

# **DARTMOUTH CITY COUNCIL**

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**TUES., NOV. 8/94  
7:30 P.M.  
COUNCIL CHAMBER  
IN CAMERA SESSION  
10:30 P.M.**

**PROCLAMATIONS** - CPR Month  
- National Community Safety and Crime Prevention Week  
- Unity & Diversity Week (presentation of book)

1. **PUBLIC HEARING**

i) Amendments to MPS and Land Use By-law - 303 Main Street

2. **3RD READING, BY-LAW P-904**, Amendments to Board of Police Commissioners

3. Appointment of Deputy Mayor

4. Appointments to Boards & Committees

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**IN CAMERA SESSION 10:30 P.M.**

1. Legal Matter.

DARTMOUTH CITY COUNCIL  
NOVEMBER 8, 1994.

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

MEMBERS PRESENT: MAYOR MCCLUSKEY  
ALDERMEN SARTO, SMELTZER  
CUNNINGHAM, MACFARLANE  
LEVANDIER, DEXTER  
SCHOFIELD, WITHERS  
WOODS, PYE, HAWLEY  
GREENOUGH, WALTON  
HETHERINGTON

CHIEF ADMINISTRATIVE OFFICER: L. CORRIGAN  
CITY SOLICITOR: S. HOOD  
CITY CLERK-TREASURER: B. SMITH  
ASST. CITY CLERK: V. CARMICHAEL

PROCLAMATIONS

Proclamations read by Mayor McCluskey, at the opening of the meeting, were for:

- 1) National Community Safety & Crime Prevention Week, Nov. 1 to 7, 1994.
- 2) CPR Month, month of November, 1994.
- 3) Unity in Diversity Week, November 6 to 12, 1994. A book was presented to the Mayor, by Jordan McLeod, to mark this Baha'i proclamation.

The Mayor asked Council to select a date for a Committee-of-the-Whole meeting being requested by Development Services, for presentation of two CDD proposals to Council. Council decided on Monday, November 21st for the meeting.

Ald. Smeltzer asked to have an Inquiries & Answers item added to the agenda, but the majority of Council members were not in favour.

PUBLIC HEARING

1.0

i) AMENDMENTS TO MPS & LAND USE BY-LAW  
303 MAIN STREET

AMENDMENTS:  
303 MAIN ST.

This date was set by Council for public hearing of amendments to the M.F.S. and Land Use By-law, and for a Development Agreement for the proposed redevelopment of the property at 303 Main Street. All members of Council were recorded as being present for purposes of the public hearing.

Members of Council have received all of the relevant documentation, including copies of a report from Mr. Corrigan, recommending approval of proposed By-laws C-712 and C-713; Development Services reports; and copies of the proposed Development Agreement between the City and the developer. Also included, were the Lakes Advisory Board report, and minutes from the Neighbourhood Information Meeting.

The Development Services presentation to Council was made by Roger Wells. After identifying the location of the site at 303 Main Street, he described the proposed development, a replacement of the existing commercial/residential building with a new mixed use commercial/residential building, which will contain a restaurant and tile & terrazzo business on the ground floor, with two dwelling units on the second floor. The existing house and commercial building are to be demolished. A paved and curbed parking area will be constructed in the front of the building, to accommodate 15 vehicles.

Since this property is presently zoned R-2, the commercial uses on it are non-conforming, but rather than recommending a rezoning, an M.P.S. amendment, with Development Agreement, is being recommended as the preferable alternative, to permit the redevelopment proposal. The Development Agreement will ride with the property, and will be binding on any subsequent owners of the property. A limited degree of flexibility is permitted under the Agreement, with defined specific exclusions for the property uses.

It is the opinion of Development Services that the appearance of this property will be enhanced by the proposed redevelopment, and that the continuation of a limited range of commercial uses at this location is reasonable, provided that proposed restrictions are incorporated into the M.P.S. It is not expected that any adverse effects will be created, that would impact on the surrounding neighbourhood.

Members of Council had the opportunity for questions to Mr. Wells, after which the Mayor opened the public hearing for the M.P.S. amendment, calling for speakers in favour. amendment, calling for speakers in favour.

There were no speakers wishing to be heard in favour, and the Mayor then called three times for speakers opposed. Again, there were no speakers, and the public hearing was closed, on motion of Ald. Pye and Greenough.

Council proceeded with three readings of proposed By-law C-712, to amend the M.P.S.

BY-LAW C-712

MOTION: That leave be given to introduce the said By-law C-712 and that it now be read a first time.

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

MOTION: That By-law C-712 be read a second time.

Moved: Ald. Hetherington  
Second: Ald. Pye  
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-712 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. Hetherington  
In Favour: All  
Against: None  
Motion Carried

The Mayor opened the public hearing for the Land Use By-law amendment, calling three times for any speakers in favour. There were no speakers in favour, and she called three times for speakers opposed. There being no speakers, the public hearing was declared to be closed, on motion of Ald. Pye and Hawley.

BY-LAW C-713

Council proceeded with three readings of proposed By-law C-713, to amend the Land Use By-law.

MOTION: That leave be given to introduce the said By-law C-713 and that it now be read a first time.

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

MOTION: That By-law C-173 be read a second time.

Moved: Ald. Levandier  
Second: Ald. Greenough

Ald. Sarto was permitted to ask Mr. Gazzola, the property owner, if he would be willing to accept a use restriction, whereby a corner store operation would not be allowed at 303 Main Street. Mr. Gazzola indicated that he would not object to this restriction. The Solicitor said there would be no problem in making this change at a later date, once the Development Agreement can be finalized.

Reporting from the neighbourhood meeting, which he attended, Ald. Greenough advised that area residents present were generally in support of the redevelopment proposal, and felt comfortable with it.

The vote was taken on second reading.

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-713 be read a third time and that the Mayor and the City Clerk be authorized to sign and seal the said by-law on behalf of the City.

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

Motion Carried

The Mayor opened the final public hearing, for the proposed Development Agreement for 303 Main Street. She called three times for speakers in favour; there were none. She called three times for speakers opposed, and there were none. The public hearing was then closed, on motion of Ald. Greenough and Hetherington.

The enabling by-laws, having been approved by Council, now have to be approved by the Minister of Municipal Affairs, after which Council will be in a position to make a decision on the Development Agreement. The public hearing for the Development Agreement has been held, as required.

2.0

THIRD READING, BY-LAW P-904, AMENDMENTS TO BOARD OF POLICE COMMISSIONERS

BY-LAW P-904:  
THIRD READING

By-law P-904, which received first and second reading at the meeting of October 4/94, was before Council for third reading. This by-law amends By-law P-900, with respect to the Board of Police Commissioners.

MOTION: That By-law P-904 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. Greenough  
In Favour: All members except  
Against: Ald. Hawley  
Motion Carried

3.0

APPOINTMENT OF DEPUTY MAYOR

APPOINTMENT:  
DEPUTY MAYOR

Nominations were called by the Mayor for the appointment of the Deputy Mayor, and a single nomination was presented, by Ald. MacFarlane and Greenough, for Ald. Cunningham. There being no further nominations, Ald. Cunningham was declared to be duly appointed by Council.

Ald. Cunningham addressed Council, thanking members for placing their confidence in him. He said he looked forward to a challenging year and to assisting the Mayor wherever required.

Ald. Pye, retiring Deputy Mayor, also thanked Council for the opportunity he has had to serve in this capacity, and to represent the City on various occasions, on the Mayor's behalf.

Ald. Levandier commended Ald. Pye's term as Deputy Mayor, and then proposed that in view of the proposed municipal amalgamation, citizen appointments to City Boards and Committees be extended for a year, so that serving members can be retained for that period, without making new appointments.

Ald. Greenough was in favour of waiving the three-consecutive-year-term provision for Aldermen serving on Boards and Committees, and was prepared to present a motion to this effect.

MOTION: That Council rescind the action previously taken in prohibiting members of Council from serving more than three consecutive years on a Board or Committee.

Moved: Ald. Greenough  
Second: Ald. MacFarlane  
In Favour: Seven members  
Against: Seven members  
Motion Carried with the Mayor voting in favour.

PRESENTATION:  
MP R. MACDONALD

PRESENTATION - MP RON MACDONALD

A presentation was made to Council by the MP for Dartmouth, Ron MacDonald, who was welcomed to the meeting by Mayor McCluskey.

He referred to some of the implications of the proposed municipal amalgamation, in terms of infrastructure projects for Dartmouth, taking into consideration that infrastructure funds have been allocated to the County of Halifax for distribution among the individual units, and it is therefore important to move forward as quickly as possible with a waterfront plaza project, if it is to be confirmed for the City.

He was concerned that unless such priorities are quickly put in place, funds could be re-directed for projects other than in Dartmouth.

He commented on the benefits the City would derive from an events plaza and associated waterfront improvements, noting that considerable planning has already gone into the project, through Drew Sperry's work to date. It is therefore possible to move forward without much delay, once funding commitments can be insured. Reference was made to ACOA and other programs that can likely be tapped into as funding sources, once Provincial participation is secured (along with Federal funds available) under the Infrastructure Program.

He sought the support of Council in moving forward with the waterfront project and the planning for it as he has outlined. The Mayor thanked Mr. MacDonald for his concerns about the best interests of Dartmouth, and the general response of members who spoke on the subject of a waterfront proposal, was positive. Ald. Hetherington said he would like to see consideration given to a harbour walkway, with look-off points and other features, through the section of waterfront lands up to the Coast Guard station. Mr. MacDonald said this idea can be looked at, along with all the others that are part of the overall plan.

