto offered congratulations to the Mayor for a resolution she was able to get through at the UNSM conference, dealing with the regulation of strippers. The Mayor advised that the resolution will now go to the Province, asking for the same legislation that New Brunswick has in effect.

Ald. Thompson asked about the report he requested on a three-way Stop at Oakwood & Valleyfield Rd. The Mayor said it will be included in next week's agenda.

Ald. MacDonald said he had expected a response to his questions about the daycare operation on Victoria Road. Mr. Moreash said he would discuss this matter with Ald. MacDonald if he would contact him tomorrow.

1.0 PUBLIC HEARING

i) AMENDMENT TO M.P.S. AND LAND USE BY-LAW - MOUNT EDWARD ROAD
RESERVOIR SITE AND C ZONE

PUBLIC HEARING:
RESERVOIR SITE

Council set this date for public hearing of an amendment to the M.P.S. and the Land Use By-law, which would permit consideration of communications facilities on City property at the Mount Edward Road reservoir site; and permit facilities required for the City's water supply operations in the C (Conservation) Zone. The proposed amendments have been restructured in line with Council concerns that came out of a public hearing for this same property, held on August 16/94.

The proposed M.P.S. and Land Use By-law amendments, to permit the consideration of communication facilities, were prompted by a request from Maritime Tel & Tel Mobile Inc. to lease approx. 14,500 sq. ft. of public land at the reservoir site, for a cellular telephone relay tower and related equipment building. Leasing arrangements with the company would subsequently be worked out with the company if the amendments were to be approved, although the approval of the amendments is not intended to commit the City to any particular business arrangement with any particular company.

Staff recommendations are in favour of the amendments, as provided for in By-laws C-709, C-710 and C-711, circulated with all of the other related documentation for this public hearing.

All members of Council were recorded as being present, with the exception of Ald. Levandier and Rodgers, who did not arrive in time for it.

The Development Services presentation was made by John Lukan. He explained the intent of the proposed amendments, noting the exclusion this time of the recreational designations which created controversy at the Aug. 16th public hearing. These present amendments are intended to reflect consideration for the points of concern raised by Council at that time. It was noted that the City already has a 90-foot high tower on the reservoir site, and Mr. Lukan said that staff would recommend a minimum of two towers on the site, the second of which could be the Maritime Tel & Tel tower.

Ald. Sarto had questions for Mr. Lukan about the possibility of an alternate site for the Maritime Tel & Tel tower, and what he considered to be the incompatibility of a site at this location, with residential development in the same area. He asked why the M.T.&T. tower could not have gone in the Burnside Park. Mr. Lukan said they already have a tower at the Burnside location, and require this one additionally. The point was made several times that the Mount Edward location is intended to serve cellular phone customers specifically in the Woodlawn area; they are presently not able to be serviced as well from the M.T.&T. tower in Burnside.

Asked about compatibility, Mr. Lukan said the tower would be compatible and consistent with City's existing property uses - the water reservoir, the pumping station, and a communications tower. Ald. Sarto continued with a line of questioning about the site and the implications for residents, of another tower at this location. Ald. Pye, May and Walton also had questions for both Mr. Lukan and the Solicitor.

At the end of a lengthy question period, the public hearing was opened by the Mayor for speakers on the M.P.S. and Land Use By-law amendments, as proposed in By-laws C-709, C-710 and C-711.

Mr. Peter Freeman, an engineer for M.T.&T. Mobile Inc., spoke in favour of the amendments, explaining why the new tower is required to expand cellular capacity in the Woodlawn section of the City, and thereby provide improved service to customers. He felt that the original reservations of area residents have been addressed in the new amendments before Council, and addressed specifically, issues raised by local residents about any risk from exposure to electro-magnetic energy levels associated with the tower and its operation. He stated that there is absolutely no risk to the public, and provided facts upon which his statement is based. According to the Health & Welfare Canada guideline, Safety Code 6, the safe limit for electro-magnetic energy for public areas, is determined to be five watts per sq. metre. At the edge of the site in question, it is determined to be .001 watts per sq. metre, or 5,000 times below the safety standard of Safety Code 6. Further, the M.T. & T. application has to be approved by Industry Canada, requiring compliance with their regulations. Mr. Freeman described the level from the proposed tower as being equivalent to emissions from 'a neighbour's microwave oven'.

