

SUGGESTED 1959-1960 WINTER WORKS PROGRAM

<u>Project</u>	<u>From</u>	<u>To</u>	<u>Estimated Cost</u>	<u>Materials & Machines</u>	<u>Labor</u>	<u>Amt. Recoverable 50% of Labor</u>
1. C. N. R. Property Sewer Renewal	Chisholm Ave.	Fairview Overpass	\$110,000.00	\$57,750.00	\$52,250.00	\$26,125.00
2. Clearing out Dead Trees & Pruning Trees, Fleming Park			5,000.00	500.00	4,500.00	2,250.00
3. Tree Trimming (New Street Lighting Program)			5,000.00	1,000.00	4,000.00	2,000.00
4. Clearing out Dead Trees & Brush and Improving Beach, Point Pleasant Park.			15,000.00	--	15,000.00	7,500.00
			<u>\$135,000.00</u>	<u>\$59,250.00</u>	<u>\$75,750.00</u>	<u>\$37,875.00</u>

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G. F. West,
Commissioner of Works.

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Moved by Alderman Lane, seconded by Alderman Connolly, that the report be approved. Motion passed.

PROPERTY ACQUISITION - JACOB STREET REDEVELOPMENT AREA

November 12, 1959.

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Redevelopment Committee held on November 6, 1959 a report was submitted from the City Manager recommending acquisition of the property, 608 Barrington Street, at assessed value, \$18,650.00, plus 5% or a total of \$19,582.50 as well as payment of \$540.00 for compensation on relocation of business.

Your Committee concurs in the recommendation.

Respectfully submitted,

R. H. Stoddard,
CITY CLERK.

Moved by Alderman Abbott, seconded by Alderman O'Brien, that the report be approved. Motion passed.

Alderman Dunlop arrived 8:15 P. M.

LEASE OF LAND - EASTERN WOODWORKERS LIMITED

To: His Worship, C. A. Vaughan, and Members of the City Council.

From: A. A. DeBard, Jr., City Manager.

Date: November 6, 1959.

Subject: Lease of Land - Eastern Woodworkers Limited.

The Eastern Woodworkers, contractors for the Mulgrave Park Project wish to lease the triangle at the intersection of Albert Street and Dartmouth Avenue as a site for their project office.

It has no zoning and could be used for this purpose on a temporary basis if Council approves. The land would be assessed for about \$2,000.00 and I would recommend a rental of \$250.00 a year which includes some compensation in lieu of taxes.

The Eastern Woodworkers are to restore the land to a condition at least as good as at present.

A. A. DeBard, Jr.,
CITY MANAGER.

Moved by Alderman Greenwood, seconded by Alderman Lane, that the report be approved. Motion passed.

ZONING - CIVIC NOS. 21 AND 23 DUDLEY STREET FROM ARMED FORCES TO
R-3 AND NOS. 1, 3, 5, 7, 9, 11, 13, 15, 17 AND 19 DUDLEY STREET
TO R-2 - DATE FOR A PUBLIC HEARING - DECEMBER 17, 1959

To: His Worship the Mayor and Members of City Council.

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From: Town Planning Board.

Date: November 3, 1959.

Subject: Zone -- Lots 26 and 27 Dudley Street -- Claremont Subdivision.

The Town Planning Board at a meeting held on the above date, considered a recommendation from the Director of Planning to zone lots 26 and 27 Dudley Street to R-3 and to zone the remainder of the lots on Dudley Street to R-2.

On motion of Alderman Butler, seconded by Alderman Macdonald, the Board recommended to City Council that Civic Nos. 21 and 23 Dudley Street be zoned to R-3, and Civic Nos. 1, 3, 5, 7, 9, 11, 13, 15, 17 and 19 Dudley Street be zoned to R-2, and also that a date for a public hearing be set.

Alderman Connolly and O'Brien were recorded as being against.

Respectfully submitted,

K. C. Martin,
CLERK OF WORKS.

Moved by Alderman Lane, seconded by Alderman Abbott, that the report be approved and Council fix December 17, 1959 at 8:00 P. M. in the Council Chamber, City Hall, Halifax, Nova Scotia as the time and place for a Public Hearing on this matter. Motion passed.

RELOCATION - SALVATION ARMY HOSTEL

To: His Worship the Mayor and Members of City Council.

From: Town Planning Board.

Date: November 3, 1959.

Subject: Relocation -- Salvation Army Hostel.

The Town Planning Board at a meeting held on the above date, considered a report from the Director of Planning in regard to a request from the Salvation Army to relocate their hostel from their present location on Argyle Street to #419 Brunswick Street. The Director of Planning in his report recommended against the relocation of the Salvation Army hostel from its present location to #419 Brunswick Street.

On motion of Alderman O'Brien, seconded by Alderman Lane, the Board approved the report and recommended it to City Council.

Respectfully submitted,

K. C. Martin,
CLERK OF WORKS.

His Worship the Mayor: "At the meeting at which we refused the application to build the Salvation Army Hostel on North Brunswick Street, I told Brigadier Meakings that I would meet with him. I did, as well as the new Public Relations Officer. We discussed the whole redevelopment program and we have given them a new zoning map showing the areas for development, and

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they have now agreed to seek a site somewhere in the area zoned properly.'

Moved by Alderman Greenwood, seconded by Alderman Butler, that the report be approved. Motion passed.

RESUBDIVISION -- CITY-OWNED LANDS -- KEMPT ROAD

To: His Worship the Mayor and Members of City Council.

From: Town Planning Board.

Date: November 3, 1959.

Subject: Resubdivision - City-owned Lands - Kempt Road.

The Town Planning Board at a meeting held on the above date, considered a report from the Director of Planning recommending in favor of a resubdivision of City-owned lands at the intersection of Kempt Road, Young Street, and Robie Street.

On motion of Alderman O'Brien, seconded by Alderman Trainor, the Board approved the report and recommended it to City Council.

Respectfully submitted,

K. C. Mantin,
CLERK OF WORKS.

Moved by Alderman O'Brien, seconded by Alderman Lane, that the report be approved. Motion passed.

UNDERDRAINS - NORTH WEST CORNER OF SACKVILLE AND BRUNSWICK STREETS

To: His Worship the Mayor and Members of City Council.

From: Committee on Works.

Date: November 3, 1959.

Subject: Underdrains - North West Corner of Sackville and Brunswick Streets.

The Committee on Works at a meeting held on the above date, considered a request from the Commissioner of Works that underdrains be laid behind the curb and out in the street at the N. W. corner of Sackville and Brunswick Streets to overcome the trouble of frost boils, etc., and that the cost of the job be charged to the Sewer Capital (52-1) Unforeseen Account.

On motion of Alderman Lane, seconded by Alderman O'Brien, the Committee approved the request of the Commissioner of Works for authorization to put underdrains at the N. W. corner of Sackville and Brunswick Streets and the cost of the job be charged to the Sewer Capital (52-1) Unforeseen Account, and recommended the same to City Council.

Respectfully submitted,

K. C. Mantin,
CLERK OF WORKS.

Moved by Alderman Connolly, seconded by Alderman O'Brien, that the report be approved. Motion passed.

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PROGRESS PAYMENT NO. 3 (FINAL) - SPRINKLER SYSTEM - BASINVIEW HOME

To: His Worship the Mayor and Members of City Council.

From: Committee on Works.

Date: November 3, 1959.

Subject: Progress Payment No. 3 (Final) - Sprinkler System - Basinview Home.

The Committee on Works at a meeting held on the above date, considered a report from the Commissioner of Works recommending payment of Progress Estimate No. 3 (Final) re Sprinkler System, Basinview Home.

On motion of Alderman Lane, seconded by Alderman Butler, the Committee recommended to City Council payment of Progress Estimate No. 3 (Final) re Sprinkler System, Basinview Home, in the amount of \$2,360.00 to Automatic Sprinkler Co. of Canada Limited.

Respectfully submitted,

K. C. Mantin,
CLERK OF WORKS.

Moved by Alderman Butler, seconded by Alderman Abbott, that the report be approved. Motion passed.

PROGRESS PAYMENT NO. 7 (FINAL) - SPRINKLER SYSTEM - CITY FIELD

To: His Worship the Mayor and Members of City Council.

From: Committee on Works.

Date: November 3, 1959.

Subject: Progress Payment No. 7 (Final) - Sprinkler System - City Field.

The Committee on Works at a meeting held on the above date, considered a report from the Commissioner of Works recommending payment of Progress Estimate No. 7 (Final) re Sprinkler System, City Field.

On motion of Alderman Macdonald, seconded by Alderman Connolly, the Committee recommended to City Council payment of Progress Estimate No. 7 (Final) re Sprinkler System, City Field, in the amount of \$3,710.00 to Automatic Sprinkler Co. of Canada Limited.

Respectfully submitted,

K. C. Mantin,
CLERK OF WORKS.

Moved by Alderman Lane, seconded by Alderman Wyman that the report be approved. Motion passed.

TENDERS - DEMOLITION OF PROPERTIES - REDEVELOPMENT AREA

To: His Worship, C. A. Vaughan, and Members of the City Council.

From: A. A. DeBard, Jr., City Manager,

Date: November 9, 1959.

Subject: Tenders - Demolition of Properties - Redevelopment Area.

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	Assessed Value of Buildings	Judge	Brown	Lydiard	Allen	Gray
32 Jacob St.)\$	400.00	\$ 765.00	\$ 899.00	\$ 800.00)	
34 Jacob St.	\$ 4,050.00)	400.00	765.00	899.00	850.00)	
36 Jacob St.	)	400.00	765.00	899.00	700.00)	
38 Jacob St.	6,200.00)	400.00	765.00	899.00	750.00)	\$3,650.00
40 Jacob St.	)	400.00	765.00	899.00	750.00)	
42 Jacob St.	)	400.00	765.00	899.00	800.00)	
188 Market St.	5,050.00	800.00	950.00	1,599.00	1,200.00	
190 Market St.	5,700.00)	700.00	800.00	899.00	1,200.00	
192 Market St.	)	700.00	800.00	899.00	1,600.00	
190-192 Argyle St.	17,900.00	1,000.00	1,750.00	2,899.00	2,000.00	
200-202 Argyle St.	9,800.00	800.00	1,750.00	1,499.00	2,000.00	
57-59 Duke St.	8,650.00	700.00	1,540.00	1,799.00	2,000.00	\$1,000.00
	\$57,350.00	\$7,100.00	\$12,180.00	\$14,988.00	\$14,650.00	

Time Limit 45 days 1 month 30 days 1 month 1 month

The tenders listed above were opened at the Redevelopment Committee meeting of November 6, 1959.

The recommended tender is that of the Roy Judge Company Limited.

A. A. DeBard, Jr.,
CITY MANAGER.

Alderman Connolly: "Can this be covered under the winter works program?"

His Worship the Mayor: "No, nothing that the Federal Government participates in initially can be included in the winter work program."

Moved by Alderman O'Brien, seconded by Alderman Fox, that the report be approved. Motion passed.

PURCHASE OF FOOD TRUCK - CONVALESCENT HOSPITAL

November 12, 1959.

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Public Health and Welfare Committee held on November 5, 1959 a report was submitted from the Commissioner of Health listing quotations for an electrically heated food truck for use at the Convalescent Hospital as follows:

- | | |
|------------------------------|----------|
| 1. Ingram & Bell Limited | \$620.00 |
| 2. J. F. Hartz & Co. Limited | \$620.00 |
| 3. Cassidy's Limited | \$638.00 |

The Commissioner recommended acceptance of the quotation of J. F. Hartz & Co. Limited and your Committee concurs in this recommendation. Funds to be provided by the current estimates.

Respectfully submitted,

R. H. Stoddard,
CITY CLERK.

Moved by Alderman DeWolf, seconded by Alderman Lloyd, that the report be approved. Motion passed.

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TENDERS - LICENSE PLATES AND BADGES, ETC.

November 12, 1959.

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Finance and Executive Committee held on November 5, 1959 tenders for license plates, badges, etc. were submitted from the following:

R. R. Power Limited	\$958.18
London Rubber Stamp Co. Limited	\$1,006.88

Your Committee recommends that the lower tender be accepted.

Respectfully submitted,

R. H. Stoddard,
CITY CLERK.

Moved by Alderman Ferguson, seconded by Alderman Wyman that the report be approved. Motion passed.

MR. A. C. PETTIPAS - RETIREMENT - DECEMBER 31, 1959

November 12, 1959.

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Finance and Executive Committee held on November 5, 1959 a report was submitted from the Commissioner of Finance advising that Mr. A. C. Pettipas has requested retirement as of December 31, 1959 after serving the City for 44 years and 7 months.

He is a member of the Officials' Old Superannuation Plan and, therefore, will receive 30/50ths of his average salary for the last three years which amounts to \$3,293.78 effective as of January 1, 1960.