Both Ald. Levandier and Dexter commended the impetus of waterfront development, as far as the downtown is concerned, and Ald. Pye, as a member of the Visitors & Convention Bureau, noted the tourism potential and its advantage to the City. The reaction of Council to Mr. MacDonald's presentation was favourable and supportive.

4.0

APPOINTMENTS TO BOARDS & COMMITTEES

APPOINTMENTS:  
BOARDS AND  
COMMITTEES

Council proceeded to the appointments of Boards and Committees, as recommended by Mr. Corrigan in his report of November 2/94, and with information that has been provided on all of the citizens making application to serve as Board and Committee members, plus the composition of these various bodies, appointments required, etc.



Appointments proceeded as follows:

ADVISORY COMMITTEE ON HUMAN RIGHTS

Eight citizen appointments were required, in addition to the seven already appointed to the term ending November, 1995. Nominations were presented from the list of members re-offering and new applicants, and a vote by secret ballot followed. The following eight citizen appointments were then read out by the Mayor:

Judy Swain	Marcia Foley
Ian Murray	Robert Anthony
Claude Goulet	Mukhtyar Tomar
Trevor Morgan	Thomas Rissesco

ARBITRATION COMMITTEE

Names were placed in nomination for the Arbitration Committee, and following a vote by secret ballot, Ald. Hawley and Levandier were confirmed for appointment.

BOARD OF HEALTH

Aldermanic appointments to the Board of Health were confirmed as follows:

Ald. Hetherington  
MacFarlane  
Cunningham

With the new regional health boards coming into effect by April of next year, Ald. Hetherington suggested that the present Dartmouth Board remain as constituted until then. A motion to this effect was adopted.

MOTION:

That the Board of Health remain as presently constituted, both Aldermanic and citizen appointments to the Board, in view of the upcoming change to regional boards. Ms. Donna Smith will continue to represent the Atlantic Region Registered Nurses Assn. of Nova Scotia.

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

BOARD OF POLICE COMMISSIONERS

Appointments to the Board of Police Commissioners were made in accordance with the provisions of By-law P-904, given third reading at an earlier point in this meeting.

Names were placed in nomination for the Aldermanic appointments (additionally to Mayor McCluskey), and after a vote by secret ballot, Ald. Pye and Withers were confirmed for appointment.

The two citizen appointments confirmed were: Charlotte Hazle and Monica Scribbans. The remaining citizen appointment was not able to be met with the black minority criteria required, and Ald. Levandier suggested that Mr. Donald Fairfax be contacted, to determine his possible interest in serving. Therefore, this appointment still remains to be filled.

COMMON COMMITTEE

The Aldermanic appointment to the Common Committee, in addition to Mayor McCluskey, was confirmed: Ald. Cunningham.

Citizen nominations were then presented, and after a vote by secret ballot, the Mayor read the following list of citizens appointed to the Common Committee:

Donald Chard	Robert Cooke
Bonnie Fisher	Robert Leek
Tom Gribbin	Bill McPhee
Elizabeth Ann Macdonald	

Representatives also serve on this Committee from all three levels of government, Ald. Dexter and Ald. Levandier being the City reps.

COURTHOUSE COMMISSION

Appointments confirmed to serve on the Courthouse Commission, were: Bruce S. Smith and Bert Thompson.

CULTURAL & HERITAGE ADVISORY COMMITTEE

Council appointments to the Cultural & Heritage Advisory Committee were: Ald. Schofield and Ald. Smeltzer.

Citizen nominations were presented, and following a vote by secret ballot, the following names were read by the Mayor, for appointment to the Cultural & Heritage Advisory Committee:

Susan Guppy (Architect)	
Anthony Lamplugh	Harry Chapman
Jean Cole	Colin May
James Harrison	Turney Manzer
	John MacLeod

The appointment of an Engineer to this Committee is still required, to meet the composition requirements.

DOWNTOWN BUSINESS IMPROVEMENT DISTRICT COMMITTEE

Council confirmed the appointment of Ald. Dexter as Aldermanic representative on the Downtown Business Improvement District Committee. Also serving on this Committee are the members of the Dartmouth Downtown Development Corp. Executive.

FINANCE & PROGRAM REVIEW COMMITTEE

Council appointments to the Finance & Program Review Committee, in addition to Mayor McCluskey, were confirmed as follows:

Ald. Dexter	Ald. Greenough
Ald. Smeltzer	Ald. Cunningham

GRANTS COMMITTEE

Council appointments to the Grants Committee were confirmed as follows:

Ald. Hawley  
Sarto  
Walton

HEALTHY DARTMOUTH COMMITTEE

Ald. Walton was appointed as Council representative to serve on the Healthy Dartmouth Committee. Re-offering members and new applicants were appointed as follows:

Mary Blunden	Jennifer Bell-Harding
John Chesley	Gordon Chu
Anne Cogdon	Scott Russell Graham
Elaine Jeffery	Noreen MacPherson
Harold Nason	June Roberts
Linda Zambolin	Catherine Simpson

The name of Kathy Sutherland was also added to the above list, and Ald. Hawley requested that an effort be made to find a representative from the black community to serve on this Committee. Ms. Carmichael was asked to check on the status of Linda Zambolin, and her intention to serve another term.

HOSPITAL COMMISSION

Names were placed in nomination for Council appointments to the Hospital Commission, and after a vote by secret ballot, the following members of Council were confirmed for appointment:

Ald. Dexter  
Woods  
Schofield  
Withers

INDUSTRIAL COMMISSION

Nominations were called for Council appointments to serve on the Industrial Commission, in addition to Mayor McCluskey, and after a vote by secret ballot, the following Council members were confirmed for appointment:

Ald. Schofield  
Greenough  
Hetherington  
Smeltzer

From the list of re-offering members and new applicants, the following three citizen appointments were made:

Doug Hartt  
Edward Mroz  
Gordon Stanfield

The two confirmed representative appointments are:

Harry Taggart, Burnside Park Committee  
Vince Marsh, Dartmouth Chamber of Commerce

INVESTMENT COMMITTEE

A vote by secret ballot was taken from the list of names received (new and re-offering) for the Investment Committee, and the following three appointments were confirmed:

R.E. Everette  
Lloyd Coombs  
Jack Forbes

LAKES ADVISORY BOARD

The Council appointment to the Lakes Advisory Board is Ald. Schofield.

Organizational appointments to the Lakes Advisory Board were confirmed as follows, on motion of Ald. Walton and Greenough:

Christine Hoehne, Senobe Aquatic Club  
Robert Bell, Urban Development Institute  
Catherine Lunn, N.S. Barristers Society  
Dr. Klaus Hellenbrand, N. S. Research  
Foundation Corp.  
Audrey Manzer, YMCA, Halifax/Dartmouth  
Sheila Cashin, MicMac AAC  
Dr. Hugh Millward, Portland Estates  
Residents Assoc.

METROPOLITAN AUTHORITY

In addition to Mayor McCluskey, Ald. Hawley and Ald. Levandier were appointed to the Metropolitan Authority as Council's representatives.

NATAL DAY COMMITTEE

Council's appointment to the Natal Day Committee is Ald. Levandier.

PENSION COMMITTEE

Members of Council confirmed for appointment to the Pension Committee were:

Ald. Greenough  
Withers  
MacFarlane

Ald. Greenough was named as Chair of the Committee, on motion of Ald. Hetherington and MacFarlane.

PUBLIC TRANSPORTATION ADVISORY COMMITTEE

Names of Council members were placed in nomination for appointment to the Public Transportation Advisory Committee, and after a vote by secret ballot, the following three members were appointed, Ald. Levandier being the Metro Authority member, as required.

Ald. Pye  
Sarto  
Levandier

The two citizen-at-large appointments were Alan Williams and Joseph Macdonald.

RECREATION ADVISORY BOARD

Ald. Walton remains as Council's representative on the Recreation Advisory Board for one more year. Citizen appointments to this Board were:

Noreen Murphy  
Patricia Anne Littlewood  
Christina Baert-Wilson

REGIONAL LIBRARY BOARD

The Council appointment to the Regional Library Board was Ald. Woods.

From the list of members re-offering and new applicants, the following appointments were made, after a vote by secret ballot:

Linda MacDonald  
Alice Hale  
Suzanne Huett  
William Murphy  
John Veinot  
Mark Alberstat

Provincial appointees are: Herbert Desmond and Alice Scott.

SPORTSPLEX COMMISSION

From the nominations received for Council appointments to the Sportsplex Commission, and after a vote by secret ballot, the following appointments were confirmed:

Ald. Hawley  
Woods  
Withers  
Smeltzer

The following citizen appointments were made, from the list of re-offering members, and new applicants:

Sean Hennessey  
Harry Poole  
Harold MacPherson  
Rev. Alex McDonald

Provincial appointees are: Don Valardo and Brenda Hogan.

The Mayor and Mr. Corrigan serve on the Commission as ex officio members.

WATER UTILITY COMMITTEE

In addition to Mayor McCluskey, the five members of Council appointed to the Water Utility Committee were as follows:

Ald. Hetherington  
Schofield  
Pye  
Greenough  
Sarto

Ald. Hetherington was appointed Chair, on motion of Ald. Greenough and MacFarlane.

WATER TREATMENT FACILITY TASK FORCE

Ald. Hetherington was confirmed as the Council appointment to the Water Treatment Task Force Committee, having been named as Chair of the Water Utility Committee. The other members of the Task Force are:

Russell Fougere	Valerie Spencer
Conrad Sarty	Peter Sheehan
Athena Galatis	Ed Wdowiak

WATERFRONT DEVELOPMENT TASK FORCE

In addition to Mayor McCluskey, the members of Council appointed to the Waterfront Development Task Force were: Ald. Dexter and Ald. Levandier.