Ald. Sarto had a number of questions for Mr. Freeman about the feasibility of another tower at the M.T. & T. Burnside location. Mr. Freeman explained why the Burnside location does not serve the purposes of the Mount Edward site, in delivering cellular service to residents within the Woodlawn area, over as far as Portland Estates. Ald. Hawley asked if the Burnside tower is close to capacity; Mr. Freeman said it is. Ald. Sarto questioned the possible use of the M.T. & T. tower located in Preston. Mr. Freeman again explained why the Preston tower is not adequate for Woodlawn purposes. After Mr. Freeman had responded to all the questions from Council and completed his presentation, the Mayor called three more times for any speakers in favour of the M.P.S. and Land Use By-law amendments.

There being no other speakers in favour, she called for speakers opposed. Heard by Council in opposition to the amendments, were:

Patricia Mosher, Windward Ave.
David O'Neil, 17 Grimes Ave.
Maria Houdic, Hemming Court
Carol MacKay, 192 Mount Edward Rd.

The concerns of these residents centered around the environmental damage they felt will be caused by allowing another tower to operate on the Mount Edward Road site. They questioned the safety of the energy levels, for residents living all around the site, and in particular for children who play on the site. In particular, they referred to the cumulative effects of exposure to electro-magnetic energy sources, no matter how low the levels may be. They were also afraid that once one tower is permitted to be erected, there will be requests for others, and residents will not be given an opportunity for any input when these requests are considered by Council.

The speakers opposed asked why the tower could not have been located somewhere else in the City, preferably at the location such as Burnside. Information was given to Council by individual speakers, as to the dangers of excessive or constant exposure to the kind of energy generated by towers such as the one proposed, and Ms. Mackay maintained that the City should not be proceeding with any amendments such as these, without first carrying out an environmental assessment. She said it is very difficult to get reliable information on EMF's, even though she has tried various sources.

There were questions to the speakers from Council. Ald. Woods referred to sources of exposure that are around people in their everyday lives, especially in the case of computers, both at home and work. Ald. Walton asked about the comparison with energy levels from medical equipment, like the MRI scanner used at the V.G. Hospital for diagnostic purposes. Ald. May asked about fencing requirements, in order to prevent children from playing anywhere near the tower, and Ald. MacDonald also inquired about the City's responsibility for any injury or damage. Points about liability were discussed with the Solicitor. Ald. MacDonald said that any lease agreement should include protective conditions. Mr. Moreash said the party operating the facility ought to be responsible to any claims of injury or damage.

Asked by Ald. Hawley about the levels directly underneath the tower, Mr. Freeman said they are very little higher than at the edge of the property. The nearest residential property to the tower is estimated to be at a distance of 450 feet away. Ald. Hawley asked about a commitment from Council to the effect that any future tower applications for this property could only take place through the public hearing process. Mr. Moreash said a motion to this effect would be in order, but only after the amendments for this public hearing have been decided.

After the last speaker, Ms. Mackay, the Mayor called three more times for further speakers opposed. There were none, and the public hearing was declared closed on motion of Ald. Woods and May.

By-laws C-709, C-710 and C-711 were now before Council, being by-laws to accomplish the amendments to By-law C-356 (M.P.S.) and C-357 (Land Use By-law).

BY-LAW C-709

MOTION: That leave be given to introduce the said By-law C-709 and that it now be read a first time.

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

MOTION: That By-law C-709 be read a second time.