Your Committee recommends that the request be granted and that some suitable recognition for services rendered by Mr. Pettipas be left with His Worship the Mayor to process.

Respectfully submitted,

R. H. Stoddard,
CITY CLERK.

His Worship the Mayor: "I would like to pay tribute to Mr. Pettipas for the years of faithful service to the City of Halifax. For over 40 years, he has been an employee of the City. He was, for a long time, Secretary to the Board of Health. During the later years he has been the Purchasing Agent for the City of Halifax. He is a man with a great deal of vision, I think. He has often been noted for his describing the Town of Dartmouth as the future City of the East; and I think, probably, that is within sight now.

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He, for many many years, advocated a bridge across the Halifax Harbor; a man, who, while here on this side of the Harbor, served as Mayor for the Town of Dartmouth for a term; he served for a number of years on the Dartmouth Town Council, took part in many worthwhile ventures on both sides of the Harbor. During the war he headed many community campaigns associated with the war effort, and I think you will all join with me in wishing Mr. Pettipas many years of happy retirement."

All Members of Council: "Hear! Hear!"

Moved by Alderman DeWolf, seconded by Alderman Lloyd that the report be approved. Motion passed.

QUOTATIONS FOR ANTI-FREEZE

November 12, 1959.

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Finance and Executive Committee held on November 5, 1959 a report was submitted from the City Manager listing quotations from fifteen (15) firms offering to supply 300 gallons of anti-freeze and recommending that the quotation of Imperial Oil Limited at \$2.18 per gallon, be accepted.

Your Committee concurs in this recommendation.

Respectfully submitted,

R. H. Stoddard,
CITY CLERK.

Moved by Alderman Dunlop, seconded by Alderman Abbott, that the report be approved. Motion passed.

AMENDMENT -- ORDINANCE NO. 41 -- HALIFAX HOUSING AUTHORITY --
SECOND READING

November 12, 1959.

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Finance and Executive Committee held on November 5, 1959 an amendment to Ordinance No. 41 respecting the Halifax Housing Authority which was read and passed a first time at the last regular meeting of Council, was again considered.

Your Committee recommends that the amendment be read and passed a second time and forwarded to the Minister of Municipal Affairs.

Respectfully submitted,

R. H. Stoddard,
CITY CLERK.

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Moved by Alderman Wyman, seconded by Alderman Ferguson, that the report be approved. Motion passed.

Amendment

BE IT ENACTED by the Mayor and City Council of the City of Halifax as follows:

1. Subsection (1) of Section 2 of Ordinance Number 41, respecting The Halifax Housing Authority is repealed and the following substituted therefor:
2. (1) The Members of the Housing Authority of Halifax shall be the following:

Colin S. Campbell , of Halifax, Merchant
Malachi C. Jones , of Halifax, Barrister
Mrs. A. M. Hunter , of Halifax, Housewife
M. Arthur Anderson, of Halifax, Tradesman
Roy M. Power , of Halifax, Building Contractor
David Milsom , of Halifax, Insurance Broker
Mrs. Jean O'Keefe , of Halifax, Housewife.

Moved by Alderman Wyman, seconded by Alderman Ferguson that the Amendment as set out above be read and passed a second time and forwarded to the Minister of Municipal Affairs for approval. Motion passed.

DECEMBER SALARY - CIVIC EMPLOYEES

November 12, 1959.

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Finance and Executive Committee held on November 5, 1959 a report was submitted from the Deputy Commissioner of Finance requesting that the matter of paying full salary to officials and employees for the month of December on or about the 15th be referred to Council for approval.

Your Committee recommends that the full salary for December be paid on or about the 15th of that month.

Respectfully submitted,

R. H. Stoddard,
CITY CLERK.

Moved by Alderman Ferguson, seconded by Alderman Fox, that the report be approved. Motion passed.

WAR MEMORIAL - REGIONAL LIBRARY - \$1,000.00

November 12, 1959.

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Finance and Executive Committee held on November 5, 1959 a letter was submitted from the Chief Librarian of the Regional Library advising that there is approximately \$5,000.00 surplus funds in the Library Budget for the current year, due to staff shortages during the year.

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The Board suggests that the work on the Memorial be started at once and that Council authorize the appropriation of \$1,000.00 to cover the cost.

Your Committee recommends that the work be carried out and the funds provided from the Current Estimates.

Respectfully submitted,

R. H. Stoddard,
CITY CLERK.

Moved by Alderman Fox, seconded by Alderman DeWolf, that the report be approved. Motion passed.

REPORT -- INDUSTRIAL DEVELOPMENT COMMISSION -- RE TENDERS FOR
LAND -- EXHIBITION GROUNDS

Withdrawn from the agenda as no report was forthcoming from the Industrial Commission.

GENERAL LEGISLATION FOR NON-ATTENDANCE OF MEMBERS ON COMMISSIONS
AND BOARDS

November 12, 1959.

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Finance and Executive Committee held on November 5, 1959 a letter was submitted from the Chairman of the Halifax Housing Authority requesting legislation be obtained similar to Section 668 of the City Charter whereby if a member of a Board or Commission misses three consecutive meetings without being excused by such Board or Commission, he automatically vacates his seat.

Your Committee recommends that the City Solicitor be requested to draft general legislation to cover membership on all Boards and Commissions.

Respectfully submitted,

R. H. Stoddard,
CITY CLERK.

Moved by Alderman Lloyd, seconded by Alderman Abbott, that the report be approved. Motion passed.

PROCLAIMING NOVEMBER 21, 1959 AS "ATLANTIC BOWL DAY"

November 12, 1959.

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Finance and Executive Committee held on November 5, 1959 a letter was submitted from Mr. Allan R. Abraham of the Nova Scotia Football League requesting that Saturday, November 21, 1959 be proclaimed as "Atlantic Bowl Day" in connection with a football game to be played in this City between the winners of the Purdy Cup finals and the Ontario Inter-collegiate Football Conference.

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Your Committee recommends that the request be granted.

Respectfully submitted,

R. H. Stoddard,
CITY CLERK.

Moved by Alderman Greenwood, seconded by Alderman Ferguson, that the report be approved. Motion passed.

RENEWAL OF AGREEMENT AND RELEASE OF GRANT -- S. P. C.

November 12, 1959.

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Finance and Executive Committee held on November 5, 1959 the matter of the renewal of the S. P. C. Agreement was again considered.

The Society requested: "(1) That the Clause 5 in our Agreement be implemented whereby the owner of an impounded dog is charged for its care and maintenance while impounded, a cost now borne by the City and, (2) that the cost of care and maintenance be raised from .50¢ to \$1.00 per day."

Your Committee recommends: (1) That the request of the Society be granted, (2) that the City Solicitor prepare an agreement covering a period of 18 months for consideration by Council and, (3) that the grant be released.

Respectfully submitted,

R. H. Stoddard,
CITY CLERK.

Moved by Alderman Fox, seconded by Alderman Dunlop, that the report be approved. Motion passed.

COMPENSATION FOR PROPERTIES -- REDEVELOPMENT AREA

Alderman Lloyd: "I suppose now with this action of Council tonight there will be no further processing of negotiations for compensation? You are going to engage a Compensation Officer. Does that mean now that we will hold up any settlements of compensation cases?"

City Manager: "Oh, no. When he comes, if there are any that I have been working on, I may try to finish them up, but I will get out of the picture as soon as we can conveniently do so."

REZONING AREA OF THE PROPOSED CLYDE STREET PARKING LOT -- C-2 TO
PARK AND INSTITUTIONAL ZONE

November 12, 1959.

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Redevelopment Committee held on November 6, 1959 the

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matter of rezoning the area of the proposed Clyde Street Parking Lot was considered.

Your Committee recommends that the following area be rezoned from C-2 Zone to Park and Institutional Zone: "a block of land bounded on the South by the northern official street line of Clyde Street and its proposed extension westwardly; on the West by the rear property lines of properties fronting on the East side of Brenton Street; on the North by a line approximately 225 feet from and parallel to the aforementioned northern official street line of Clyde Street and its proposed extension westwardly; on the East by the rear property lines of properties fronting on the West side of Queen Street from C-2 Zone to Park and Institutional Zone.

Respectfully submitted,

R. H. Stoddard,
CITY CLERK.

His Worship the Mayor: "This is the only holding action that we can take to prevent any person from coming in here and demanding a permit as their right to develop for any purpose that is permitted in this area. This would be folly on our part to allow it to go on if we have plans for redevelopment in that area. The Committee is asking that in line with the resolution tonight seeking approval of negotiations with Central Mortgage and Housing Corporation for a parking lot that we also start the machinery going for rezoning."

Alderman Lloyd: "Had we taken this action on Water Street, then there would have been a definite direction and a commitment on the part of Council to rezone. The hearing is important because we had residents of Brenton Street here on several occasions asking questions. I am sure they will want to attend a hearing."

Moved by Alderman Abbott, seconded by Alderman O'Brien that the request be referred to the Town Planning Board. Motion passed.

Alderman Trainor arrived 8:30 P. M.

REDEVELOPMENT PROJECT - CLYDE STREET AREA PARKING LOT

Resolution

WHEREAS the City Council of the City of Halifax is desirous of further implementing another of the recommendations of Professor Gordon Stephenson in his report entitled "A Redevelopment Study of Halifax, Nova Scotia, 1957", presented to City Council on August 29th, 1957", presented to City Council on August 29th, 1957, with reference to the Clyde Street area.

AND WHEREAS under Section 28 of the Nova Scotia Housing Commission Act, subject to the approval of the Minister of Municipal Affairs, a municipality may enter into agreements for the joint undertaking of projects mentioned in Part III or Part VI of the National Housing Act for the year, 1954.

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AND WHEREAS Part III of the National Housing Act provides that the Minister of Public Works with the approval of the Governor-in-Council may enter into agreements with the municipality providing for payment of a grant to a municipality in order to assist in defraying the cost to the municipality in order to assist in defraying the cost to the municipality of acquiring and clearing a blighted area.

NOW THEREFORE BE IT RESOLVED THAT the Council hereby appoints the Mayor to negotiate, subject to approval by the Council of detailed plans, -

- (a) with the Provincial Government for the approval of a redevelopment project in the Clyde Street area, and to name the City as agent of the Government; and
- (b) with either the Provincial Government or Central Mortgage and Housing Corporation or both to expedite submissions covering this redevelopment project.

Moved by Alderman O'Brien, seconded by Alderman Abbott, that the Resolution be approved. Motion passed.

APPOINTMENT OF REFEREE - RE: MAITLAND STREET EXPROPRIATION

To: His Worship the Mayor and Members of City Council.

From: T. C. Doyle, City Solicitor.

Date: November 12, 1959.

Subject: Appointment of Referee - re Maitland Street Expropriation.

On Tuesday of this week, Mr. L. A. Kitz, Barrister, made a motion in Supreme Court Chambers for the appointment of a referee to determine the compensation payable to Amilene Mattar, the owner of one of the properties in the Maitland Street area.

His Lordship, Mr. Justice Patterson has appointed His Honor Judge R. C. Levy, Judge of the County Court for District Number Two, to act as Referee in this particular case.

Mr. Kitz has called me this morning to inquire, if His Honor Judge Levy is willing to act, would the City consent to Judge Levy as Referee in regard to other properties concerning which Mr. Kitz is acting for the owners, without making motions to the Supreme Court for the appointment of a referee in each case. If so, and if His Honor Judge Levy will so act, this would obviate applications to the Supreme Court and will result in saving of legal costs.

Yours truly,

T. C. Doyle,
CITY SOLICITOR.

His Worship the Mayor: "We have been reluctant to go through the process of law which permits the naming of a referee in these cases. We were holding out for a County Court Judge."

Alderman Abbott: "We are appointing a referee ourselves, aren't we?"

City Solicitor: "We are agreeing on it."

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His Worship the Mayor: "We did not want to get some person named as referee. We asked all along for a Judge of the County Court."

Alderman Ferguson: "We want the Judge for the matters pertaining to law."

His Worship the Mayor: "That is right."

Alderman Ferguson: "If Judge Levy is prepared to act, would it not be wise to have him act for these other cases?"

His Worship the Mayor: "He agreed to do this one case."

Alderman Dunlop: "Judge Levy is not sitting as a County Court Judge; he is sitting as a referee. He is entitled to be paid for his sitting."

The City Solicitor stated that Mr. Justice Pottier would try only one as a test case.

Alderman Dunlop suggested doing away with the City Charter Sections and operating under the Expropriation Act so that the Judges will have to act.

Alderman Ferguson: "Under the referee we do not have further appeal, but under the Expropriation Act, normally, we would. It may be in the earlier cases where you are setting a pattern, you may want to go through the Courts where it could be appealed whereas, with a referee, you can't."