City of Dartmouth representatives are Larry Corrigan and Valerie Spencer. Organizational representatives are:

Fred Were, President, WDC
Eric Thomson, Chair, WDC
Ross Cantwell, Chair, Harbourview Residents Assoc.
Richard Neima, Chair, DDC
Beatrice MacGregor, Director, DDC

YOUTH COMMITTEE

Ald. Hetherington will serve as Council's representative on the Youth Committee. Council decided to name all fifteen re-offering members and new applicants to this Committee, necessitating a change in the terms of reference, which presently call for ten.

Members confirmed for appointment, on motion of Ald. Pye and Sarto, were as follows:

Olivia Breen	Gordon Chu
Anthony Cushing	Greg Cullen
Mylene DiPenta	Jennifer Foster
Izabella Gutt	Lea G. Lamoureux
Ryan Graham	Gin Hing Yee
Kevin McPhee	Thuan Nguyen
Sigrid O'Hearn	Laura Pulsifer
Lindsay Rossiter	



Having completed the appointments, Council went in camera at 10:40 p.m., on motion of Ald. MacFarlane and Hawley.

After reconvening in open meeting, the action taken in camera was ratified by Council

MOTION: To ratify the action taken while meeting in camera on this date.

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

Meeting adjourned at 10:45 p.m.

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

DARTMOUTH CITY COUNCIL  
NOVEMBER 8, 1994.

ITEMS:

- Proclamations, page 1.
  - 1.0 Public Hearing, page 1.
  - i) Amendments to MPS & Land Use By-law, 303 Main  
St., page 1 to 5 incl.
    - By-law C-712, page 3.
    - C-713, page 4.
  - 2.0 Third reading, By-law P-904, amendments to  
Board of Police Commissioners, page 5.
  - 3.0 Appointment, Deputy Mayor, page 5.
  - 4.0 Presentation, MP Ron MacDonald, page 6 & 7.  
Appointments to Boards & Committees, page 7 to  
15 incl.
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**DARTMOUTH CITY COUNCIL  
AGENDA**

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**TUES., NOV 15 /94  
7:30 PM  
COUNCIL CHAMBER  
IN CAMERA SESSION  
10:00 PM**

**INVOCATION**

1. **APPROVE THE MINUTES FROM THE MEETINGS:** October 4, 1994

2. **BUSINESS ARISING FROM THE MINUTES**

3. **DELEGATIONS & HEARINGS OF PROTEST**

4. **ORIGINAL COMMUNICATION**

5. **PRESENTATION**

i) Long Service Scrolls - UNSM

6. **PETITION**

7. **SECOND APPROVAL, OVER-EXPENDITURE, \$25,000 - ROUTE #54**

8. **REPORTS**

8.1 **CHIEF ADMINISTRATIVE OFFICER**

8.1.1 Infrastructure Program - Sportsplex, Additional Project Request

8.1.2 Temporary Borrowing Resolution - Infrastructure Program

8.1.3 Withdrawal from Special Reserve - Pollution Control Account - Resolution 94-24

8.1.4 1994/95 Debenture Issue

8.1.5 Application, Retail Video Outlet, One Stop Shop

8.1.6 Application, Retail Video Outlet, Bestsellers

8.1.7 Department of Transportation Construction Agreement D-12

8.2 **CITY SOLICITOR**

8.2.1 Taxi By-law T-507

8.3 **DARTMOUTH YOUTH COMMITTEE**

8.3.1 1994 Annual Report

8.4 **BOARD OF POLICE COMMISSIONERS**

8.4.1 Appointment to Commission

9. **MOTIONS**
10. **NOTICES OF MOTION**
11. **CONCERNS OF COUNCIL MEMBERS OR QUESTIONS**

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**IN CAMERA SESSION (10:00 P.M.)**

1. Property Matter.
2. Property Matter.

DARTMOUTH CITY COUNCIL  
NOVEMBER 15, 1994.

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

MEMBERS PRESENT: MAYOR MCCLUSKEY  
ALDERMEN SARTO, SMELTZER  
CUNNINGHAM, MACFARLANE  
LEVANDIER, DEXTER  
SCHOFIELD, WITHERS  
WOODS, PYE, HAWLEY  
GREENOUGH, WALTON  
HETHERINGTON

CHIEF ADMINISTRATIVE OFFICER: L. CORRIGAN  
CITY SOLICITOR: S. HOOD  
ASST. CITY CLERK: V. CARMICHAEL  
DEPARTMENT HEADS & ASSISTANTS

INVOCATION

Mayor McCluskey opened the Council meeting with the Invocation, the Universal Prayer.

She extended congratulations to Jane Walton, daughter of Ald. Walton and Mrs. Walton, on scoring the first goal for the winning Dalhousie team, at the CIAU Soccer Championships, on the weekend.

1.0 APPROVAL OF MINUTES

MOTION: To approve the minutes of the October 4/94 Council meeting.

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

2.0 BUSINESS ARISING FROM THE MINUTES

3.0 DELEGATIONS & HEARINGS OF PROTEST

4.0 ORIGINAL COMMUNICATION

5.0 PRESENTATION

i) LONG SERVICE SCROLLS - UNSM

UNSM long-service scrolls, in recognition of years of service, were presented by Mayor McCluskey to the following Aldermen and staff members:

Ald. Sarto	15 years
Hawley	15 years
Bruce Smith	15 years
Ald. Greenough	19 years
Russell Fougere	23 years
Robert Keddy	25 years
Harry George	25 years
Michael Lawlor	28 years
Gary Greene	28 years
Paul Greene	29 years
Sheldon Tipert	30 years

PETITION

6.0

Ald. Levandier tabled a petition from area residents, requesting that the new traffic routing on Victoria Road/School Street/Nantucket Ave. be reverted back to its original state. He said he would raise this matter further during Concerns of Council.

SECOND APPROVAL, OVER-EXPENDITURE, \$25,000.  
ROUTE #54

7.0

SECOND  
APPROVAL:  
ROUTE #54

A \$25,000. over-expenditure, to maintain the bus service schedule on transit route #54 was before Council for second approval, first approval having been given at the October 4th Council meeting.

MOTION: To give second approval for the \$25,000. over-expenditure to maintain service on transit route #54.

Moved: Ald. Greenough  
Second: Ald. Levandier

Mr. Corrigan informed Council of spending restrictions that have been placed on City department heads in anticipation of an approaching one-million-dollar budget deficit, and suggested that Council may want to take this deficit factor into account when deciding on the proposed over-expenditure.

Ald. Pye felt that Council has a municipal obligation to senior citizens, who require adequate bus service. He asked about the request for a re-routing of the route #62 bus, as per the motion adopted at the October 4th meeting. Later, he asked to have information on this request come back to Council.

Ald. Dexter and Levandier were also concerned about seniors in their ward, affected by a reduced level of service.

Ald. Greenough's concern was for transit users generally, affected in Ward 6 areas. He said that when transit service is not available to people who rely on it, they have no other means of transportation at all. Ald. Cunningham was in favour of trying to divert another bus, such as the route #62 suggestion, rather than incurring the \$25,000. over-expenditure for route #54.

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

Ald. Hetherington asked to have item 8.3.1 (Youth Committee 1994 Annual Report) moved up on the agenda, for referral back to the Committee, and subsequent submission back to Council, for a January/95 meeting.

Members of Council were willing to have a motion of referral presented by Ald. Hetherington, in this connection.

MOTION: To refer the Youth Committee Annual Report, 1994, back to the Committee, to be dealt with at their next meeting and subsequent submission back to Council in January, 1995.

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

- 8.0 REPORTS
- 8.1 CHIEF ADMINISTRATIVE OFFICER
- 8.1.1 INFRASTRUCTURE PROGRAM - SPORTSPLEX, ADDITIONAL PROJECT REQUEST

**PROJECT REQUEST:  
SPORTSPLEX**

Mr. Corrigan presented, for the information of Council, a summary of the status of the City's Infrastructure proposals, numbering nineteen. Those approved by all three levels of government were indicated, totalling \$9,246,000., not including the Breeze

Drive/Caledonia Road connector or the Sportsplex request for team changing facilities, coming before Council at this meeting. Mr. Corrigan said he felt the City has done quite well in terms of approvals received to date.

The request before Council at this time, for an Infrastructure project in the amount of \$200,000., comes from the Sportsplex Commission, and is for an arena dressing room complex (team changing facilities), which would enhance the potential of the Sportsplex arena, and make possible the attraction of events and sports teams that cannot presently be accommodated with existing facilities. The City's share of the \$200,000. request would be \$67,000.

The Sportsplex presentation to Council was made by Glen Bagnell, the General Manager. He explained to Council the thinking behind this project, one factor being the possibility of attracting a major hockey franchise that could be expected to bring spin-off benefits to the City. This has been the kind of positive experience indicated by other cities in Atlantic Canada where successful franchises have been started. He did not give a guarantee that a hockey franchise can be expected, with new facilities, but made the point that without them, there will be no interest in a Dartmouth venue. He compared the upgrading of dressing rooms to an investment similar to others the City has made, such as the Burnside Park development, where investments made in the past have proved to be profitable for the City ultimately. The rentability of the Sportsplex arena will become more viable with the dressing room improvements that are proposed.