Moved: Ald. Hetherington
Second: Ald. Thompson

Speaking for the residents, Ald. Sarto said he was disappointed that there has been no environmental assessment prepared by the City, and he was concerned that residents will lose the total use of their appliances as a result of interference from the new tower. He said the place for the tower is in Burnside, and he was still not convinced that it could not be accommodated at the the M.T.& T. location in Burnside. It is unfair to impose the tower on residents in this area.

Ald. Pye stated his environmental concerns, which coincide with those of area residents. He said the people living there are aware of potential dangers and hazards, and he concurred with their serious concerns. Ald. Walton felt that there has been over-kill on this issue altogether, and a lot of statements about what are really unknown factors. Ald. May said he has heard very little about the benefits of the tower, which include communication benefits in emergency areas, such as police, fire and para-medical services. This alone is a good enough reason for supporting the improvements made possible by the new tower. Ald. Hetherington noted that there are towers at several locations already, where people work in close proximity, such as the Maritime Centre, Queen Square, etc.

Vote on second reading:

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

Unanimous consent was not given by Council for third reading of the by-law.

BY-LAW C-710

MOTION: That leave be given to introduce the said By-law C-710 and that it now be read a first time.

Moved: Ald. Hetherington
Second: Ald. Thompson
In Favour: All members except
Against: Ald. Pye & Sarto
Motion Carried

MOTION: That By-law C-710 be read a second time.

Moved: Ald. Hetherington
Second: Ald. Cunningham
In Favour: All members except
Against: Ald. Pye & Sarto
Motion Carried

Unanimous consent was not given by Council for third reading of the by-law.

BY-LAW C-711

MOTION: That leave be given to introduce the said By-law C-711 and that it now be read a first time.

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

MOTION: That By-law C-711 be read a second time.

Moved: Ald. Hawley
Second: Ald. May
In Favour: All members except
Against: Ald. Pye
Motion Carried

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

MOTION: That By-law C-711 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. May
In Favour: All members except
Against: Ald. Pye
MOTION Carried

MOTION: That any future applications to construct transmission towers on watershed lands be by way of the public hearing process only.

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

METRO TRANSIT REPORT

Further to the Metro Transit report, added at the request of Ald. Sarto, Mr. Corrigan pointed out that it has just been received by him and by members of Council. Staff have not even seen the report, and he requested that it be tabled only at this time, referred to staff for consideration, and placed on next week's Council agenda. At the request of Ald. May, it will be the first item on the agenda.

MOTION: That the report of Metro Transit, requested by Ald. Sarto, be tabled at this meeting, referred to staff for consideration, and placed on next week's Council agenda as item #1.

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

2.0 REPORTS

2.1 CHIEF ADMINISTRATIVE OFFICER

2.1.1 WATER UTILITY OPERATING BUDGET, CAPITAL BUDGET REGIONAL WATER STUDY - PHASE II DARTMOUTH WATER TREATMENT FACILITY WORK GROUP

(Ald. Levandier & Rodgers were present from the public hearing onward for the Council meeting.)

WATER UTILITY:
OPERATING AND
CAPITAL BUDGETS

In presenting reports to Council on the Water Utility, the Regional Water Study, and a Treatment Facility Work Group, Mr. Corrigan summarized the reports as a consolidation of information, in order to bring Council completely up-to-date on the subject. He noted the staff members present for these items (Conrad Sarty, Nancy Jeffries, and Russell Fougere), and the Porter Dillon representatives (Richard Stevenson, Patrick Wright & Gerry Isenor) present for the Regional Study presentation.

Specifically, he referred to the Work Group recommendation, intended to move the water treatment process along to the point where a comprehensive report can be made to Council. Council was also advised that the Water Utility Committee has dealt with the items reported on to Council.

As Chair of the Committee, Ald. Hetherington made some brief comments on their discussions, and asked to have moved up on the agenda, a recommendation from the Board of Health, in connection with a water treatment plant for the City. Council agreed to move the item (2.2.1) up with the rest of the reports, but no specific action was taken on it at the end of the other reports.