City Solicitor: "I don't think it makes much difference. There are three methods: (1) By agreeing on a referee, (2) Judge of the County Court and (3) To make an application to the Supreme Court to appoint a referee."

Moved by Alderman O'Brien, seconded by Alderman Lane, that the report be approved. Motion passed.

ADVICE TO COUNCIL .. TENDERS .. PAVILION BARRACKS

November 12, 1959.

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Finance and Executive Committee held on November 5, 1959 the matter of tenders for the Pavilion Barracks site was again considered.

Your Committee wishes to advise that Mr. A. E. Steeves was present at the meeting in connection with a tender from Steeves and Haskett and a report will be submitted from the City Manager after conferring with Mr. Steeves and the City Solicitor.

Respectfully submitted,

R. H. Stoddard,
CITY CLERK.

FILED.

RECEPTION OF PETITIONS AND DELEGATIONS

No delegations appeared and no petitions were submitted.

STATEMENT - HIS WORSHIP THE MAYOR RE PRESS REPORT ON RENTAL CONTROL

His Worship the Mayor: "Tonight's Press carried a report from the Trades and Labor Council with respect to the Report of the Morrison Commission on Rent Control.

"I want to make this statement public --- that no member of Council has informed me in any way, shape, or form that he or any of us have appeared to water down or do anything about the Morrison Report. It has not been before the Council yet for action. My own view is that I am prepared to recommend to Council the implementation of it as soon as it is possible to do so legally. The Solicitor is now engaged in drafting or preparing an Ordinance which will enable us to take action on the recommendation of Judge Morrison. It is most unfair for any person, without foundation, to castigate members of this Council, by reason of the fact that they hold positions in this Community which may bring them more closely in connection with the rental picture than others, to say that they are opposed in any way or that they are prepared to water it down until this matter comes before Council and Council has had a chance to deal with it. I think this kind of sniping is most unfair to the members of City Council; and those persons who have remarks to make should appear here when we ask and invite these kind of comments every night we hold a Council meeting. So far as I know, no member of Council has at least discussed with me that they are prepared to water down any of the recommendations."

Alderman O'Brien: "How are the negotiations coming with the Town and the County on this?"

His Worship the Mayor: "We are meeting the week of the 24th. We have been securing model Ordinances on rental control from different parts of the Country and the United States. The Solicitor is prepared to draft something. When he has something to bring to the Committee, which is comprised of the Warden of the Municipality of the County of Halifax, the Mayor of Dartmouth, myself and the Solicitors, we will meet and try to bring something to Council."

Alderman O'Brien asked His Worship if he had any indication from either

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of those bodies as to what they would intend to do."

His Worship the Mayor: "No, I wouldn't want to comment. We would like to get together and draft a model Ordinance which we could adopt uniformly for the whole area as recommended by Judge Morrison."

TAX CONCESSION -- LORD NELSON HOTEL

Alderman Lloyd: "There is an unfortunate delay in completion of the proposed extension of the Lord Nelson Hotel. As you recall, some time ago I proposed some legislation to be considered to put a termination date on our tax agreement with respect to this project. At the time the Solicitor for the Company did make representations to us. I think we are duty bound where it is such a large project, if there are any reasonable justifications for delay, to co-operate with the promoters of such a heavy undertaking. I understand there have been other developments in connection with the matter; and I think that we should now be considering again this question because legislation will be before us sometime in February or March. If we are going to do anything in connection with it, I think it is time we approached the Solicitor for the Company and say that we are concerned about it and would like to be informed of their plans and their project because we granted tax concessions for the completion of the project. I think we were quite willing to encourage the type of construction which they proposed. If there are circumstances beyond their control, and a time factor involved which they can indicate, I, as all members of Council, I think, will be most happy to co-operate. I think the matter has now been lying in a static position too long and I think there is an obligation on the part of the operators of this hotel to the City of Halifax. We co-operated with them. I think they should now co-operate with us."

His Worship the Mayor: "Some five weeks ago I got in touch with the Solicitor for the Company and asked him to state the position of his Company and to let me know what they plan to do within a month. Weekly, I contacted him. He has failed to report to me any action the Company contemplates with respect to the completion of the building. I think we should now take action to change legislation we secured to give this Company a tax concession."

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Alderman Lloyd: "I don't think it requires a motion, Your Worship, but unless somebody objects to it, I suggest to you that at a subsequent meeting you indicate the Council did express itself informally on the matter and is now anxious to consider this proposed legislation."

His Worship the Mayor: "I think Council might well now indicate its desire to have the City Solicitor draw up legislation and submit it to the Finance and Executive Committee with respect to this question."

It was agreed that His Worship the Mayor's suggestion be approved.

LETTER - E. M. I. COSSOR LIMITED

His Worship the Mayor submitted and read the following letters:

E. M. I. Cossor Limited
Electronics

November 10, 1959.

His Worship, the Mayor of Halifax,
City Hall,
Halifax, N. S.

Dear Mr. Vaughan:

My attention has been drawn to a paragraph in the Mail-Star of November 6th, in which you are reported as having said that the City had received very poor treatment from E. M. I.-Cossor Ltd. concerning land the City had provided for construction of a plant, and goes on to refer to "the president of the parent firm".

May I take this opportunity of pointing out that any negotiations which may have taken place three years ago would have been with Cossor (Canada) Ltd. whose parent firm was A. C. Cossor Ltd. of England. In April of this year, Cossor (Canada) Ltd. was re-constituted as E. M. I.-Cossor Electronics Ltd. The controlling interest in the Company is now held by E. M. I. Electronics Ltd. and the President is Mr. C. Metcalfe, Managing Director of E. M. I. Electronics Ltd., who is in no way connected with the firm of A. C. Cossor. The land at Windsor Street which was previously the property of Cossor (Canada) Ltd. was not transferred to the ownership of E. M. I.-Cossor Electronics Ltd. but remained the property of A. C. Cossor Limited.

Any dispute which you may have over this land is therefore between yourself and A. C. Cossor Ltd. Neither the firm of E. M. I. Electronics Ltd. nor its president took any part in the original negotiations or has any interest in the land.

I should be most grateful if you would correct the impression you have given that this Company is involved in some kind of dispute with the City, with whom we hope to continue to enjoy the most amicable relationship.

Yours sincerely,

W. C. Morgan.
EXECUTIVE VICE-PRESIDENT.

His Worship the Mayor: "May I point out that I said 'Cossor Limited'? I didn't say 'E. M. I. Cossor Limited'."

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Alderman Lloyd: "'E. M. I.-Cossor Limited' are disclaiming any knowledge or any responsibility for any corporate body which negotiated with the City of Halifax for land which 'Cossor Limited' occupied?"

His Worship the Mayor: "No! Only in so far as it involved the land on Windsor and Young Streets."

Alderman Lloyd: "I think this gentleman should be reminded that we are happy to have this information and that we have instructed our Solicitor to find out just where responsibility lies, that we have some knowledge of corporation law and that Officers of Companies in Canada, as in England, can't hide behind the front of Limited Corporations."

His Worship the Mayor: "Were all the assets of 'Cossor' transferred to the new 'E. M. I.-Cossor Limited'? Apparently not all because the land still remains there."

Alderman Lloyd: "It is the first time we got any indication of that and I think it is up to us now to find out who has title, what stockholders remain and who the Officers are and so on."

Alderman Ferguson: "—and who the Legal Agent is in Halifax."

Alderman Lloyd: "I would like to find out, if at all possible, from the Registry Office of the Province, if they are incorporated in Nova Scotia and if there is any common interest. Even it may be the same Directors and this may be the reason you never got your conference promised by Mr. Carter. The only time they come forward and start crying about it is when they read something in the newspaper."

His Worship the Mayor: "—despite several letters that I wrote to Mr. Carter, our principal contact in this area for this Company."

Alderman Wyman: "What position does Mr. Carter hold in the 'E. M. I.-Cossor Limited'?"

His Worship the Mayor: "I do not know."

Alderman Wyman: "One would assume that he either was here as an Officer of 'E. M. I. Cossor Limited' or his position here was to look after a little land that 'A. C. Cossor' still holds."

His Worship the Mayor: "This is for your information. I think we should

take whatever action we can to recover."

Alderman Lloyd: "Will the City Solicitor pursue inquiries?"

City Solicitor: "We are looking into the Agreement and the deed. In view of this letter, I will have to find out whether there is a 'Cossor Limited' today."

Alderman Ferguson: "The land must be in somebody's name."

City Solicitor: "It is in 'Cossor Limited', but is there a 'Cossor Limited' in existence today?"

Alderman Wyman: "The sale of that land by the City was to 'Cossor Canada Limited'. It is a comparatively simple matter to find out if there has been any change of title. If there has been none, then it is still the property of 'Cossor Canada Limited', whether it exists or not. The only way in which the title could proceed from 'Cossor Canada Limited' to 'A. C. Cossor Limited' would be, (a) if there were actually a transfer which would be recorded; (b) if on the dissolution of 'Cossor Canada Limited', 'A. C. Cossor Limited' took over all assets."

Alderman Lloyd: "There are some very self-evident facts. There is a plant in Dartmouth constructed by Industrial Estates for some company with a word in it called 'Cossor', whether it is 'E. M. I.-Cossor Canada', 'A. C. Cossor', or some other name. Anyway, 'Cossor Limited' of Dartmouth had their building constructed by the Industrial Estates Limited. If you recall, at one time during conversation when we were talking about this land, I got the impression that this land was essential as security for the transactions they were negotiating with Industrial Estates. Surely, the Province of Nova Scotia must have some information on where the title for that land lies. I suggest that the City Solicitor make some inquiries there too."

REPORT - BICENTENNIAL HIGHWAY ENTRANCE

Alderman O'Brien: "Might I ask you, Your Worship, or the City Manager to make available to the members of Council, prior to its consideration by the Works Committee, copies of the report of the experts on the entrance of the Bicentennial Highway? I realize that sufficient copies were not available originally to the City, but they should be made available to Council. We have

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to make a decision on this sometime; and secondly, since the report contains only a summary of the terms of reference, I would like to have a copy of the letter which contained all the terms of reference prior to its consideration by the Works Committee."

His Worship the Mayor: "I think in addition to the terms of reference, there were conferences with the consultants both on the part of the Province and the visit to my office of Mr. Burns at which time I told him at least that we had hoped that they would not be bound by the terms of reference and that they would look at this as broadly as possible."

Alderman O'Brien: "Reading the report suggests that they didn't consider the terms of reference to be very broad. That is why I raised this question. If there is other evidence, like a memo from a meeting which suggests that there was an informal agreement, I think that should be before us too."

His Worship the Mayor said he would try to get copies of the report from the Department of Highways.

Alderman Lloyd asked at what stage was this proposed highway.

His Worship the Mayor: "We have had many meetings on various aspects on the proposed entrance, financial and otherwise. The most recent one is that we are awaiting a report from Mr. West on the drainage of the area. We hope to tie in the drainage of this area with a larger storm sewer."

RENTAL OF HOUSES - HYDROSTONE AREA

Alderman Connolly: "We often hear about the housing situation in Halifax and I would like to know why it is that the houses in the hydrostone area haven't been rented after two and one-half months?"

City Manager: "Four of them are rented and I am making the selection now on the basis of the advertisement in the newspaper."

Alderman Connolly: "Does it take two and one-half months to rent apartments with all the need for apartments in the City of Halifax?"

City Manager: "They weren't all vacant for the entire period, Alderman Connolly. There was also a very difficult situation with so many people wanting them. I had to find a method of procedure. What I did was first to go to the Housing Authority and say, 'Do you have any good applications which you couldn't grant in the Bayers Road area because of income?'. They turned the

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names over to me and I had to get in touch with those people. They had to fill out applications. I had to talk with them. I had to look at the apartment. We got three that way and there was one family in Wellington Court which was a very large family, actually they were in the Ticket Office, and there wasn't much hope of putting them into another place at Wellington Court because the apartments aren't big enough. Because he had a very good rent record, we put him in the hydrostone. That accounts for four. After I had exhausted those possibilities, I then put in the newspaper an ad in which I listed the four apartments which were available, listed the rent and specified that they should have at least three children and be residents of the City. People answered that ad, applications were sent out and they came back. We have to tabulate them. We have to check them for credit ratings and things like that."

His Worship the Mayor: "I think that the people of Halifax like to be assured that all persons who are in need of housing will be considered; and it won't be on a first-come, first-served basis, but that we will try to allocate these houses on the basis of need."

Alderman Connolly: "I notice that the rent for these places are almost double those charged by the Relief Commission. In view of the fact that we were in favor of a rental probe recently, do you think it is fair then for us to raise these rents to that extent?"

His Worship the Mayor: "Certainly."