It was pointed out, in the presentation, that neither the City nor the Sportsplex would be investing venture capital in a hockey franchise. Local investors from the private community would be involved in these initiatives. Another point made was that if the contractor presently on site at the Sportsplex is able to go ahead with Project B, as proposed, there would be a saving, in that construction could begin sooner, without having to wait for tenders to be called, and avoiding some of the problems with winter construction.



Members of Council had the opportunity for questions about the project, which they discussed with Mr. Bagnell. He circulated additional information, noting the time factor involved in getting this item to Council in time for the November 15th meeting; the Sportsplex Commission recommendation came from their November 10th meeting.

Ald. Smeltzer felt that Council has not received sufficient financial information on which to base a decision about the project, and Ald. Dexter said he could not support it when there are other more pressing needs in City neighbourhoods and the Sportsplex is a facility not accessible to all citizens (ie. those unable to afford memberships).

Other members of Council were willing to support the request for the Sportsplex project, on the basis that it will be beneficial to the operation and that an upgrading of the facility will help to make it more competitive with other local complexes. They felt the staff and management of the Sportsplex have proven their ability to operate the facility to its maximum potential, and saw these improvements as further initiatives to make the Sportsplex financially viable.

Asked by Ald. Walton if he had a recommendation to make to Council, Mr. Corrigan noted that the recommendation of the Sportsplex Commission was unanimous and based on financial forecasts and advice that has to be considered accurate. While his own staff have not done an analysis, Mr. Corrigan said the Sportsplex has a good track record and is trying to comply with a Council directive on self-sufficiency, through the upgrading of its facilities.

Ald. Greenough said he did not see the Sportsplex project as being complete without the approval for Project B, and he was prepared to present a motion for approval.

**MOTION:** That Council approve the arena dressing room project, as recommended by the Sportsplex Commission.

Moved: Ald. Greenough  
Second: Ald. Hawley

There was further debate on the spin-off benefits from a major hockey league franchise, if one is able to be negotiated for Dartmouth, although Ald. Dexter and Smeltzer also expressed their reservations about the projects, for the reasons previously stated. The point was again made by Mr. Bagnell that new dressing room facilities will not guarantee a hockey franchise, but will enhance the potential for attracting one, besides enhancing the rentability of the Sportsplex arena for other events, including ice shows.

The vote was taken on the motion.

In Favour: All members except  
Against: Ald. Dexter & Smeltzer  
Motion Carried

8.1.2 TEMPORARY BORROWING RESOLUTION - INFRASTRUCTURE PROGRAM

TEMPORARY  
BORROWING  
RESOLUTION

Report from Mr. Corrigan (B. Smith, D. McBain) on temporary borrowing resolutions for capital projects (water, sewer, recreation, Fire equipment, streets), recommending Council approval for the resolutions listed.

MOTION: To approve temporary borrowing resolutions 94/95-07, 94/95-08, 94/95-09, 94/95-10, 94/95-11, as recommended.

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

Mr. Corrigan explained that with these resolutions, approvals for capital funding are put in place, whether they are all required or not. Funds are not expended without the actual projects having been approved by Council.

8.1.3 WITHDRAWAL FROM SPECIAL RESERVE - POLLUTION CONTROL ACCOUNT - RES. 94-24

RESOLUTION  
94-24

Report from Mr. Corrigan (B. Smith, D. McBain), recommending Council's approval of Resolution

94-24, authorizing the transfer of \$800,000. from the Pollution Control Account, as per the action taken during the budget process.

MOTION: To approve Resolution 94-24, as recommended to Council.

Moved: Ald. Withers  
Second: Ald. Greenough  
In Favour: All members except  
Against: Ald. Pye  
Motion Carried

8.1.4 1994/95 DEBENTURE ISSUE

1994/95  
DEBENTURE  
ISSUE

Report from Mr. Corrigan (B. Smith, D. McBain) on the 1994/95 Debenture, with details of the debt issue, and recommendations to Council for approvals required.

MOTION: To adopt the following recommended approvals:

- 1) approval of Issuing Resolution 94-A-1 (Schedule D).
- 2) approval of the agreement between the City and the N.S. Municipal Finance Corporation (Schedule C).
- 3) approval for the Mayor and City Clerk to execute the related documents referred to in the Dept. of Municipal Affairs Schedules (A,B, and E).

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

8.1.5 APPLICATION, RETAIL VIDEO OUTLET, ONE STOP SHOP

APPLICATION:  
VIDEO OUTLET

Report from Mr. Corrigan (B. Smith) on an application for a retail video outlet at One Stop Shop, 269 Windmill Road; Council is asked to indicate any objection to this application.

MOTION: That Council indicate no objection to the application.

Moved: Ald. Hetherington  
Second: Ald. Greenough

Ald. Hawley said Council should be objecting to all of these applications, since they permit the distribution of adult videos, without any regulation. The Mayor read to Council, a letter from the Minister of Consumer Affairs, inviting input for improving the licensing process, so that concerns, such as those raised by Ald. Hawley, can be addressed. Council later approved the formation of an ad hoc committee to prepare a response to the Minister's letter.

Ald. Levandier said the applications should be handled at the administrative level, since they are being approved by the Provincial department anyway, without regard for Council's opinions. Ald. Walton also felt they should not be coming to Council, but the Aldermen for the ward involved (ie. where the outlet is located) should be informed. Ald. Hetherington suggested that the application form itself is not adequate, and that there should be spaces to indicate the types of videos to be rented.

The vote was taken on the motion.

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

MOTION: That an ad hoc committee be formed to prepare a response to the Minister's letter.

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

It was requested that the committee look at the application forms, to suggest improvements, and Ald. Macarlane asked that arcades and other categories also be looked at by the Committee, and not just video outlets.

Ald. Hawley, Withers and Sarto indicated their willingness to serve on the committee, with the concurrence of Council

8.1.6 APPLICATION, RETAIL VIDEO OUTLET, BESTSELLERS

APPLICATION:  
VIDEO OUTLET

Report from Mr. Corrigan (B. Smith) on a retail video application for Bestsellers, 21 MicMac Blvd. Council is asked to indicate any objection to this application.

MOTION: To indicate no objection to the application for Bestsellers, 21 MicMac Blvd.

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

8.1.7 DEPARTMENT OF TRANSPORTATION CONSTRUCTION AGREEMENT D-12

AGREEMENT D-12:  
RESOLUTION 94-26

Report from Mr. Corrigan (R. Fougere, E. Purdy) on Dept. of Transportation Construction Agreement D-12, recommending that Resolution 94-26 be approved, to authorize the signing of the agreement.

MOTION: To approve the adoption of Resolution 94-26, as recommended.

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

8.2 CITY SOLICITOR

8.2.1 TAXI BY-LAW T-507

TAXI BY-LAW  
T-507

Proposed By-law T-507 has been prepared by the City Solicitor, making consistent the composition of the Taxi Commission and the Public Transportation Advisory Committee. Council proceeded with three readings of By-law T-507.

MOTION: That leave be given to introduce the said By-law T-507 and that it now be read a first time.

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

MOTION: That By-law T-507 be read  
a second time.

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

In second reading, Ald. Hetherington asked that the Committee review some inconsistencies in the Dartmouth Taxi By-law, that need to be considered in relation to recent revisions the City of Halifax has made in their by-law.

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

MOTION: That By-law T-507 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. Greenough  
In Favour: All  
Against: None  
Motion Carried

8.4 BOARD OF POLICE COMMISSIONERS

8.4.1 APPOINTMENT TO COMMISSION

APPOINTMENT:  
POLICE COMMISSION

Mr. Corrigan informed Council that Mr. Donald Fairfax is not able to serve on the Police Commission, as suggested at the time of the other appointments being made. A vote by secret ballot therefore followed for the two applicants whose names were placed in nomination: Eartha Monard and Raymond Sheppard.

Ms. Monard was declared to be appointed to the Commission, after votes had been counted; the composition of the Commission is now complete.

Ald. Sarto expressed the opinion that there is an unfairness in the composition of the Police Commission, in the lack of representation from the visible majority of citizens-at-large. Ald. Hawley had similar concerns, suggesting that the Police Commission should not have been singled out for composition changes.

The Mayor informed Council of a request from the Dartmouth Chamber of Commerce Government Relations Committee, for a meeting with Council, early in December. Several members asked for more information on the request before trying to set a date for the meeting.

9.0 MOTIONS

10.0 NOTICES OF MOTION

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

Ald. Levandier

WHEREAS Dartmouth Cove residents have been victims of raw sewage outflow in Dartmouth Cove for several decades;

AND WHEREAS the harbour clean-up does not appear to be close to construction;

THEREFORE BE IT RESOLVED that this significant project be placed in the capital budget; and further, that we explore the possibility of funds coming from harbour clean-up money.

11.0 CONCERNS OF COUNCIL MEMBERS OR QUESTIONS

ALD. WALTON

Ald. Walton asked that the timing be changed on the traffic light where Highway 111 ramp comes onto Porland Street. The traffic line-ups at this location are particularly bad at the p.m. rush hour.

ALD. SMELTZER

Ald. Smeltzer made several comments as a new member of Council, noting ward concerns, such as traffic problems, snow plowing, tax relief, etc. He said that staff have treated him with courtesy, in response to requests that he had made to date.

Ald. Smeltzer felt that an orientation for new members of Council, and with department heads, would have been helpful, and given new members an idea of concerns and priorities within the City departments. Mr. Corrigan said that an orientation session was being planned, but time has been taken up to such an extent by the issue of regional government, that it has not been arranged. It is proposed to hire a bus and take members of Council on a tour of the various City locations and operations, as part of that process.

Ald. Smeltzer suggested an on-going list, with the updated status, of agenda items, indicating any further action required, as a continuing source of information for quick reference.