Ald. Hetherington presented a motion for approval of both the operating and capital budgets for the Water Utility.

MOTION: To approve the Operating Budget of the Dartmouth Water Utility, for the 1994/95 year, as presented; secondly, to approve the Capital Budget of the Water Utility, in the amount of \$2,591,000., less the cost-sharing to be received by the City through the infrastructure program.

Moved: Ald. Hetherington

Second: Ald. Pye

Members were given the opportunity to ask any questions they had about items in either budget. Ald. May asked about plans for a water rate increase, and what rate increase is being projected. Mr. Fougere said that a rate increase of about 60% is projected, and it should be possible to bring a report to Council within two weeks time on the subject of a rate increase.

Ald. May discussed with Mr. Corrigan, the feasibility of paying water bills in conjunction with other utility bills; has any approach been made to the phone or power companies? Mr. Corrigan was willing to consider the question.

Asked by Ald. Pye about any additional costs associated with this year's water problems, Mr. Fougere advised that some of the expenditures over-budget (\$60,000.) are reflected in those problems.

Ald. May asked to be provided with information on the age of the water lines in Ward 3. Mr. Fougere requested to make this information available.

Ald. May's final point was one made by him previously, as to the feasibility of integrating the capital budgets of the Water Utility and the City so that full paving of street widths can be carried out after water line construction. Ald. MacDonald inquired about the integration of staff from this department with others; Mr. Corrigan reported briefly on what has already been done since this process of staff integration started, with more of it being planned.

In Favour: All
Against: None
Motion Carried

REGIONAL WATER
STUDY - PHASE II

As the second part of Item 2.1.1, Gerry Isenor of Porter Dillon gave an overview presentation of the Halifax-Dartmouth Metropolitan Area Regional Water Study, Phase II; members of Council had previously received the Executive Summary with their agenda.

Mr. Isenor stated the objective of the study as "the identification of the most cost effective long-term strategy for supplying water which meets Canadian Drinking Water Guidelines to all water users within the Study Area". The service area is identified as the Cities of Dartmouth and Halifax, the Town of Bedford, and sections of Halifax County previously identified as Water Service Districts. Two forecasting periods have been identified for purposes of the study, 2011 and 2031.

The proposal is that all water customers would receive fully treated water, even under emergency conditions. The length of time determined for a restoration of service, under emergency conditions, is 42 hours, and Mr. Isenor explained the emergency storage provisions that would be required in such eventualities.

He outlined four alternate schemes for a regional water supply, stating the conclusion of the study, which is that Scheme 1 is the most cost effective and least environmentally disruptive of these. Scheme 1 is described as an extension of the status quo, with a new water treatment plant in Dartmouth.

Council was informed of the capital costs involved for a new Dartmouth treatment plant, shown on the overhead presented at \$32 million dollars initially, with additional capital costs in subsequent years. Mr. Isenor said the 'minimum figure you could get away with would be \$28 million dollars' (ie. initially). Council was also advised that it would take three years to complete the treatment plant project, even on a fast-track plan. Mr. Isenor and Mr. Wright were able to base this three-year projection on actual recent experience with the City of Waterloo and their new system.

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

Several members were concerned that the treatment plant would not be in operation for three years, in view of problems already experienced with the present water system this summer. Mr. Corrigan said it is with this in mind that he has recommended the setting up of the Work Group so that financing and management options can be determined for Council as quickly as possible. While a six-month period has been proposed in his report, Mr. Corrigan said that every effort will be made to move that time frame up, taking into account the concerns expressed by Council.