City Manager: "I was told that the rentals that were paid previously were not to be the rentals for these places, necessarily. The rentals were to be established by me. Instead of charging $1\frac{1}{4}\%$ per month of the assessed value which is the pattern that was judged to be a very reasonable one, because the rent did come to a fairly high figure, I took 1% which is only 12% gross of the assessed value and a very low return on property, and it turned out that the rents varied from \$69.00 to \$93.50 plus a payment for the electricity by the person who takes the apartment and also furnishes the heat. However, some of those apartments are very large and I think the smallest is five rooms and one or more of them has seven rooms. We had to follow some sort of a pattern which would have a logical approach. I think the highest one at \$93.50 is not a terribly high rental when you realize that there are many places which are

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not new places that are renting at \$125.00. I had to follow some pattern and I felt that that was a fair pattern under the circumstances."

~~His Worship~~ the Mayor: "I expected this question to be asked and we are happy to answer it.

"With respect to the rentals charged by the Halifax Relief Commission, prior to their purchase by the City of Halifax, these were based upon the values of the building erected in 1919 at 1919 values. We purchased these houses from the Relief Commission at 1959 values. If we were able to buy the depreciated value based upon 1919 value, we would have been able to rent these places at less than what the Relief Commission was charging, but we were not able to do so. Obviously, this was not a subsidized project and was not intended to be a subsidized project, but they are in effect a subsidy because we are not getting a full recovery from them."

Alderman Lloyd: "It must have been a subsidized project from the statement you just quoted in the hands of the Relief Commission."

His Worship the Mayor: "Yes, they were then subsidized by the City of Halifax as they were tax free for a number of years."

City Manager: "I have an idea we will probably just about break even with those rents. We won't probably charge interest against the money that we spent. We had \$850.00 estimated for electrical repairs and bringing them up to the minimum standards. There were certain requests for storm windows which I don't believe we will grant because I would like to keep it at the break-even point rather than incur a large deficit."

His Worship the Mayor: "Had these buildings fallen in the hands of a few operators, real estate men, in the City, the rent would be far higher than the rent charged by the City. I think all citizens will agree upon that."

REDEVELOPMENT PLANS -- JACOB STREET AREA

Alderman Trainor asked when the plans for the redevelopment of the Jacob Street area would be ready for perusal.

The City Manager said he did not know, but probably a duplicated sheet could be prepared giving a good idea of the way it is going to look.

His Worship the Mayor said the presentation of the plans also depended upon the negotiations with the Department of National Defence for the water-

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front properties they own on Water Street. He also said it should not be forgotten that the redevelopment scheme has now been extended in principle by the Council and the key to that extension towards Water Street is the acquisition of properties belonging to the Department of National Defence.

Alderman Trainor asked what progress the City was making in acquiring those properties.

His Worship the Mayor: "We have had several meetings with them. They are conferring with the officials in Ottawa."

Alderman Trainor asked if the City were in a position to sell land in the area; and if not, when would it be possible.

The City Manager said he thought the first thing to be done is to establish some principles and ground rules as to how the land is going to be sold. "The Redevelopment Officer might well be doing some work along this line. He wouldn't be the one to actually negotiate the sale, but would be useful in determining what these properties might sell for, but that will take some time."

Alderman Lloyd: "His contribution would be purely a matter of fixing values for the land and guiding the Committee in establishing what the values would be. I think somewhere along the road we have to agree on an approach to this matter. We may even abandon one. One, for example, would be the matter of some master developer coming in and saying, 'Give us a little time', and they may take the whole thing and come up with a proposal. We may not want to do that, but those are the kind of things we have to decide. Do you want a master developer to be given the opportunity? There are such people in that field. They will come in and they will take a look at nine or ten acres and they propose to acquire the land from the City; and they propose a certain series of structures as a master development of the entire area. That would be a private enterprise.

"On the other hand, such a thing might very well, through Council's agreement with such a policy, create questions about the class and kind of structures they may erect. As a Council, we have a responsibility to the tax payers. At least we should decide, among ourselves, whether that is one of the ground rules the City Manager is referring to. Secondly, you have to get down to deciding

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the development of the entire area; and before you can sell off one parcel, you must know your program for the entire area. What is required, is to have it come forward because there are people just waiting to see what this is going to develop into. There are people in the area who would like to reconstruct if they are permitted in the area. If a motel is built on the Pavilion Barracks site, I can see it generating interest on the part of businessmen on the opposite side in the development area on Brunswick Street. I think it is a matter of timing and organization."

His Worship the Mayor: "We had a visit about two weeks ago from a representative of a central Canadian business firm who walked about the area and spent several days in Halifax talking to business people, assessing the need that might appear during the next couple of years. They are going to go to national organizations in Toronto and Montreal to see whether or not these firms need additional space here; and if they can find a suitable climate for their operations, they will be prepared to make a proposition for all or part of the redevelopment area."

TENDERS FOR EQUIPMENT - WORKS DEPARTMENT

To: His Worship the Mayor and Members of City Council.

From: Committee on Works.

Date: September 22, 1959.

Subject: Tenders -- Equipment - Works Department.

The Committee on Works at a meeting held on the above date, considered the tabulation of tenders from the City Manager and Commissioner of Works for the purchase of new equipment for the Works Department. Acceptance of the following tenders were recommended.

Item #1.	One front end tractor shovel (Rubber tire mounted) (Industrial Machinery, Halifax)	\$24,885.83
Item #2.	One 10-ton Self-Propelled Pneumatic Tired Roller (Coleman Machinery, Halifax)	\$ 6,671.31
Item #3.	One 1959 Truck Chassis (24,000 G.V.W.) (Scotia Chev-Olds Ltd., Halifax)	\$ 4,850.00
Item #4.	One front end tractor shovel (Track Mounted) (N. S. Tractor & Equipment Ltd., Halifax)	\$16,078.30
Item #5.	One Bulk Salt Spreader (Mussens Canada Ltd., Halifax)	\$ 2,498.26

On motion of Alderman Trainor, seconded by Alderman Greenwood, the

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recommendations of the City Manager and Commissioner of Works were approved and recommended to City Council.

Respectfully submitted,

K. C. Manton,
CLERK OF WORKS.

His Worship the Mayor stated that Items 3 and 5 had been finalized at previous meetings of Council and the Items 1, 2 and 4 had been deferred at the October 15th meeting of Council to give the Commissioner of Works an opportunity to render a report. His report follows

To His Worship, Mayor Vaughan and Members of the City Council.

From G. F. West, Commissioner of Works.

Date October 12, 1959.

Subject Equipment Tenders.

An article which prompted headlines in the September 26th 1959 issue of the Halifax Mail-Star regarding the handling of a certain City tender was brought to my attention recently during my absence from the City. The article states that Industrial Suppliers Ltd. sent a letter of protest to the Mayor and City Council charging "that a recent tender call unnecessarily limited competition and could cost Halifax taxpayers thousands of dollars".

I did not receive a copy of the letter referred to and can only comment on the press report. We advertised for tenders on August 24 1959 with the deadline for submissions on September 8, 1959. This gave a period of 14 days for all interested parties to question any details of the specifications and prepare tenders. Industrial Suppliers Ltd. apparently decided to wait until the tenders were opened to register complaints.

The main questions raised by Industrial Suppliers Ltd. (according to the press) are as follows:

- Q-1 That the tender call eliminated competition by our engine requirements.
- A-1 We feel this charge is entirely without foundation. The specifications called for "a 6 cylinder diesel engine 'similar or equivalent to' CUMMINS IN6-B1 of the 4 cycle type, capable of developing at least 120 horsepower at a governed speed not in excess of 2300 rpm.

There is nothing original or mysterious about the term "similar or equivalent to" as used in our specifications. Most specifications are written this way and indeed all Canadian and American Government specifications have similar provisions. Furthermore, the specifications for our One and One-Quarter Million Dollar Incinerator and the Multi-Million Dollar Mulgrave Park Housing Project use like terms consistently throughout

It is interesting to note at this point that of the eight tenders received, five have Cummins Diesel engines and a sixth has an engine acceptable to us. This means that SIX of the eight tenders meet our engine specifications and obviously refutes the statement that our tender call eliminated competition because of engine requirements.

Industrial Suppliers Ltd. tendered on a 105 horsepower 3 cylinder 2 cycle General Motors diesel which cannot by any stretch of the imagination, be considered equivalent to a 120 horsepower 6 cylinder 4 cycle diesel engine.

The General Motors diesel does not have the necessary power for the work intended and would be more costly to operate.

Q-2 That in the words of the manufacturer the Nelson Loader "meets and in fact exceeds the specifications in all respects, except the engine".

A-2 We do not agree that the Nelson Loader exceeds or even meets our specifications in all respects except the engine. In our opinion and according to the manufacturers literature, the Nelson Loader does not have the required gross vehicle weight. We specified a minimum of 23,000 pounds. The manufacturer shows the weight of the Nelson Loader to be 21,500 pounds.

Industrial Suppliers Ltd. submitted a typewritten sheet with their tender showing the weight of the Nelson Loader to be 23,500 pounds but without supporting data.

We experienced a similar incident a few years ago when a local supplier brought a factory representative from Chicago in an attempt to support his claim that a certain machine was heavier than that shown by the manufacturer. The claim of the local dealer could not be substantiated and the tender was awarded to another vendor meeting the specifications.

The weight of the machine recommended in this case is 24,000 pounds plus.

In addition to earthwork the machine requested will be used extensively for snow plowing and we have found that our heavier Road Maintainers with minimum gross vehicle weights of 23,000 pounds and 6 cylinder, 4 cycle, 115 horsepower diesel engines are the most efficient hill plows. Any new equipment purchased for this type of work must, therefore, meet the same or higher standards. We are convinced that a 105 horsepower 3 cylinder 2 cycle diesel engine is not adequate for use in machines which are subjected to such rugged work.

Q-3 Surely those responsible for making up these specifications would not presume to tell manufacturers what make, type and horsepower engine they should use to obtain a given performance.

A-3 We have no desire or intention to tell manufacturers what type of engine to use but by the same token, we feel that a manufacturer or salesman is in no position to tell us that we should use an inferior machine to do a job which we know from experience requires a machine of certain minimum specifications.

Q-4 Therefore by accidental or intentional inclusion of engine details in the specifications it will cost the City over \$5,000 etc.

A-4 This statement is most misleading and leaves one with the impression that the City should purchase a Nelson Loader from Industrial Suppliers Ltd. in order to realize this saving. It should be clearly understood that we called for a machine of a certain capacity. In our opinion the Nelson Loader does not have that capacity. If we had wanted a smaller machine, our specifications would have been written accordingly. If there is any tendency to accept Industrial Suppliers Ltd. theories, it should be clearly understood that other dealers can supply a lighter machine which would be competitive with the Nelson. In fact, the supplier of the 24,000 G.V.W. machine, which was recommended, can supply a lighter machine which would, I am sure, be competitive in price and probably superior in performance to the Nelson. It appears to us that the easiest way to discourage competitive bidding is to follow Industrial Suppliers Ltd. reasoning and award a tender for a machine which is below the capacity required without giving other bidders a chance to meet the lower standards. We would strongly recommend against the acquisition of a smaller machine than the one specified originally.

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It was stated in the newspaper report that the highest tender was recommended. This is definitely wrong. Not the highest, but the second highest tender was recommended.

Summary:

1. The Nelson Loader does not meet our specifications in that:
 - (a) it does not have the required gross vehicle weight,
 - (b) the engine does not have the required capacity.
2. Competition was not eliminated by our engine requirements -- six of the eight tenders received meet our engine specifications.
3. The highest tender was not recommended.
4. Our recommendation will not cost the City over \$5000 as suggested by Industrial Suppliers Ltd. Unless we compare machines in the same specification range, it is impossible to claim a saving of the magnitude stated. Other dealers could tender on a machine comparable to the Nelson Loader if a lower capacity had been specified. It is not unreasonable to assume however, that Industrial Suppliers Ltd. may not be the low bidder under such circumstances, in which case, they would not be instrumental in saving the City any money.

Industrial Suppliers did not tender on a machine comparable to the recommended tender and their statement concerning a \$5000 saving is baseless.

G. F. West,
COMMISSIONER OF WORKS.

GEW/fm

His Worship the Mayor said that the items would be considered separately.

Item No. 1 - One Front End Tractor Shovel

Moved by Alderman Greenwood, seconded by Alderman Butler, that the recommended tender of Industrial Machinery Ltd. in the amount of \$24,885.83 be accepted.

His Worship the Mayor said that the firms which had bid on the equipment had been written and invited to attend this meeting, and he asked if any person representing the bidders wished to be heard.