In conclusion, he read to Council, a letter from students of Bicentennial School, thanking candidates for taking part in the recent municipal election, and commending participation in the democratic process. "To win at democracy is to participate in it."

ALD SARTO

Ald. Sarto requested a guard rail at the Gordon Ave. slip-off roadway, where there is a narrow shoulder and an embankment.

ALD. WITHERS

Ald. Withers asked to have City property cleaned up at the location between Woodland Ave. and 41/43 Kingston Crescent.

ALD. HAWLEY

Ald. Hawley requested a change in the timing of the lights at Main and Major, to allow pedestrians time to cross at that location.

He discussed with Ms. Spencer, the need for a playground in the Keystone Subdivision, and the taking of money in lieu of land when playground should have been provided. She said it may be necessary to take the land required in the next phase of the development, although she agreed to look into his concern.

Ald. Hawley stated concerns he has about the lack of public information and input on the matter of municipal reform and its implications for metro-area residents. The Mayor noted that there will be a meeting next week of all the local Councils, and she hoped for some decisions.



ALD. CUNNINGHAM

Ald. Cunningham asked for a report on the Findlay Centre fire, and Mr. Stevens provided Council with information on the extent of damage to the building, and the efforts that are now being made to assess the extent of repairs required to salvage it; also, the process of trying to relocate the various groups and programs that operate out of this facility. Mr. Stevens advised that the building was fully insured.

ALD. MACFARLANE

Ald. MacFarlane asked to have a street light replaced at Hawthorne Street and Prince Albert Road.

ALD. PYE

Ald. Pye asked to have the timing of the light at Victoria & Primrose looked at; it is difficult for pedestrians to get across at this point, with the present timing.

Ald. Pye was concerned that new members of Council have not had the advantage of an orientation session, such as he and other incoming Aldermen had. He said this kind of learning opportunity is beneficial to new members of Council.

Ald. Pye suggested the possibility of having Council concerns prepared in list form, with action taken by staff indicated, for Council's information. No motion to this effect was presented.

ALD. HETHERINGTON

Ald. Hetherington asked about the copies of tenders for snow plowing equipment, which he submitted last spring, and whether any use has been made of them by staff. Mr. Corrigan to check on the inquiry.

On motion of Ald. Greenough and Hawley, Council agreed to go in camera and continue meeting after 11:00 p.m., for the the two items on the in camera agenda only.

After reconvening in open meeting, it was necessary for Council to give three readings to By-law I-210, recommended from the in camera meeting. This by-law pertains to a land sale in Burnside (Lots 901A and 901B, Akerley Blvd.).

BY-LAW I-210

MOTION: That leave be given to  
introduce the said By-law  
I-210 and that it now be  
read a first time.

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

MOTION That By-law I-210 be  
read a second time.

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

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

MOTION: That By-law I-210 be read  
a third time and that the  
Mayor and the City Clerk be  
authorized to sign and seal  
the said by-law on behalf  
of the City

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

MOTION: To ratify the action taken while  
meeting in camera on this date  
(property matters, 2).

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

Meeting adjourned at 11:15 p.m.

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

DARTMOUTH CITY COUNCIL  
NOVEMBER 15, 1994.

ITEMS:

- Invocation, page 1.
  - 1.0 Approval of minutes, page 1.
  - 2.0 Business Arising from Minutes, page 1.
  - 3.0 Delegations & Hearings of Protest, page 1
  - 4.0 Original Communication, page 1
  - 5.0 Presentation, page 1.
    - i) Long service scrolls, UNSM, page 1.
  - 6.0 Petition, page 2.
  - 7.0 Second approval, over-expenditure, \$25,000.,  
pg. 2.
  - 8.0 Reports, page 3.
  - 8.1 Chief Administrative Officer, page 3.
  - 8.1.1 Infrastructure Program, Sportsplex, additional  
project request, page 3 to 6 incl.
  - 8.1.2 Temporary Borrowing Resolution, page 6.
  - 8.1.3 Withdrawal from Special Reserve, Res. 94-24,  
page 6.
  - 8.1.4 1994/95 Debenture Issue, page 7.
  - 8.1.5 Application, Retail Video Outlet, One Stop  
Shop, page 7 & 8.
  - 8.1.6 Application, Retail Video Outlet, Bestsellers,  
page 9.
  - 8.1.7 Dept. of Transportation Agreement D-12, pg. 9.
  - 8.2 City Solicitor, page 9.
  - 8.2.1 Taxi By-law T-507, page 9.
  - 8.4 Board of Police Commissioners, page 10.
  - 8.4.1 Appointment to Commission, page 10.
  - 9.0 Motions, page 11.
  - 10.0 Notices of Motion, page 11.
  - 11.0 Concerns of Council members or questions, page  
11 to 13 incl.  
By-law I-210, page 14.
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Lib. Ref. Dept.

**DARTMOUTH CITY COUNCIL  
AGENDA**

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<p><b>TUES., NOV. 22, 1994 7:30 P.M. COUNCIL CHAMBER IN CAMERA SESSION 9:30 P.M.</b></p>
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1. **PRESENTATION**

i) Waterlines - Dahlia Street

2. **REPORTS**

2.1 **CHIEF ADMINISTRATIVE OFFICER**

2.1.1 Award of Contract - Consultant - Water Treatment Facility

2.2 **INDUSTRIAL COMMISSION**

2.2.1 Annual Report of Industrial Commission

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

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**IN CAMERA SESSION - 9:30 P.M.**

1. Land Matter
2. Legal Matter

DARTMOUTH CITY COUNCIL  
NOVEMBER 22, 1994.

*Hub Ref Dept*

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

MEMBERS PRESENT: MAYOR MCCLUSKEY  
ALDERMEN SARTO, SMELTZER  
MACFARLANE, DEXTER  
LEVANDIER, WITHERS  
SCHOFIELD, WOODS  
PYE, GREENOUGH  
HAWLEY, WALTON  
HETHERINGTON  
MEMBER ABSENT: ALD. CUNNINGHAM

CHIEF ADMINISTRATIVE OFFICER: L. CORRIGAN  
CITY SOLICITOR: M. MOREASH  
ASST. CITY CLERK: V. CARMICHAEL  
DEPARTMENT HEADS & ASSISTANTS

Mayor McCluskey opened the meeting, welcoming the First Port Wallis Scout Troop, present with their leaders.

ULTRAMAR CLOSURE

Rising on a point of privilege, Ald. MacFarlane stated his concerns about the imminent closure of the Ultramar plant, and the reluctance on the part of the company to sell the plant, even with an opportunity to do so.

He said the closure of this refinery means the loss of jobs and the loss of approx. 20 million dollars to the economy of the region. He questioned whether the reason for not selling the plant is to avoid competition among the major oil companies, and suggested that Ultramar should be demonstrating some commitment to the community by negotiating in good faith for the sale of the refinery. He asked for the support of Council in requesting that the company negotiate the sale of the refinery.

MOTION: That Council endorse the position of requesting Ultramar to negotiate the sale of their plant, and not abandon their credibility as a corporate citizen.

Moved: Ald. MacFarlane  
Second: Ald. Greenough

Ald. Hetherington said the tank fields and the dock facilities should also be included in the sale as part of the package. Also, that copies of the letter to be sent should go to the appropriate Federal and Provincial departments. Ald. Sarto asked that the Federal Bureau of Competition receive a copy, if, as suggested, there is any sign of a cartel on the part of the oil companies.

Council indicated a general support for the motion and it carried.

In Favour: All  
Against: None  
Motion Carried

The Mayor asked Council to add a presentation item to the agenda at a point when Drew Sperry and MP Ron MacDonald would arrive for the meeting. Members were willing to have the HarbourEdge presentation added.

1.0

PRESENTATION

i) WATERLINES - DAHLIA STREET

WATERLINES:  
DAHLIA STREET

A presentation was made to Council by Jody Clarke of 6 Dahlia Street, in connection with a petition tabled at this time by residents present for the item. The petition was passed to the Asst. City Clerk. Area residents are concerned about the age of waterlines on Dahlia Street, and about the age of infrastructure in their area generally. Mr. Clarke said he appreciated the fact that work has started on the waterline improvements, but the concern of the Austenville community still exists about the condition of other infrastructure facilities not included in the present contract.

Council also heard Trevor Parsons of 16 Tulip Street, whose concern related to a specific instance of water testing on a property near to his; the test results indicated a level of lead content ten times the allowable limit. Mr. Parsons said he is planning to have his own water tested, and asked how many other locations there may be in the same area where lead could be ingested in the drinking water.

Ald. Hetherington noted that lead problems could be in the water lines leading into individual homes, which would be the responsibility of the homeowner and not the City.

Ald. Dexter raised three questions pertaining to the petition: whether or not a separate pressure control valve will have to be installed for each home; is a testing of the lines to take place, after they are installed; thirdly, the question of the infrastructure itself, raised in the presentation to Council.

Mr. Fougere agreed to try and answer questions raised by the petition to the best of his department's ability.

2.0 REPORTS

2.1 CHIEF ADMINISTRATIVE OFFICER

2.1.1 AWARD CONTRACT - CONSULTANT - WATER TREATMENT FACILITY

AWARD CONTRACT:  
WATER TREATMENT  
FACILITY

A report was before Council from Mr. Corrigan on proposals received from consultants to assist the Dartmouth Water Treatment Facility Work Group, recommending that Council award Price Waterhouse the contract for this work. Their quoted price is in the total amount of \$95,000.

MOTION: To award the contract for assistance to the Work Group, to Price Waterhouse, as recommended.