FORMATION OF
WORK GROUP

Following the Porter Dillon presentation, Mr. Corrigan's report on the formation of a Water Treatment Facility Work Group was before Council, as the final part of Item 2.1.1. The recommendation from this report is to approve the Dartmouth Water Treatment Facility study process as outlined in the report. This includes the formation of the Work Group proposed, consisting of:

The Chair of the Water Utility Committee
Russell Fougere, Director, Engineering & Public Works
Valerie Spencer, Director, Development Services
Conrad Sarty, Operations Manager, Dart. Water Utility
Athena Galatis, Projects Manager
A representative, Dartmouth Chamber of Commerce

MOTION: To adopt Mr. Corrigan's recommendation and approve the formation of the Work Group, as listed above.

Moved: Ald. Hetherington

Second: Ald. Hawley

Ald. May questioned how senior staff can take on such a major project and whether expertise is not required, over and above this kind of Work Group. Mr. Corrigan said assistance will probably be required from a consultant or facilitator, as the work of the Group proceeds.

Ald. MacDonald said there should be at least two members of the public at large serving on the Work Group. He proposed this as an amendment, but the amendment was not seconded.

Ald. Pye and May asked about overtures that will be made for Provincial and Federal assistance with the cost of the project. Mr. Corrigan said this will be one of the issues the Work Group will address, and the Mayor noted that she has already spoken to our local MP about possibilities of assistance.

Ald. Pye said there is no reason why we cannot at least begin with the Porter Dillon recommendation that calls for the development of a water conservation program for metro; he felt there should be a follow-up on this recommendation.

Ald. Hawley said that since sections of Halifax County take their water from Dartmouth, there should be a County representative on the Work Group. He moved this in amendment, seconded by Ald. Greenough

AMENDMENT: That a representative of Halifax County, with expertise in the water system, be included in the composition of the Water Treatment Work Group.

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

The vote on the motion, as amended:

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

2.1.2 PLEBISCITE - UNIFICATION OF POLICE FORCES

PLEBISCITE:
POLICE FORCES

In response to Council's discussion about the possibility of holding a plebiscite on the subject of a unified police force, in conjunction with the upcoming municipal election, a report has been submitted by Mr. Corrigan (B. Smith, V. Carmichael), giving the opinion that there is insufficient time for residents to become informed on the issue at this point, and recommending against holding the plebiscite with the election.

Ald. Hetherington, who proposed the plebiscite originally, presented two sample questions he considered to be suitable for purposes of clarity in the wording of a plebiscite.

MOTION: To proceed with a plebiscite,
based on the wording proposed
by Ald. Hetherington.

Moved: Ald. Hetherington

Second: Ald. Pye

Members opposed to the motion did not feel there is enough time for the public to become informed on such a major issue and then be expected to vote in a plebiscite on it. Ald. Woods said there would be an opportunity for considerable influence by self-interest groups, under the circumstances. Ald. Greenough said he was disappointed that Council did not come to some determination on this question earlier, when there would have been time to allow for an informed response from citizens.

Ald. Walton suggested that a plebiscite on the subject of a regional police force would have given a good indication of the public response to regionalization in the total concept; therefore, it would be worthwhile doing. Ald. Pye and MacFarlane also supported the motion.

In Favour: Ald. Hetherington, Levandier, MacFarlane
Walton and Pye.

Against: All other members
Motion Defeated

Ald. Rodgers had left the meeting before this vote was taken.

Meeting adjourned at 11:40 p.m.

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

ITEMS:

- 1.0 Public Hearing, page 1.
 - i) Amendment to M.P.S. & Land Use By-law, Mount Edward Rd., page 1 to 7 incl.
 - By-law C-709, page 5.
 - C-710, page 6.
 - C-711, page 6.
 - Metro Transit report, page 7.
 - 2.0 Reports, page 7.
 - 2.1 Chief Administrative Officer, page 7.
 - 2.1.1 Water Utility Operating & Capital Budgets, Page 7 (8)
 - Regional Water Study, Phase II, page 7 (9)
 - Dartmouth Water Treatment Facility Work Group, page 7 (10)
 - 2.1.2 Plebiscite, unification of Police Forces, page 11 & 12.
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