Mr. Grant, representing Eastern Equipment Ltd., said that the specifications appeared to be written around one particular type of equipment; and he contended that there are other types of equipment which met the specifications based on horsepower, weights, etc. for which some of the tendered prices are lower than that of the recommended equipment. He asked if the Commissioner of Works would explain his reasons for calling general tenders when he had a particular piece of equipment in mind.

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His Worship the Mayor referred to the report of the Commissioner of Works and read his remarks respecting Item 1; and he continued, "There is also the question of whether the tenderer would have brought in a lower price than that recommended, if he had quoted on the other type of machine."

Mr. Josey, representing Industrial Suppliers Limited, appeared next and requested permission to ask the Commissioner of Works if the Industrial Machinery Limited's tender was the only one which met the specifications completely.

Commissioner of Works: "It is the only one that met the specifications, but it is not the only one that could have met the specifications had they tendered on the machine of the same capacity. Some of these suppliers will bid on a suitable machine, but of a smaller model and hope by this means, I suppose, that we would take their smaller model rather than the one specified."

Mr. Josey: "Your Worship, the reason for that is confusion in the specifications. The general specifications call for a one and one-half yards capacity machine. Then, it goes on to list the specifications for a larger machine. You will note from the recap that some people bid on another machine which was larger and some bid on a smaller one."

Commissioner of Works: "When the gentleman talks about 'larger', he is talking about a very minor point when he is talking about bucket capacity. We are talking about horsepower, gross vehicle weight and so on. Whether or not you have a yard bucket or a yard and one-sixteenth really doesn't matter. You have to draw the line somewhere."

Mr. Josey: "It would have been clearer to everyone concerned if no bucket capacity had been enumerated, just the other specifications. Then, all suppliers would have been on the same footing. The way it was, some bid on a yard and one-half and some on two and one-half."

His Worship the Mayor: "Mr. Josey, did you on behalf of your Company make any representation to Mr. West before the tenders were closed with respect to specifications being unfair?"

Mr. Josey: "I brought the point to the Works Department and I also understand that another supplier brought the question to the Purchasing Department before tenders were closed."

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His Worship the Mayor: "What person did you speak to in the Works Department?"

Mr. Josey: "Mr. Copp."

His Worship the Mayor: "Mr. Copp is a subordinate of Mr. West. Mr. West wrote the specifications. I think you should direct your questions to Mr. West."

Mr. Josey: "I believe Mr. Copp was doing the specifications under Mr. West."

No further persons wished to be heard on the item.

Alderman Dunlop asked if the Works Department already had any of the recommended type of equipment at City Field at the present time.

The Commissioner of Works replied in the affirmative and said: "We don't care where the machinery comes from if it meets certain specifications."

Alderman Dunlop said if a person has had satisfaction with a certain type of machinery, you would certainly want the same type when purchasing a new one.

His Worship the Mayor: "---or the equivalent machine by some other manufacturer."

Alderman Dunlop: "I think most people who use equipment like to have one type of equipment."

His Worship the Mayor: "We have many types of heavy equipment."

Alderman Dunlop: "Perhaps we have too many types."

City Manager: "We are not wedded to the idea of one type of equipment because the Council at one time, when we wanted to buy six trucks, split them three ways, and said, 'This will give you a chance to compare one against another'. We sort of figured that that was an expression of policy. I think Alderman Dunlop is correct in saying that it is nice to have one type of equipment because the men become more familiar with it. We haven't stuck to that too much because we felt that maybe you didn't want us to do it."

Alderman Dunlop: "When we bought those trucks, you had no experience with their performance; and the purpose in buying three trucks was to get a record of the experience factor so you would know for future purposes. It wasn't policy, at all."

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Alderman Lloyd said there were two aspects to this matter. One was that this could be taken just as a criticism that some improvement could be brought about in the tender form and the tender specifications; and he said that if you go beyond that, you get into all kinds of involvements. "So far, the only evidence that we have sought are some differences of opinion, not only with just one supplier, unfortunately, but with three companies who have expressed themselves on this matter. I think it is fairly obvious that unless we had very strong evidence after hearing these comments from the Commissioner of Works, and those of the bidders who feel that the terms were intended, in their opinion, to shut out their tender consideration, that the matter of calling for specifications on this type of equipment should be a separate consideration; because, otherwise, you are going to get involved in disclosed tender figures under this issue and the ultimate action, if you agreed with the contention of those who are criticising our procedure would be that you would have to call for tenders again. Those tenders would then be disclosed. I think that the criticism is fundamentally intended as saying, 'Look, this has happened'. They may have some belief that it has happened before. I don't know, and I think if we could deal with this one, dispose of it, but leave the door open to the suppliers and say, 'Look, if you are still unhappy about this, please come forward, now, before we get into another purchase of equipment and get together, the Board of Works, or the Commissioner of Works, the City Manager -- we will be happy to thrash this thing out so that the tender form in future, if possible, will meet all of your sensibilities on the subject of fair tenders' -- if such a thing can be brought about. It may be, if you get it away from the issue over one particular machine, that I think the atmosphere for discussion of the tender calls would then be, perhaps, less competitive and I think you are right to get a more constructive criticism of it than you would otherwise.

"The second point then would be to open the door and invite any of the machinery people to carry this matter forward to the City Manager or to the Council, if they wish, or to the Board of Works if they wish; and express in general terms some guide lines for future tendering."

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Alderman Lane: "I had two letters, as I recall, and I had a telephone call on this subject when it came up, originally; and, basically, the complaint that was expressed to me in the telephone call was this — that if it was the desire of a department of the City to have a specific item because it was giving satisfaction, why, then, put the various suppliers to the time and the expense involved in tendering. After all, as we, who pay wages by the hour, well know, time is money; and these people pointed out that the time of their officials and staff is taken to study the tender, working it out, seeing if they have a machine that will serve. There is a definite atmosphere that in this particular instance a particular machine was required and the description fitted a particular machine. Why then, send it to anyone but the person who could supply that machine? That is the impression that I carried throughout this incident and I think, perhaps, the officials will keep that in mind in the future that if they do require a special machine they should specify so and only invite tenders from the firms which can supply that particular machine."

His Worship the Mayor asked the Commissioner of Works if there are other machines manufactured that would meet specifications in addition to the one tendered on by Industrial Machinery.

Commissioner of Works: "To my knowledge there are. There is one very important thing on which I might comment with respect to the calling of tenders. We look into this thing quite thoroughly and we have developed over the last few years a specification which I feel is second to none — a specification that is very clear, very easy to tabulate and there is no question at all. If there may be a bucket of 1.5 or 1.6, it is a very minor point, actually. We wouldn't, certainly, turn down a tender if it met other requirements. Now, these suppliers, (and I don't blame them for trying every means, I suppose, to sell their equipment) but, we would certainly not recommend to City Council any machine that we felt would not do the job required. After all, our men operate the machine and our superintendent supervises their operations; and if they are called out at three or four o'clock in the morning to do a job and if we are forced to take a machine which we feel won't

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do the job or which actually by performance does not do the job, it certainly is small consolation to say, 'Well, so and so said it can do the job', when we know it can't.

"Now, there are two very important points from these letters you received, Your Worship. It is alright to say that they met the specifications on some of the minor points and even some of the very important points, but there is one particular machine, (the representative spoke here tonight) that lacks one very important thing as far as we and the operators are concerned and that is the type of bucket arm that lifts this bucket or snow plow, or whatever they are working with; and it is a definite hazard as far as we are concerned, to the operator. If it came to a decision between two particular machines and one had the type we wanted and the other had the type which would be dangerous to the operator, then by all means we would recommend to City Council the one that would afford us the most protection to the operator.

"Another spokesman here tonight claimed in a letter to the Press that the statement made to the Press and to you, in a letter, Sir, are very misleading and very inaccurate. In that particular case, he meets specifications up to a point, but his machine just doesn't have the power we call for. As I described in my memo, a three-cylinder diesel engine of a horsepower we don't desire can't be compared with the six-cylinder, 120 horsepower, four-cycle diesel motor and without going into the technicalities or the theory of diesel motors, I can say that it is more expensive to operate. At low loads it doesn't develop the power or the torque we require which is an important factor when you consider the number of hills we have to plow. Also, the fuel consumption is more for the three cylinder two cycle than it is for the six-cylinder four-cycle engine. Issues can be made of these things, but to me when it comes down to the fine point, we are working in the best interests of the City for the protection of our workers and for the performance on the job in handling these types of work we run up against. Any suggestion at all of tenders being unfair or of any discrimination, I would like to take exception to that."

Alderman Lloyd: "On a question of procedure, whether the criticism is

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fair or not is the responsibility of this Council."

His Worship the Mayor said that where a person is named in the criticism, or the criticism is made of a recommendation over his signature he has a right to defend himself.

Alderman Lloyd: "He has the right to defend himself in this way -- that he can answer the criticism and give his answers as to why he did what he did, and I, for one, will defend his right at any time to do that; but when it is to decide whether or not the criticism is fair or not, I think that is our responsibility in the final analysis because under our system of operation, now, and, in fact, since we have had the City Manager, it is the responsibility of the City Manager to see that the specifications are fairly drawn. He is responsible for that. He can delegate powers down the line and to responsible officers and call them forward to defend their recommendations to him, and all that sort of procedure. But, in the final analysis, the City Council by the City Charter delegates to the City Manager and the staff under him the responsibility for fair tender specifications. We are in the position of judging whether or not, in our opinion, their actions have been fair. We take no part in the specifications at all; and I think that whenever a criticism is leveled it is our job to sift it out to see, (and certainly, when there is more than one or two criticising it, then I think it is a warning to us) that, perhaps, the specification procedure might be examined by the Board of Works for the future just to show that we welcome at any time from suppliers any criticism that suggests that there is some unfairness in the tenders. That is our job as I see it."

The motion was put and passed.

Item No. 2 - One 10-Ton Self-Propelled Pneumatic Tired Roller

Moved by Alderman Ferguson, seconded by Alderman Greenwood that the tender of Coleman Machinery Limited in the amount of \$6,571.31 be accepted. Motion passed.

Item No. 4 - One Front End Tractor Shovel

Moved by Alderman Ferguson, seconded by Alderman Greenwood that the tender of N. S. Tractor and Equipment Limited in the amount of \$16,078.30 be accepted. Motion passed.

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TAX COLLECTIONS MONTH OF OCTOBER 1959

CIVIC YEAR	RESERVES	O/S BALANCE SEPT. 1959	NEW ACCOUNTS & ADJUSTMENTS	OCT. 1959 COLLECTIONS	O/S BALANCE OCT. 1959
1957	92,711.28	159,460.14		16,264.74	143,195.40
1958	95,042.00	351,919.32	DR. 12.84	19,192.63	332,739.53
1959	104,270.58	1,219,573.48	DR. 7,113.41	87,807.38	1,138,879.51
		1,730,952.94	DR. 7,126.25	123,264.75	1,614,814.44
TAX YEARS PRIOR TO 1957 (COVERED BY RESERVES)				5,715.90	
				<u>128,980.65</u>	
<u>POLL TAXES</u>					
1954		11,074.99		205.25	10,869.74
1958		10,277.67	DR. 5.00	589.83	9,692.84
1959		55,335.20	DR. 16.00	2,631.11	52,720.09
				3,426.19	
POLL TAXES OTHER THAN LISTED ABOVE				830.61	
				<u>4,256.80</u>	
TOTAL COLLECTIONS IN OCTOBER 1959				133,237.45	
TOTAL COLLECTIONS IN OCTOBER 1958				<u>292,661.26</u>	
CURRENT TAXES COLLECTED JAN. 1st to OCT. 31, 1959				7,588,989.44	
CORRESPONDING PERIOD 1958					7,318,579.80
TAX ARREARS COLLECTED JAN. 1st to OCT. 31, 1959				657,657.55	
CORRESPONDING PERIOD 1958					743,785.09
POLL TAX COLLECTIONS JAN. 1st to OCT. 31, 1959				168,462.20	
CORRESPONDING PERIOD 1958					175,126.10
				<u>8,415,109.19</u>	<u>8,237,490.99</u>
				AMOUNT COLLECTED JAN. 1st to OCTOBER 31st	%
TAX LEVY 1959		8,692,401.33		7,588,989.44	87.31
TAX LEVY 1958		8,437,086.76		7,318,579.80	86.74
TAX ARREARS JANUARY 1st 1959		1,232,763.37		657,657.55	53.35
TAX ARREARS JANUARY 1st 1958		1,279,244.14		743,785.09	58.14
TOTAL COLLECTIONS TO OCTOBER 31, 1959				8,246,646.99	94.87
TOTAL COLLECTIONS TO OCTOBER 31, 1958				<u>8,062,364.89</u>	<u>95.56</u>

Respectfully submitted,

H.R. McDONALD,
CHIEF ACCOUNTANT.

Council,
November 12, 1959.