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

2.2 INDUSTRIAL COMMISSION

2.2.1 ANNUAL REPORT OF INDUSTRIAL COMMISSION

ANNUAL REPORT:  
INDUSTRIAL  
COMMISSION

Members of Council have received copies of the Industrial Commission's annual report, presented at this time by the Chairman, Gordon Stanfield. Following remarks to Council on the

work of the Commission and staff, Mr. Stanfield responded to several questions from Council, mainly pertaining to the three recommendations with which the report concludes, and to the implications of amalgamation for economic development and the local Commissions. Ald. Woods suggested that the Dartmouth Commission meet with their counterparts, and report back to Council on the outcome of those discussions.

Mr. Stanfield was thanked by Ald. Smeltzer, the Mayor, and other members for the contribution he has made as Commission Chairman. At Ald. Greenough's request, thanks and appreciation were extended to Mr. Stanfield on Council's behalf. Ald. Pye said he wanted to thank the Mayor and the business community for the Business Watch program in Burnside, which has proved to be so successful.

MOTION: To adopt the Annual Report of the Commission, and including the three following recommendations:

- 1) City Council's early consideration of the North Dartmouth Planning Study, which sets out a comprehensive land use plan for the area north of the Burnside Park development boundary, to Highway 118.
- 2) That City Council strive to commit the current balance and future additions to the Burnside Sale of Land Account, to expansion of the Park.
- 3) That City Council work with the Province of Nova Scotia, ACOA, and metro's other municipalities, to revitalize the Greater Halifax Economic Development Assn., and ensure its continuation.

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



Further to the requested meeting of Council with the Chamber's Government Relations Committee, members indicated a preference for holding the meeting early in the new year, rather than prior to Christmas.

During the Concerns of Council item, Mr. Sperry and Mr. MacDonald arrived for the meeting, and were heard by Council upon their arrival. Minutes of that portion of the meeting are recorded immediately after item 3.0 (Concerns).

3.0

CONCERNS OF COUNCIL MEMBERS OR QUESTIONS

ALD. LEVANDIER

Ald. Levandier asked about any legal recourse for reversing the traffic pattern changes that have taken place at Nantucket and School Street; area residents have petitioned to have this change reversed. Mr. Moreash advised that there would be no such legal requirement, except in the case of a street closure.

Ald. Levandier was concerned that the traffic change is permanent, and took place without any neighbourhood consultation. He said the traffic configuration produced by this change is extremely dangerous, and completely unsatisfactory to residents living in the area. He asked to have Mr. Corrigan take the matter under advisement immediately, and report back promptly with a solution; Council concurred with the request.

ALD. PYE

Ald. Pye asked that the lack of garbage facilities at 11 Catherine Street, be brought to the attention of Development Services. He said that if nothing is done to improve the problem there, he will take the matter to the Board of Health.

ALD. HETHERINGTON

Ald. Hetherington said there was supposed to have been a report back to Council on garbage containers, and to date, nothing has been received.

He asked to have the property at 35 Johnstone Ave. inspected by Ed Atkinson (fridge and stove that need to be removed).

Ald. Hetherington asked for a report to Council on the status of Ferry employees, now working for Metro Authority. Also, what position was

Supt. Keddy left in, as a non-union employee. A comparison was requested with their status now, as compared with their status as City employees.

ALD. MACFARLANE

Ald. MacFarlane was concerned that the comprehensive audit of Development Services is not going ahead as planned. He said an opportunity to resolve issues will be lost if the audit does not proceed. Mr. Corrigan explained that it is only delayed, not cancelled. It is felt that there is no benefit in proceeding, with the corporate structure being proposed under amalgamation. If amalgamation does not go ahead, the audit will be done.

Ald. MacFarlane referred to items of correspondence (2) directed to Paul Connors, but not answered by him. He asked that the letters be passed to Mr. Purdy for follow-up.

He requested information from staff on the legal expenses incurred as a result of the crosswalk guard litigation; also, the Yould's service station case (Prince Albert Road).

ALD. SMELTZER

Ald. Smeltzer asked that consideration be given to solutions for improving the safety of the pedestrian crossing location at Ellenvale and Mount Edward Road, that could be applicable to other similar locations throughout the City (ie. without resorting to the installation of overhead crosswalk signs at considerable expense). He suggested that signs encouraging pedestrians to be vigilant in crossing streets, would be worthwhile.

ALD. WALTON

Ald. Walton's first concern was about the garbage bins at 525 Pleasant Street, and the fact that our present by-law does not seem to be effective enough to deal with these problems.

He also asked why the City is not able to take action against the owner of 25 Irving Street. Mr. Moreash said the owner has been contacted, and letters have gone out from the Solicitor's office and from the Fire Dept., in attempting to get results as quickly as possible.

ALD. HAWLEY

Ald. Hawley objected, on behalf of area residents, to a liquor license being issued to the Cameo Club, for premises located at 245 Waverley Road. The concern is not so much about the evening hours, as the fact that the Club would be operated from 10:00 a.m. onward, in a location where children are travelling to and from school, and in a mall where there is already a high volume of traffic and businesses with a family orientation.

Ald. Greenough expressed concerns similar to those of Ald. Hawley, and they requested that Council support an objection, to go to the Liquor License Board when this application comes up for hearing.

Council agreed to permit a motion in this connection.

MOTION: That Council go on record as opposing the issuing of a liquor license to the Cameo Club for premises at 245 Waverley Road, based on the strong family orientation of this plaza, and the close proximity to a residential neighbourhood.

<u>Moved:</u>	Ald. Greenough
<u>Second:</u>	Ald. Hawley
<u>In Favour:</u>	All
<u>Against:</u>	None
	<u>Motion Carried</u>

ALD. WITHERS

Further to the questions from Ald. Levandier about traffic pattern changes at Nantucket and School Street, Ald. Withers asked about a former plan that was presented some years ago, showing a different solution for this problem, with remaining land being utilized for the cemetery. Mr. Fougere advised that the plan referred to by Ald. Withers was rejected by the Common Committee and not allowed to proceed.

Ald. Withers asked Mr. Moreash to outline in writing, the procedures to be followed, possible ramifications, and any cost involved, to change the name of Albro Lake Road, from the intersection of Ernest Ave. to its eastern

extremity, to some other name that would be selected; also, that a copy of the information go to Ald. Schofield as well.

ALD. SARTO

Ald. Sarto was concerned about the use of streets by commercial truck traffic, to get from Main Street to Portland Street (and vice versa). He referred in particular to the use of Ridgecrest Drive and Spring Ave., asking that action be taken to have truck traffic excluded from taking this traffic route.

HARBOUREGE PROPOSAL

HARBOUREGE  
PROPOSAL

Mr. Drew Sperry and MP Ron MacDonald were present for the HarbourEdge proposal, presented to Council upon their arrival in the Council Chamber.

Introductory comments were made by Mr. MacDonald. He commended the recognition Mr. Sperry has recently received for designing the Pictou waterfront project, and suggested that he is well-qualified in the field to carry out the design for Dartmouth's waterfront development.

Mr. Sperry, who has already prepared the 1991 plan for Dartmouth waterfront, proceeded with the presentation of a concept plan for development he has called 'HarbourEdge'. He noted the potential of the Dartmouth waterfront, seeing it as an underused resource that can be developed with attractions and activities to make it what it should be - the core of the City, drawing citizens and visitors to it, and capitalizing on the existing attributes as a means of accomplishing this.

He proceeded to give Council an overview of the various components he is proposing in the concept plan; these include: an outdoor skating rink, the Peace Memorial Pavilion, a bandshell, a children's outdoor activity centre, the Ochterloney Square events Plaza, a marina breakwater, and year-round market, and the Discovery Centre, presently looking to relocate from Scotia Square.

Each of these facilities was described to Council in some detail, and the location of each was shown on a concept plan.

Mr. MacDonald again addressed Council, commending the components of the concept plan as being in keeping with Dartmouth's family orientation. He said the plan 'takes what we have and turns it into opportunities'.

Members of Council were enthusiastic about the plan overall, and in their comments about it, offered several ideas. Ald. MacFarlane asked about the possibility of a marine biotechnology centre somewhere on the waterfront, and Ald. Hawley asked if any thought has been given to including a cultural centre, discussed some time ago when plans were being made for the new library.

Ald. Walton suggested that if the Peace Pavilion collection of rocks from around the world could be unveiled during the G7 conference, it would be good publicity for the waterfront project and the City.

Further to the breakwater construction and marina improvements, Ald. Pye asked about future expansion of this facility to allow for the berthing of cruise ships eventually, on this side of the harbour. Mr. Sperry said he would see this as a logical next phase for that part of the development. Ald. Pye said he was pleased to see the Tourist Bureau included in the waterfront proposal.

There were questions to Mr. MacDonald about financing, and he saw the City as having to come up with only 30-cent dollars to share in the development project. Sources of funding, over and above the Infrastructure Program, will be pursued further by him, to see which ones can be tapped into for the waterfront. Ald. Smeltzer suggested the possibility of a public campaign to raise some of the money required for the development; he felt that citizens would want to participate and be involved in this way.

Having been asked by Ald. Levandier about the next step for proceeding, Mr. Corrigan said that staff should now go ahead with an implementation plan, and a motion requesting this next step was adopted.

MOTION: To approve the concept plan in principle, and to ask staff to develop an implementation plan, for report back to Council as soon as possible.

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

Council went in camera at 10:20 p.m., on motion of Ald. Pye and Sarto. After having reconvened in open meeting, the action taken in camera was ratified.