LEGISLATION - SECTION 512 - CITY CHARTER

Deferred for one month.

ADMINISTRATIVE REPORT FOR OCTOBER, 1959

A report was submitted from the City Manager for the Month of October and same is attached to the original copy of these minutes.

Filed.

POLL TAX REPORT - QUARTER ENDING SEPTEMBER 30, 1959

To: His Worship the Mayor and Members of the Finance and Executive Committee.

From: J. L. Leitch, Deputy Commissioner of Finance.

Date: October 30, 1959.

Subject: Poll Tax Collections for Civic Quarter ending September 30, 1959.

Your Worship and Aldermen:

I attach hereto a report from the City Collector covering Poll Tax collections for the third quarter ending September 30, 1959, showing an overall decrease of \$6,187.76 for the nine-month period.

Respectfully submitted,

J. L. Leitch,
DEPUTY COMMISSIONER OF FINANCE.

Filed.

INVESTITURE IN OTTAWA - INSPECTOR HAROLD McISAAC - ST. JOHN'S
AMBULANCE ASSOCIATION

56 Windsor Street,
Halifax, N. S.,
November 6, 1959.

His Worship the Mayor,
Members of City Council.

Please accept my heartfelt thanks for your kind assistance in making it possible for me to attend the St. John's Ambulance Association Investiture in Ottawa on October 23rd; also, for your very welcome letter of congratulations.

Yours respectfully,

Harold McIsaac,
POLICE DEPARTMENT.

Filed.

Meeting adjourned.

9:30 P. M.

City Clerk

CMD-163-59.

To: His Worship, C. A. Vaughan, and Members of the City Council.
 From: A. A. DeBard, Jr., City Manager.
 Date: November 10, 1959.
 Subject: Monthly Administrative Report for October, 1959.

<u>1. Building Permits.</u>	<u>No</u>	<u>Value</u>
<u>New</u>		
Single Dwellings	6	70,950.00
Multiple " (23 units)	1	150,000.00
Garages	10	7,542.00
Commercial	7	488,000.00
Institutional	1	500,000.00
Government	1	19,500.00
 <u>Repairs & Conversions</u>		
Single Dwellings	122	43,954.00
Multiple "	45	21,156.00
Garages	7	849.00
Commercial	48	241,350.00
Institutional	2	1,250.00
	<u>250</u>	<u>1,544,551.00</u>
 <u>Demolitions</u>		
Single Dwellings	2	500.00
Multiple "	2	2,700.00
Garages	3	80.00
	<u>257</u>	<u>1,547,831.00</u>
	<u>1958</u>	<u>1959</u>
Building Permit Fees	2,005.54	1,340.40
Plumbing " "	195.40	117.75
	<u>2,200.94</u>	<u>1,458.15</u>

<u>2. Demolitions</u>	<u>No. & Ass'd. Value</u> <u>1956-1958</u>	<u>No. Ass'd. Value</u> <u>1959</u>
Buildings demolished by owners to make way for new development	131 \$831,140.00	66 \$507,930.00
" initiated by City & owner complied	50 69,225.00	46 36,150.00
" initiated by Committee on Works	65 96,295.00	10 21,310.00
" initiated by City and permitted to stand	4	0 -
" presently being processed for demolition	---	322 -
" under investigation for demolition	---	61 -
" ordered demolished by Building Inspector	---	72 -

1. Streets & Sewers

Square number of streets stoned and oiled	7,742
Square yards of streets scalloped	6,439
" " " graded	25,328
Tons of hot patch used on paved streets	127
" " " stoned and oiled streets	186
Cubic yards of material used on streets (fill)	2,357
Number of square yards applied with dust layer	5,999
" " " of sidewalk repairs	455
Lineal feet of curb and gutter repairs	240
Number of street signs erected	7
" " " maintained	20
Cubic yards of material used on potholes	28
Number sewer connections cleared and cleaned	4
" of catchpits repaired	4
" " " constructed	14
" " manholes repaired	15
" " " constructed	2
" " junctions installed	17
Miles of street swept by hand	551
Miles of paved streets swept by machine	1,322
Lineal feet of new sewer	457

4. Garbage and refuse

2,450 tons of garbage and refuse were collected, of which 327 tons were burned, together with 2,311 tons of privately collected materials. The total amount processed 2,638 tons, with incinerator in operation 291 hours. Waste paper collected 107 tons, 148 hours

5. Prefab Housing

Houses completely paid	490
Current Accounts	322
Original number of houses	712

Current Accounts

5% interest rate	92
7 1/2% " " "	230
	322

Mortgages Receivable, September 30, 1959	643,436.41
" " " October 31, 1959.	635,960.74
Amount decreased during the month	7,475.67

Bank Balance, September 30, 1959	22,897.34
Increase during October	10,574.40
	33,471.74
Paid against Emergency Shelter Balance	15,000.00
Bank Balance, October 31, 1958	18,471.74

Emergency Shelter Capital Balance	213,562.05
Charged to Prefab Capital - 1958	100,000.00
	113,562.05
Profit - 1958	1,023.93
	112,538.12
Charged to Prefab Capital, 1959	82,000.00
Emergency Shelter Capital Balance	30,538.12

104 Accounts two or more months in arrears.

Sewers - Progress Report No. 7-59

Sewer Rehabilitation - Schedule "C" - Capital 52-1

Street	Size	Start	This	Feet Laid		Completed
				Prev.	Total	
Mackintosh St. - Sanitary	8" Transite	May 12/59	-	340	340	79%
Sewer (Lady Hammond to Forrester)	12 "	Sept. 19/59	-	150	150	75%
Mackintosh St. - Storm	15" Conc		200	198	398	92%
Lady Hammond to Forrester						
Bayne St. - Sanitary	8" Transite	May 29/59	-	304	304	84%
Mackintosh to dead end						
Bayne St. - Storm	12" Conc	June 26/59	-	300	300	90%
Mackintosh to dead end						
Mackintosh - Sanitary						
Forrester to M.L. #6	18" Transite	Oct. 27/59	80	-	80	67%
and outlet	36" Armco	Oct. 19/59	120	-	120	60%
(Outlet combined)						
Mackintosh - Storm	36" Armco	Oct. 19/59	130	-	130	85%
Forrester to M.L. #6						
Warrington St. from						
Mackintosh to Abattoir	12" Transite	Sept. 22/59	464	117	581	Oct. 5/59
Sanitary	18" Conc.	Oct. 9/59	568	-	568	Oct. 19/59
Storm	24" Conc.	Sept. 22/59	5	30	35	Sept. 23/59
Forrester St. from						
Incinerator Bldg. to						
Mackintosh St. - Sanitary	12" Transite	Sept. 1/59	-	233	233	75%
Storm	18" Conc.	Sept. 16/59	-	208	208	90%
Windsor St. Storm	24" Conc.	Oct. 1/59	400	-	400	60%

Special Borrowing - Capital 52-10

Hove Ave. - Tunnelling	66" Armco	Sept. 2/59	75	50	125	60%
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Pinewood Acres Schedule "C" Capital 52-9

Ascot Ave.	12" Conc	Sept. 21/59	256	-	256	Oct. 20/59
Dutch Village Road						
(at Pinewood Acres)						
Sanitary	10" Transite	Oct. 13/59	303	-	303	60%
Storm	12" Conc.	Oct. 22/59	360	-	360	55%

Sewer Rehabilitation - Schedule "D" - Capital 52-2

Regent Road	60" Armco	Aug. 12/59	157	134	291	100%
C. N. R. Tracks	48" Conc.					
MacCullochs to Mumford Rd.		Aug. 6/59	112	219	331	25%

Stone and Oil Streets - Progress Report No. 5 - 1959

New Work Schedule I - Current Budget (3-1-1)

STREET	From	To	Length	Start	Completed
Leads St.	Highland Ave.	Leaman St.	850	Sept.23/59	Oct. 23/59
Desmond Ave.	Bayers Rd.	Dead End	900	Sept.24/59	90%
Oxford St.	Maxwell Ave.	Claremont St.	300	Sept.30/59	90%
Maxwell Ave.	Windsor St.	Oxford St.	700	Sept.30/59	90%

Seal Coating Stone and Oil Streets - Schedule II - Current Budget (3-1-2)

Progress Report No. 4 - 1959

Glenbrook Ave.	Tower Rd.	Robie St.	1100	Oct. 30/59	Oct. 30/59
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Paving - Progress Report No. 5 - 1959

New Work - Schedule "A" - Capital 51-3

STREET	From	To	Length	Start	Completed
Ashburn Ave.	Abbott Dr.	Bayers	770	June 15/59	Oct. 29/59
Connaught Ave.	Bayers	Regent	1367	June 26/59	Oct. 30/59
W/S					
Parmit St.	Dublin	Oxford	617	Sept.22/59	Oct. 1/59
Grey St.	Barrington	Dead end	160	Oct.27/59	40%
Ariz St.	Barrington	Dead end	160	Oct.28/59	40%

9. Sidewalks - Progress Report N. 5/59

Schedule "B" - Capital 51-2

STREET	From	To	Length	Side	Total Length	Work Started	Completed
Bayers Rd.	Oxford St.	Windsor St.	1000	N	1000	C&G July23/59	100%
Commission St.	Lady Hammond Rd.	Station 8 + 00	800	B	1600	C&G Sept.8/59	100%
Elliott St.	Existing	Ashburn Ave.	300	S	300	C&G July29/59	10%
Desmond Ave.	Bayers Rd.	Scot St.	950	B	1900	S,C&G,S Aug6/59	85%
Windsor St.	Connaught Ave.	Kempt Rd.	1000	B	2000	S,C&G,S Sept14 ⁿ	80%
Howe Ave.	Railroad Cr.	Dutch Village	450	B	900	C&G Oct.7/59	90%
Franklyn St.	Balmoral Rd.	Chain Rock Dr.	350	B	700	C&G Oct.15/59	90%
Chain Rock Dr.	Franklyn St.	Balmoral Rd.	800	B	1600	C&G Oct.15/59	90%

Traffic Improvements - Schedule "H" - Capital 55-27

Rainnie Drive and Brunswick Street Intersection	S/W	C&G	Sept.29/59	60%
Connaught Avenue & Quinpool Road Intersection		C&G	Sept.30/59	75%
Connaught Avenue " Chebucto Road Intersection		C&G	Oct. 1/59	75%

10. Rental Parking - Progress Report - 3 - 1959

Area	July -September Inclusive	October	Total to Date
A	591.00	202.00	793.00
B	292.00	177.00	469.00
C	240.00	120.00	360.00
D	-	25.00	25.00
	1,123.00	524.00	1,647.00

Legend

- Area A --- Redevelopment Area - Duke and Grafton Streets
- B --- Sackville and Bell Road
- C --- City Snow Wharf - Water Street
- D --- Gottingen Street at Rainnie Drive - 1 special card issue.

11. Fire Alarm Telegraph

Number of fire alarm boxes tested and inspected	295
Transmitter alarms from PBX	23
Alarms from street	29

Number of day calls for traffic lights
 4 calls for lamp replacement
 8 calls for dispatcher trouble

Number of night calls for traffic lights
 7 calls for lamp replacement
 11 calls for dispatcher trouble

One new set of fixed time traffic lights installed at the corner of Barrington Street and Spring Garden Road. These were put in commission on October 15, 1959.

Number of wiring inspections made - 266
 Revenue from wiring inspection fees - \$820.69

12. Claims

L. A. McIsaac	Light Standard	\$60.00
George Taylor	City Electrician's vehicle	40.95
Wm. H. Noonan	Stop sign	25.00
Ronald Ross	Police Motorcycle	23.83

13. Grants

Council Maritime School of Social Work Grant \$500.00
 26 Graduates of school in service in Halifax. 119 students in last ten years from other parts of Maritimes. Student expenditures estimated at \$125,000.00 for out of Halifax students.

Public Gardens Staff Halifax County Horticultural Association - aid with flower shows.

14. Personnel

On recommendation of the City Solicitor I have appointed Mr. Leonard Mitchell, Deputy City Solicitor, retroactive to October 16, 1959. A salary range for this position was established by Council on October 15, 1959.

Deed Transfer Tax

	Aug. - Sept. 1959	October 1959	Total to Date
Total number of deed transfer tax returns	140	89	229
Deed Transfer Tax Returns (no tax)	28	11	39
" " " " Relating (Tax Paid)	112	78	190
Number properties transferred (Tax Paid)	112	75	187
Amount of revenue	\$8,709.74	\$6,510.55	\$15,220.29

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C. A. Vaughan,
MAYOR AND CHAIRMAN.

R. H. STODDARD,
CITY CLERK.

Council,
November 26, 1959.

The City Clerk advised that the matter had been duly advertised and that no written objection had been received.