MOTION: To ratify the action taken while meeting in camera on this date (legal matters, 2).

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

(Ald. Hetherington had left the meeting at the end of the HarbourEdge item.)

Meeting adjourned at 11:15 p.m.

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

DARTMOUTH CITY COUNCIL  
NOVEMBER 22, 1994.

ITEMS:

- 1.0 Ultramar closure, page 1.  
Presentation, page 2.
  - i) Waterlines, Dahlia St., page 2.
- 2.0 Reports, page 3.
- 2.1 Chief Administrative Officer, page 3.
- 2.1.1 Award contract, Water Treatment Facility, pg.3.
- 2.2 Industrial Commission, page 3.
- 2.2.1 Annual report of Ind. Commission, pg.3 & 4.
- 3.0 Concerns of Council members or questions, page 5 to 8 incl.  
HarbourEdge presentation, page 8 to 10.

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# **DARTMOUTH CITY COUNCIL**

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TUES., NOV. 29/94

7:30 P.M.

COUNCIL CHAMBER

**PROCLAMATION** - World Aids Day - December 1, 1994

1. **PRESENTATION**

- i) Dartmouth Downtown Development Corporation

2. **REPORTS**

2.1 **CHIEF ADMINISTRATIVE OFFICER**

- 2.1.1 Motions of Regional Meeting (oral)  
2.1.2 First Approval, Over-Expenditure \$50,000 - Analysis of  
Municipal Amalgamation (oral)  
2.1.3 Christmas Break

2.2 **SOLICITOR**

- 2.2.1 Amendment to Classified Service By-law C-100  
2.2.2 Amendment to Penalties By-law P-300  
2.2.3 Subdivision - Lake Charles Drive

2.3 **HEALTHY DARTMOUTH COMMITTEE**

- 2.3.1 Healthy Dartmouth Environmental Goal

2.4 **DARTMOUTH LAKES ADVISORY BOARD**

- 2.4.1 Terms of Reference - Lake Safety

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



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

MEMBERS PRESENT: MAYOR MCCLUSKEY  
ALDERMEN SARTO, SMELTZER  
MACFARLANE, DEXTER  
LEVANDIER, SCHOFIELD  
WITHERS, PYE, WOODS  
HAWLEY,, GREENOUGH  
WALTON, HETHERINGTON

MEMBER ABSENT: ALD. CUNNINGHAM

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

PROCLAMATION

Mayor McCluskey opened the meeting, and read a Proclamation, declaring December 1, 1994 as World AIDS Day in the City of Dartmouth.

Council agreed to several agenda changes, at the request of the Mayor:

A HarbourEdge item to be added  
An air quality report, Police Headquarters to be added.  
Items 2.1.2 and 2.2.1 to be deleted.  
An in camera item to be added.

Ald. Smeltzer asked if terms of reference could be discussed in conjunction with item 2.1.1 (Municipal Amalgamation Analysis); members were willing to include this discussion.

1.0 PRESENTATION

i) DARTMOUTH DOWNTOWN DEVELOPMENT CORPORATION

PRESENTATION:  
D.D.D.C.

A presentation was made to Council by Richard Neima, President of the Dartmouth Downtown Development Corp., and Chairman of the committee responsible for proposing the establishment of a Downtown Dartmouth Community Development Commission, that would be formed under Section 177A(1) of the City Charter. This Commission would proceed with the implementation of the Downtown Dartmouth Action Plan, copies of which were circulated with the agenda, along with other material related to the Commission proposal.

Mr. Neima was assisted in his presentation by Ms. Bea MacGregor and Ms. Christine Ritchie.

A background review was first given of the work that has been undertaken by the Dartmouth Downtown Development Corp., since its inception, for the purpose of administering the Main Street Program. Council was also informed of the various funding sources for the projects the Corporation has undertaken. Most of the funding has come from downtown businesses (60% for 1994/95), with smaller percentages from the three government levels (19% from the City, 13.5% for 1994/95).

In the past year or so, the Corporation has evolved as a sounding board for issues in the downtown, and through a consultation process or 'Visioning Process', a vision statement for Downtown Dartmouth has been arrived at, following a series of three public meetings to which everyone with an interest in the downtown, has been invited.

Mr. Neima said the Corporation itself does not have the resources to carry out the mandate required for the Action Plan initiatives and the long-term goals that have been determined for the downtown area. The Commission being proposed would provide the kind of broad base of communication and cooperation considered necessary to achieve the aims of the organization that has come together for the purposes outlined to Council. Business owners would participate financially through the introduction of an area rate that would represent an 'investment' on their part in the future success of downtown development. By attracting revenue-producing initiatives, through this economic renewal process, the whole community will benefit, and the financial investment made will return financial benefits.

Council was asked to initiate the process for setting up the Commission, according to the provisions of Section 177A(1) of the City Charter.

Ald. Dexter commended the grass-roots effort that has gone into this community project, and saw the proposed Commission as a focal point for redeveloping and revitalizing the downtown. He presented a motion for initiating the Commission process.

MOTION: That City Council initiate the process of establishing the Downtown Dartmouth Community Development Commission, pursuant to section 177A to 177G of the Dartmouth City Charter, including the following:

- (a) Notice be sent by prepaid mail to every person assessed within the proposed district for business occupancy tax or for real property tax in respect of commercial property within the proposed district.
- (b) That a map delineating the boundaries of the proposed district, and a copy of Sections 177A to 177G be included.
- (c) That the Notice shall state that written objection may be made to the Council by delivery of such objection, to the City Clerk, within thirty days from the date of the Notice.

Moved: Ald. Dexter

Second: Ald. Smeltzer

Ald. Walton, along with other members of Council, commended the presentation and the work that has gone into it by the community representatives. He asked about the outcome of any long-range planning for downtown Dartmouth, with the anticipated metro amalgamation. Mr. Neima felt that planning such as this cannot be put on hold, and that until such time as amalgamation actually happens, plans for the future should be pursued within existing local government structures.

Most of the other questions to Mr. Neima dealt with the proposed imposition of area rates and the implications of doing this for one particular section of the City. It was noted by several members that the Chamber of Commerce representatives, at budget time, were mainly concerned about any commercial tax rate increase, and in fact, asked to have the present commercial rate reduced, even if services had to be cut to achieve this end. Members were not able to reconcile this position of the Chamber with the addition of area rates now being proposed for these same businesses.

Ald. Greenough felt that Council has to have some way of assessing the impact of area rates, and information on the way in which they would be implemented.

MOTION: That the proposal be referred to Mr. Corrigan and staff, for assessment and report to Council on the Action Plan, and its implementation, including the ramifications of establishing the area rate proposed and the cost of establishing it.

Moved: Ald. Greenough  
Second: Ald. Hetherington

Ald. Hawley requested that staff look at the financial implications for the City, both in the short and long-term, and also, at the possibility of proceeding without any financial input from the business community. Ald. Hetherington said the business plan is good, but he would like to see some attention given to projects such as: community area policing, free customer parking, and property tax rebates.

Mr. Neima commented on some of the concerns expressed by members, noting that the amounts that businesses would be contributing would be small - somewhere in the range of \$75. to \$100. The number of contributing businesses is estimated at about 440. He emphasized the importance instead, of the association of business people to work together in partnership, with government levels and other agencies, toward future goals. Asked about the time factor, for referral of the proposal to staff, Mr. Neima said that time is of the essence, in that the D.D.D.C. has reached a point of impasse in its ability to effect change in the economic climate of the downtown.

Ald. Smeltzer asked if the staff report could be ready by January 10th ('95). Mr. Corrigan said that he would try to have it ready by that date.

The vote was taken on the motion to refer and it carried by a majority vote of Council.

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

- 2.0 REPORTS
- 2.1 CHIEF ADMINISTRATIVE OFFICER
- 2.1.1 MOTIONS - REGIONAL MEETING

MOTIONS:  
REGIONAL  
MEETING

Mr. Corrigan asked for Council ratification of motions from the recent joint meeting of the four municipal Councils; the other three Councils will be asked to give similar ratification in their own jurisdictions.

The first motion was to approve the hiring of a consultant to complete the analysis of metro amalgamation.

MOTION: To approve the hiring of a consultant to complete the analysis of metro amalgamation.

Moved: Ald. Hawley

Second: Ald. Walton

Ald. Smeltzer raised points of concern he has about the terms of reference for the hiring of a consultant, suggesting that Council should have been given some opportunity for discussion, and that there should have been a meeting with local MLA's, for an exchange of information with them. Mr. Corrigan explained the time constraints there were in attempting to comply with the direction from the joint meeting, leaving no time for Council discussion. Ald. Smeltzer said it would have been helpful for members of Council to at least receive copies of the terms of reference by FAX, for quick reference. Mr. Corrigan said that communications such as this will be facilitated, once the FAX units are installed in the homes of members.

There was support for the motion; most of Council considered it imperative to have information provided independently on the effects of amalgamation, financially and otherwise.

In Favour: All

Against: None

Motion Carried

The second motion requiring ratification was to jointly hire an Issues Management Specialist, to help improve communications among the Councils and with the public.

MOTION: To approve the joint hiring of an Issues Management Specialist, to improve communications among the Councils and with the public.

Moved: Ald. Hetherington

Second: Ald. Pye

In Favour: All

Against: None

Motion Carried

Two other areas of agreement from the joint meeting, which were deferred:

- 1) the holding of a public referendum (deferred until next joint meeting).

- 2) discussion of a declaration of principles  
(deferred as a second stage activity).