Mr. John Milson addressed Council in opposition to the proposed rezoning advising that five homeowners in the area concerned were present, and a petition signed by the majority of homeowners had been submitted also opposing the application.

Alderman Trainor asked if the people who objected to the application lived in close proximity to the site and was advised by Mr. Milson that his lot is No. 36, Mr. Burton, Jr., is No. 37, Mr. Martel has Lot No. 43, Mr. Purcell is building on Lot No. 42, Mr. Burton is on Lot no. 39 and Mr. Moore is on Lot No. 38, and the next three properties are occupied by private families.

Mr. Milson: "My main point is that these streets have been made a mess of already. We have invested \$16,000.00, \$18,000.00 and \$20,000.00 in homes up there and before we get a chance, we have already six apartments on one side of the street, and they want to start on the other side." He said that it is only a short street and he said that more apartments mean more cars on the street; and he contended that the erection of an apartment building on that site will tend to depreciate the value of the houses in the area.

He continued: "This is 'spot rezoning' and I can't see any sense in City Council or Professor Stephenson zoning a property or district, and have it kicked around after that."

He said that the first rezoning of several lots on Lynch Street has been passed in the winter time and the property owners had been too busy with the building of their homes to avail themselves of an opportunity to object to the rezoning at the time of the public hearing, and he concluded by objecting to the removal of what he termed two old shacks from Göttingen Street and placing them on the same street with their expensive homes.

His Worship the Mayor: "How many houses are single family dwellings?"

Mr. Milson replied that all the houses on Lynch Street are single-family dwellings and there are no basement apartments; and he said that there are two duplexes on Newberry Street.

Council,
November 26, 1959

Mr. Kenneth Purcell also appeared in opposition to the application, supporting Mr. Milson's stand.

Alderman Trainor referring to a statement by Mr. Milson concerning the rezoning of the land at the other end of the street said that it had been done because of the industrial facilities behind it owned by an oil company.

His Worship the Mayor: "That is the claim of the applicant."

Mr. Milson stated that the three lots in question are quite a distance from that zoning.

His Worship the Mayor in reply to a question by Alderman Dunlop stated that the lots at the south end of the street were rezoned from R-2 to R-3 Zone.

Alderman Abbott asked if the three lots are vacant and what frontage had they.

His Worship the Mayor advised that the lots are vacant and have 50-foot frontages and depths of 100 feet, each.

Alderman Greenwood: "What is the proposal of the owner?"

Planning Officer: "The proposal was to build twelve units which would be allowed under the existing zoning, which is R-2. They could build three separate buildings of four units each. The zoning will change the situation to the extent that they can build, say, two units of six units each or one unit of twelve units. Therefore, there will be no increase in the number of dwellings on the land in question."

Alderman Abbott pointed out that it would not be permitted to build more than a duplex on each of the single lots as the frontage is only 50 feet, whereas, a 60-foot frontage is required for a multiple-unit building and he commented: "That's why we are stopping basement apartments up there."

Alderman Connolly: "Is this in error, then, coming before us if the frontage of the lots is only fifty feet?"

His Worship the Mayor said that the application was properly before the Council, and he asked if any further persons wished to appear against the proposed rezoning.

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Mr. Raymond Martel, residing at 102 Lynch Street, appeared and asked that his name be registered as opposing the application as he felt that it would not be fair to the other residents of the street to grant the application.

Alderman DeWolf noted that the first speaker had referred to the fact that more cars would be parked on the street if the zoning were changed and a 12-apartment building were erected, and he asked if adequate provision would not be made on the lot for parking for the tenants of the building.

Mr. Martel: "I think you will find that even the ones granted on the south end of that lot haven't got enough land to park because there is a fire wall there. One up the street hasn't got a backyard because there is a one hundred foot drop there. The land isn't level."

Alderman DeWolf: "I am glad that point was brought out. If a permit is given, I think it should be given on the understanding that the land will be levelled so that provision will be made for automobiles."

His Worship the Mayor: "I think it is fair to say that Mr. Milsom mentioned earlier the fact about the parking of cars. He was speaking with reference to the fact that these places are visited by people who come and cause cars to be parked in the street all evening."

Mr. Wm. Moore, 112 Lynch Street, also appeared in opposition to the proposed rezoning.

Mr. Ian MacKelgan, Solicitor for the applicants, the Commodore Company Ltd, addressed the Council as follows: "The applicant proposed to build two 6-unit buildings on the three lots, with adequate provisions for parking. The subdivision is located opposite the City Prison." He then referred to the map on display and pointed out the boundaries of the subdivision, which is south of the R.S. Allen Limited equipment-parking area, and he continued: "In that subdivision there are 72 lots, one side of which goes off in a steep drop towards the industrial property down below. The property to the rear is owned by Canadian Petrofina Limited. In those 72 lots, according to our count there are 24 lots that are completely vacant; there are 15 which are apartment buildings; there are 9 in which there is clear, apparent evidence of

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two families residing there. There are 24 with two or more families, leaving 24 single family houses or under construction.

"We suggest that from the point of view of location and surrounding properties and the kind of use being made at present that this is not a single family area and that the City would be making no mistake in permitting the application for rezoning in this case."

His Worship the Mayor: "Do I take it from your accounting of the undesirable features around the perimeter of the area you are trying to impress Council that that is not a desirable area for single-family dwellings?"

Mr. MacKeigan: "It is a part of the picture, Your Worship. The main thing is, the set-up there you have a third use which is not single-family right now."

His Worship the Mayor: "Twenty-four people were able to get a mortgage for single-family homes in the area. They were able to convince the mortgage companies that it is a good area in which to build single-family homes."

No further persons wished to be heard.

The City Clerk then read the following report:

To: His Worship the Mayor and Members of City Council.
From: Town Planning Board.
Date: October 7, 1959.
Subject: Rezone - Lots 59, 60 and 61 Lynch Street - Seaboard Investments.

The Town Planning Board at a meeting held on the above date, considered a report from the Director of Planning recommending in favor of rezoning lots 59, 60 and 61 Lynch Street from R2 to R3 provided the applicant gave their written undertaking agreeing to limit any future development on the site to twelve units.

This written undertaking was submitted to the Board by the applicant.

On Motion of Alderman O'Brien, seconded by Alderman Lane, the Board approved the report from the Director of Planning and recommended to City Council that a date be set for a public hearing.

Respectfully submitted,

K.C. MANTIN,
CLERK OF WORKS.

Council,
November 26, 1959

To: His Worship the Mayor and Members of the Town Planning Board.
From: K. M. Munnich, Director of Planning
Date: October 7, 1959
Subject: Rezoning Lots 59, 60 and 61 Lynch Street - Seaboard Investments

An application has been received from the owners of Lots 59, 60 and 61 Civic Nos. 127 to 131 Lynch Street to rezone these properties from R-2 residential to R-3 residential. (Drawing No. P100/47 refers).

These lots are situated on the west side of Lynch Street between Glebe Street and Gottingen Street in the Seaboard Investments Subdivision and are separated by nine building lots from those lots recently rezoned from R-2 to R-3 by City Council. However, in rezoning lots 71 to 79 Lynch Street this Board considered the proximity of the lots to the gasoline storage tanks in the rear and this situation does not exist for the lots in question.

As in the case of the rezoning applied for for the site at the corner of Lynch Street and Gottingen Street, this proposal bears no relation to the overall zoning in the area and if allowed without any qualification would constitute an undesirable change in the general type of development at present taking place in the vicinity.

I am, however, of the opinion that the type of development which can take place on the three lots in question under the existing By-Laws can be improved if the area of the three lots is developed comprehensively and I would, therefore, agree to the rezoning to R-3 density provided that the future development on the three lots is limited to twelve units as it would be under the present zoning. The advantage to the developer would be that the twelve units could be constructed in one block leaving larger area of the site for car parking and landscaping.

I RECOMMEND, therefore, that this Board refer a report of approval on this application to the City Council subject to the applicant giving a written undertaking agreeing to limit any future development on the site subject of the application to twelve units.

Respectfully submitted,

K. M. MUNNICH,
DIRECTOR OF PLANNING.

His Worship the Mayor (to Planning Officer): "You indicated in Council earlier this evening that it was your understanding that a person could build a four-unit apartment on this 50' x 100' lot. Was that your thinking at the time you made the report?"

Planning Officer: "That was in error."

His Worship the Mayor: "Would it change your report if you were informed at that time that you could not build a four-unit building?"

The Planning Officer requested an opportunity to study the matter further and submit another report.

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CITY OF HALIFAX
PURCHASING DEPARTMENT

TABULATION OF TENDERS FOR SUPPLIES ----- SPECIAL CASTINGS.

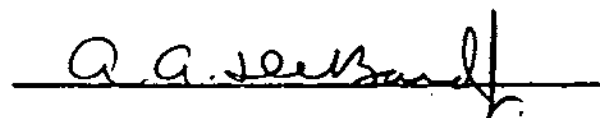
<u>ITEM</u>	<u>DESCRIPTION</u>	<u>PRICE/POUND</u>	<u>1959.</u>
No. 1	catchpit grating 16" x 20"	.135 #	.135 #
No. 2	catchpit grating 29½" x 18"	.135	.13
No. 3	catchpit frame (No. 2 old pattern)	.125	.125
No. 4	catchpit frame (No. 2 new pattern)	.13	.125
No. 5	catchpit adjustable curb section	.14	.13
No. 6	manhole cover 21¾" x 16¾"	.13	.125
No. 7	manhole frame (for No. 6)	.13	.13
No. 8	manhole cover 24" diameter	.135	.13
No. 9	manhole frame (for No. 8)	.135	.13
No. 10	street monument	.12	.12
No. 11	all other castings	.13	.13

Price advance on several items.

RECOMMENDED TENDER

Hillis & Sons, Limited

Only tender received.


CITY MANAGER

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CITY OF HALIFAX
PURCHASING DEPARTMENT

TABLUTION OF TENDERS FOR SUPPLIES - SALT.

<u>TYPE</u>	<u>DESCRIPTION</u>	<u>BURNS FISHERIES LIMITED</u>	<u>A. M. SMITH & CO. LTD.</u>
A	Salt loaded at Warehouse	\$ 1.00	\$ 1.00
B	Salt delivered City Field	1.04	1.04
C	Salt loaded at warehouse, bulk,	.98	.92

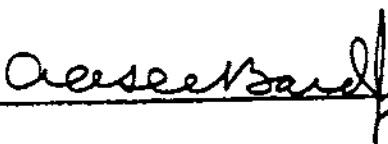
*1/24/60
T. M. M. M.*

61

NOTE - Prices same as 1959 with exception of Item "C"
Burns Fisheries Limited - increase of 6 cents over
1959 price of 92 cents.

RECOMMENDED TENDERS:

It is recommended that the salt referred to in items "A" and "B" above be purchased from Burns Fisheries Ltd. and A.M. Smith & Co. Ltd., on a equitable basis as set out in the specification. It is recommended that salt referred to in item "C" be obtained from A.M. Smith & Co., Ltd.



City Manager.

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CITY OF HALIFAX
PURCHASING DEPARTMENT

TABULATION OF TENDERS FOR SUPPLIES -- CRUSHED STONE.

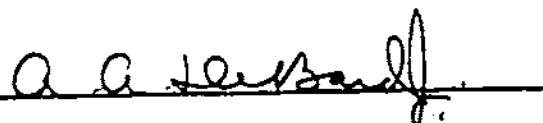
<u>TYPE</u>	<u>DESCRIPTION</u>	<u>PRICE AT CRUSHER/TON</u>		<u>1959.</u>
No. 1	Passing 3½" screen retained on 2¼"	\$	2.00	\$ 2.00
No. 2	Passing 2¼" screen retained on 1¼"		2.00	2.00
No. 3	Passing 1¼" screen retained on ¾"		2.20	2.20
No. 4	Passing 1" screen retained on ½"		2.40	2.40
No. 5	Passing ½" screen retained on ¼"		2.40	2.40
No. 6	Passing 2¼" screen retained on ½"		2.00	2.00
No. 7	1" Crusher run		2.20	2.20
No. 8	1½" Crusher run		2.20	2.20
No. 9	Oversize 3" retained in 1"		2.00	2.00
No. 10	Oversize 6" retained in 3"		2.00	2.00
No. 11	Rice stone		2.40	2.40

Same prices as 1959.

RECOMMENDED TENDER.

Municipal Spraying & Contracting Ltd.,

This was the only tender received.


City Manager.

CRUSHED STONE.

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CITY OF HALIFAX
PURCHASING DEPARTMENT

TABULATION OF TENDERS FOR SUPPLIES --- APPLICATION OF LIQUID ASPHALT MATERIALS.