Further to this latter item from the joint meeting, Ald. Smeltzer asked about measures being implemented to try and help staff cope with the levels of stress and strain in the workplace, brought about by the uncertainties of amalgamation. He felt that Council should make clear to the Dartmouth staff that they are the municipality's most important resource, and that everything possible will be done by Council to insure their protection throughout the amalgamation process.

Mr. Corrigan said this kind of reassurance would be appreciated, and he reported to Council on what he has done to date, in meeting with the union presidents and members of staff generally, to try and respond to some of their questions, given the minimal amount of information he has available to provide for them.

A motion was adopted, to communicate the position of Council to staff, as proposed by Ald. Smeltzer in his remarks.

MOTION: That Council make clear to Dartmouth staff that they are considered to be the City's most important resource, and that Council will do everything possible to try and insure their protection, throughout the amalgamation process.

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

The Mayor advised that the four local mayors intend to make a trip to Cape Breton, to discuss problems they have dealt with, in conjunction with amalgamation, and to learn what they can from the Cape Breton experience.

Ald. Hetherington was concerned that he has not yet received information he requested on the ferry staff, now that they are employed by Metro Authority. He asked to have the information faxed to him by tomorrow morning. Mr. Corrigan explained the difficulty in having information from one Council meeting ready for the next agenda delivery.

The Mayor asked for a vote on the suggested meeting with local MLA's for an information exchange. A majority of members were in favour of such a meeting, and by a vote of 7 to 6, indicated a preference for a meeting open to the public, as opposed to a private meeting in camera.

### 2.1.3 CHRISTMAS BREAK

CHRISTMAS BREAK Recommended dates for a Christmas recess are during the two-week period of December 27/94 and January 3/95. Ald. Hetherington proposed that the recess be extended to include December 20/94 as well.

MOTION: To approve a three-week Christmas recess for the dates: Dec. 20/94, Dec. 27/94 and January 3/95.

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

### HARBOUREDGE PROPOSAL

HARBOUREDGE  
PROPOSAL

At the November 22nd meeting, Council gave approval in principle to the HarbourEdge concept proposal, as presented by Drew Sperry, and since funding possibilities for this project are time-sensitive, the item was again before Council, to move the course of action required, on to the next stage.

Mr. Corrigan commended the work done by Mr. Sperry to date, for which he has not charged any fee, and also, the fact that he has confirmed in writing, a willingness to transfer the concept ownership to the City, at no cost. Members of Council acknowledged Mr. Sperry's assistance to date with this project.

Mr. Corrigan proposed that Sperry & Partners, and Doane Raymond be engaged by the City to carry out the feasibility plan now required, as the next step forward in this project.

MOTION: To approve the engagement of Sperry & Partners and Doane Raymond to prepare a feasibility plan for HarbourEdge, as recommended by Mr. Corrigan.

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

DARTMOUTH POLICE HEADQUARTERS - INDOOR AIR QUALITY

AIR QUALITY:  
POLICE HEAD-  
QUARTERS

A report from Mr. Corrigan was circulated to members of Council on the subject of problems with indoor air quality at the Dartmouth Police Headquarters, recommending that CBCL Ltd. be engaged to assist the City in the resolution of these problems, for a fee not to exceed \$15,000. Because of the point these problems have reached, and time considerations, it is recommended that the public tendering process be waived in this instance, in favour of the CBCL recommendation.

CONFLICT OF  
INTEREST

Ald. Woods declared a conflict of interest, by reason of his association with CBCL, and withdrew from his place on Council to sit in the gallery. He did not participate in the debate or in the vote on the motion.

MOTION: To adopt the recommendation:

That CBCL Ltd. be engaged to assist the City in the resolution of these problems, for a fee not to exceed \$15,000.

Moved: Ald. Hetherington

Second: Ald. Pye

Ald. Levandier stated his concerns about the fact that Council did not know about these problems for some time after they were known to administrative staff, and he asked why staff were moved into this building if these senior police officers and others were aware of existing air problems prior to the opening of the building. He felt that questions raised by this situation have to be answered. Ald. Pye agreed that an accountability question is involved.

Ald. Smeltzer asked that any other issues of concern, in other City departments, be listed and brought to the attention of Council. Ald. Hetherington requested that the paper trail, associated with the Police Headquarters problem, be compiled for the Police Commission, and sent back to Council. (Mr. Corrigan said it is on the Commission's next agenda.) Ald. Hetherington also wanted to make sure there are no grievances in this connection, and that minutes of the Police Services Health & Safety Committee meetings are made available as part of the paper trail, when it is prepared.

Ald. MacFarlane had a series of questions about meetings of the Health & Safety Committee, and whether the Committee met to deal with this specific problem. The Police Chief was not certain about the specifics of the Committee meetings, but advised that he thought two meetings had been held, one being organizational.



Mr. Corrigan said that even though there may be no grievances outstanding to date, the union has put the City on notice about the problems, and has asked that they be addressed; reference a letter dated Nov. 16/94, from which Mr. Corrigan quoted to Council.

Ald. Walton asked about legal recourse, as far as contractors for the building are concerned. Ms. Hood advised that all such possibilities are being looked at now.

Ald. Levandier and Pye were concerned that staff who have come forward about this problem should not have to worry about any reprisals against them, as a result. Ald. Levandier said the system in place failed staff in this instance. Staff members affected by the air quality problems were present in the gallery, but Council did not agree to hear from a representative at this time.

Members of Council were not so much opposed to the waiving of the tender process, as they were concerned about the fact of the air quality problem and the possibility that it was known about prior to becoming more urgent, or even prior to the Headquarters building being occupied. The general opinion seemed to be that there are many unanswered questions about the past history of the problem, and Council has been, until now, the last to know what was happening.

In Favour: All  
Against: None  
Motion Carried

2.2 SOLICITOR

2.2.2 AMENDMENT TO PENALTIES BY-LAW P-303

AMENDMENT:  
 BY-LAW P-303

Proposed By-law P-303, to amend the Penalties By-law, was before Council for three readings. This amendment provides for the issuing of tickets, in cases of violation of the City's Fire Prevention and Smoke Detector By-laws, and has been recommended by the City Solicitor.

MOTION: That leave be given to introduce the said By-law P-303 and that it now be read a first time.

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

MOTION: That By-law P-303 be read a second time.

Moved: Ald. Hetherington  
Second: Ald. Withers  
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-303 be read a third time and that the Mayor and the City Clerk be authorized to sign and seal the said by-law on behalf of the City.

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

### 2.2.3 SUBDIVISION - LAKE CHARLES DRIVE

SUBDIVISION:  
LAKE CHARLES DR.

The City Solicitor has reported to Council on the conveyance of surplus lands on Lake Charles Drive to three property owners, and the survey work required in this connection. She is recommending that the property owners be assisted in preparing the plan and description required for City conveyance, and in dealing with the Province to acquire infill lands.

The report concludes with two recommendations, adopted in one motion for approval.

MOTION: To adopt both recommendations from the Solicitor's report of Nov. 23/94:

- 1) That City Council authorize the City's surveying staff to prepare the necessary plans and descriptions to enable Ian Fair and Arthur Delmotte to obtain the City land, and, at their cost, conveyances from the Province for infill lands in Lake Charles.
- 2) That, if the third property owner (Carrie MacFarlane) involved in the purchase of surplus City lands, although she has not yet approached the Province to acquire lands from

the Province, requires the same work to be done, that it be done for her as well, at the same time.

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

2.3 HEALTHY DARTMOUTH COMMITTEE

2.3.1 HEALTHY DARTMOUTH ENVIRONMENTAL GOAL

ENVIRONMENTAL  
GOAL

Council has been asked by the Healthy Dartmouth Committee to adopt the Dartmouth Environmental Goal, the text of which is included with an explanatory report to Council. The Goal reads: "To maintain and promote a healthy environment for Dartmouth and its citizens." Component details follow the main text, in the submission to Council.

MOTION: To adopt the Dartmouth Environmental Goal, as recommended by the Healthy Dartmouth Committee. The text of the Goal is quoted above.

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

2.4 DARTMOUTH LAKES ADVISORY BOARD

2.4.1 TERMS OF REFERENCE - LAKE SAFETY

LAKE SAFETY

As requested, the Lakes Advisory Board has considered the proposal that terms of reference for the Board be amended to include lake safety, and has agreed to take on additional responsibilities in appropriate areas relating to lake safety and the recreational use of the lakes. The Board therefore recommends that By-law L-100 be amended to include DLAB acting in an advisory capacity to City Council in these additional areas.

MOTION: That the recommendation of the Lakes Advisory Board be adopted.

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

Council went in camera at 10:30 p.m., and adjournment was from the in camera meeting, at 10:55 p.m.

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

ITEMS:

- Proclamation, page 1.
  - 1.0 Presentation, page 1.
    - i) Dartmouth Downtown Development Corp., page 1 to 4.
  - 2.0 Reports, page 4.
  - 2.1 Chief Administrative Officer, page 4.
    - 2.1.1 Motions, Regional meeting, page 4 to 7.
    - 2.1.3 Christmas break, page 7.
      - HarbourEdge proposal, page 7.
      - Air quality, Police Headquarters, page 8 & 9.
  - 2.2 Solicitor, page 9.
    - 2.2.2 Amendment to Penalties By-law P-303, page 9.
    - 2.2.3 Subdivision, Lake Charles Dr., page 10.
  - 2.3 Healthy Dartmouth Committee, page 11.
    - 2.3.1 Healthy Dartmouth Environmental Goal, page 11.
  - 2.4 Dartmouth Lakes Advisory Board, page 11.
    - 2.4.1 Terms of Reference, lake safety, page 11.
-