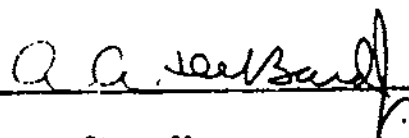
TYPE	DESCRIPTION	PRICE/GALLON	
		REFINERY	TANK WAGON PICKUP
A	for the application E.C. asphalts	4.7 ¢	3 ¢
B	for the application M.C. asphalts	5.7	4
C	for the application R.C. asphalts	5.7	4

NOTE .- Above prices same as 1959.

RECOMMENDED TENDER

Municipal Spraying and Contracting Ltd.,

This was the only tender received.



City Manager.

APPLICATION OF LIQUID ASPHALT MATERIALS.

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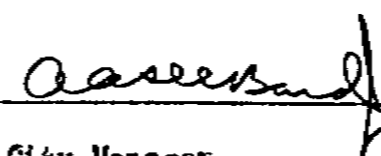
TABULATION OF TENDERS FOR SUPPLIES -- LIQUID ASPHALT MATERIALS.

ITEM	DELIVERED BY TANK CAR/GAL.		TANK WAGON JOB REFINERY / GAL.		DRUMS IN CARLOAD DELIVERED /GAL.	
	1960	1959	1960	1959	1960	1959
RC - 0 to RC - 3	19.40¢	19.15	18.30¢	18.20	23.70¢	23.35
MC - 0, 1, 2, 3, 4,	17.80	18.55	16.70	17.60	22.10	22.85
SC - 1, 3, 6	15.00	16.35	13.90	15.40	19.30	20.65
SC - 0	11.50	12.25	10.40	11.30	20.10	20.05
Special Primer	17.80	18.55	16.70	17.60	-	-

Note- Prices generally lower than 1959.

RECOMMENDED TENDER.

Imperial Oil Limited
 This was the only tender received



 City Manager.

LIQUID ASPHALT MATERIALS.

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CITY OF HALIFAX

PURCHASING DEPARTMENT

TABULATION OF TENDERS FOR SUPPLIES --- LUBRICANTS.

ITEM	IRVING OIL	BRITISH AMERICAN	CANADIAN OIL	IMPERIAL OIL	TEXACO CANADA	CANADIAN PETROFINA	SHELL OIL
(a) Motor Oil	\$ 1.23 gal.	.70 gal.	1.00 gal.	.70 gal.	.75 gal.	‡ .68 gal	.74 gal.
(b) Motor Oil (quarts)	1.30 "	‡.23 qt.	.24 qt.	‡ .23 qt.	.25 qt.	.25 qt.	.2415 qt.
(c) Diesel Lubricant #30	1.02 "	.86 gal.	1.10 gal.	.85 gal.	‡ .75 gal.	.80 gal.	.90 gal.
(d) Diesel Special #30	-	.98 gal.	1.16 gal.	1.06 gal.	.96 gal.	‡ .85 gal.	1.10 gal.
(e) Hoist Oil	.66 "	‡ .49 gal.	.595 gal.	‡ .49 gal.	.55 gal.	.65 gal.	.691 gal.
(f) Flushing Oil	‡ .27 "	.45 gal.	.45 gal.	.50 gal.	.53 gal.	-	.691 gal.
(g) E.P.Lubricant	-	.1760 Lb..	‡.1150 Lb.	1.10 gal .	.125 Lb.	.15 Lb.	.17 Lb.
(h) Hypoid lubricant	.1541 Lb.	.1760 Lb..	‡.1150 Lb .	1.10 gal.	.125 Lb.	.15 Lb.	.17 Lb.
(i) Multi purpose grease	-	.1760 Lb.	.1720 Lb.	‡.17 Lb.	.185 Lb.	‡19 Lb.	.2425 Lb.

LUBRICANTS.

RECOMMENDED TENDERS.

‡ Low tender -- recommended.

Identical bids have been submitted by British American Oil Co.Ltd., and Imperial Oil Limited for motor oil (quarts) and hoist oil. It is recommended the two items be divided between the two companies on an equitable basis.

A. A. [Signature]

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CITY OF HALIFAX
PURCHASING DEPARTMENT

TABULATION OF TENDERS FOR SUPPLIES - GASOLINE AND DIESEL FUELS ETC.

ITEM	IRVING OIL	BRITISH AMERICAN	IMPERIAL OIL	CANADIAN PETROPINA	TELACO CANADA	CANADIAN OIL
(a) Gasoline -Grade 1	41.40 ¢	40.90 ¢	39.55 ¢	¢ 38.02 ¢	38.30 ¢	43.90 ¢
(b) Gasoline -Grade 11	36.40 ¢	35.90 ¢	34.65 ¢	¢ 33.72 ¢	33.75 ¢	38.90 ¢
(c) Marked Gas. Grade 1	¢ 24.40 ¢	24.90 ¢	26.90 ¢	28.90 ¢	-	27.90 ¢
(d) Marked Gas. Grade 11	¢ 19.40 ¢	19.90 ¢	21.90 ¢	23.90 ¢	-	22.90 ¢
(e) Naptha Gasoline	28.40 ¢	¢ 27.90 ¢	¢ 27.90 ¢	-	-	32.40 ¢
(f) Kerosene	23.70 ¢	22.70 ¢	¢ 21.95 ¢	-	-	23.70 ¢
(g) H.S.Diesel fuel	15.95 ¢	15.50 ¢	17.10 ¢	16.10 ¢	¢ 15.10 ¢	18.60 ¢

RECOMMENDED TENDERS

¢ low bid - recommended

It is recommended that supplies of naptha gas be purchased from British American Oil Co. Ltd and Imperial Oil Limited on an equitable basis as both have submitted identical bids for this item.

A. A. [Signature]

City Manager.

GASOLINE AND DIESEL FUELS ETC.

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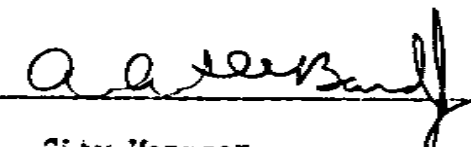
CITY OF HALIFAX
PURCHASING DEPARTMENT

TABULATION OF TENDERS FOR SUPPLIES - COAL.

TYPE	S. CUNARD & CO.		MATHEWS COAL CO.		UNION COAL CO.		ARCHIBALD COAL CO.		
Screened - 1 st	Four Star	\$15.60	Dominion	\$ 15.97	Dominion	\$ 17.72	Dominion	\$ 16.72	
	Dominion	17.07	# Bayview	15.05					
Slack - 1 ^{1/4} ^m	Dominion	14.57	Dominion	13.95	Dominion	14.47	Dominion	13.97	
			# Bayview	13.60					
Run-of-Mine	Four Star	14.60	Dominion	15.25	Dominion	16.22	Dominion	15.47	
	Dominion	16.07	# Bayview	14.30					
Oli Treated Prepared Stoker	Four Star	16.60	Old Sydney	17.30	Dominion	18.50	O.T.Pea Stoker 3/4" x 1/4"	17.60	
	Dominion	18.20	Dominion	16.70					
			# Bayview	15.30					
<u>OTHER COALS.</u>									
Forge	Acadia Nut	20.00	Acadia O.T.	19.95	Acadia Nut	22.00	Acadia Nut	17.80	
			# Bayview O.T.	17.25					
Blower	Welsh	27.70	# Welsh	27.65					

RECOMMENDED TENDER.

MATHEWS COAL COMPANY. # low tender.



 City Manager.

COAL

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CITY OF HALIFAX

PURCHASING DEPARTMENT

TABULATION OF TENDERS FOR SUPPLIES - FURNACE, STOVE OILS, BUNKER "A" AND "C".

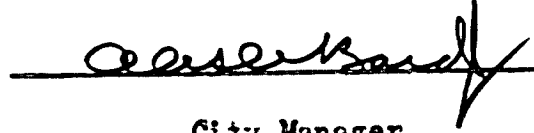
ITEM	IRVING OIL	BRITISH AMERICAN	CANADIAN OIL	ARCHIBALD COAL	IMPERIAL OIL	CANADIAN PETROFINA	CUNARD CO.	TEXACO CANADA	UNION COAL
Furnace Oil	15.10 ¢	14.10 ¢	17.2 ¢	14.7 ¢	14.29 ¢	-	15.2 ¢	¢ 13.70 ¢	16.20 ¢
Stove Oil	17.40 ¢	16.95 ¢	19.6 ¢	17.6 ¢	18.60 ¢	-	18.00 ¢	¢ 16.10 ¢	18.60 ¢
Bunker "A"	-	-	-	-	# 9.60 ¢	-	# 9.60 ¢	-	-
Bunker "C"	-	-	-	-	# 7.95 ¢	-	# 7.95 ¢	-	-

FURNACE, STOVE OILS, BUNKER "A" AND "C".

RECOMMENDED TENDERS.

¢ Low tender - recommended.

S. Cunard & Co. Ltd. and Imperial Oil Limited have submitted identical tenders for the supply of Bunker "A" and "C" fuel. It is recommended that Bunker "C" be purchased from S. Cunard & Co Ltd and Bunker "A" per purchased from Imperial Oil Ltd.



 City Manager.

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Moved by Alderman Greenwood, seconded by Alderman Connolly, that the matter be referred to the Town Planning Board for further study; and the hearing be adjourned pending receipt of a report from the Board.

Alderman Trainor asked that a complete survey of the area and of the surrounding areas be made to ascertain the number of units on each lot and the potential number that could be placed on them, as it appeared to him that many people in the area were circumventing the law as a drive through the neighbourhood disclosed that many houses had more than one or more families residing in them.

The motion was put and passed.

TENDERS FOR SUPPLIES

A report was submitted from the Committee on Works in connection with a tabulation of tenders for supplies for the Works Department.

Copies of the report and tabulation are attached to the original copy of these minutes.

It was agreed to consider each item separately.

A. SPECIAL CASTINGS

Acceptance of the following tender was recommended .. Hillis and Sons, Limited. (Only tender received)

Moved by Alderman Macdonald, seconded by Alderman Trainor, that the recommendation of the Committee on Works be approved. Motion passed.

B. SALT

It is recommended that the salt loaded at the warehouse and the salt delivered at City Field be purchased from Burns Fisheries Limited and A.M. Smith and Company Limited on an equitable basis, and that the salt loaded at the warehouse, bulk, be purchased from A.M. Smith and Company Limited.

This item was broken down into three parts: (a) Salt loaded at warehouse .. bags; (b) Salt delivered City Field .. bags; (c) Salt loaded at warehouse .. bulk and it was agreed to consider each part separately:

(a) Salt loaded at warehouse - bags

Alderman Trainor requested that he be recorded against the recommendation to split the tender on items (a) and (b) as he was of the opinion that

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City Council should support a company that is sponsoring a Nova Scotia salt.

His Worship the Mayor: "You will recall that some few years ago we had the question of the relative merits of the Turk's Island salt and the Malagash salt, and the Malagash salt at that time had a high sediment content in it. I think that since that time the operations of the company have moved to Pugwash, and from the samples I have seen, the salt appears to be a much cleaner type of salt."

City Manager: "It is better by analysis, too."

Moved by Alderman Greenwood, seconded by Alderman Ferguson, that the recommendation of the Committee on Works be approved.

Alderman Wyman: "How do they compare for moisture content?"

Commissioner of Works: "I don't have the analysis before me, but the Nappan salt is much drier than the Turk's Island salt. It is compressed salt."

Alderman Wyman: "It was my understanding when this was discussed one time before that there are winter conditions in which the salt with the higher moisture content is preferable to the dry salt, and there are other conditions where the drier salt is preferable. Therefore, an arrangement such as this, dividing the two, gives the Commissioner of Works the opportunity, in any particular storm, to pick the salt that he prefers, and there is an advantage in doing so."

The City Manager said that the Works Department followed that procedure and in 1958, approximately 52,000 bags of salt were purchased, with each company supplying 26,000 bags.

Alderman Macdonald pointed out that there is further advantage in having two suppliers, with respect to deliveries during emergencies -- one company may not be open and the other would be available for deliveries.

The motion was put and passed. Aldermen O'Brien and Trainor wished to be recorded against.

(b) Salt delivered City Field -- bags

Moved by Alderman Ferguson, seconded by Alderman Lane, that the recommendation of the Committee on Works be approved.

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Motion passed with Aldermen Trainor wishing to be recorded against.

(c) Salt loaded at warehouse - bulk

Moved by Alderman Abbott, seconded by Alderman Ferguson, that the recommendation of the Committee on Works be approved. Motion passed.

C. CRUSHED STONE

Acceptance of the following tender was recommended - Municipal Spraying and Contracting Limited. (Only tender received)

Alderman DeWolf asked what method is used to call for tenders. "Is it by advertising or by circular sent to people who are in this type of business?" he asked.

City Manager: "Both! We put the advertisement in the newspaper just in case there was some new supplier that we didn't know about. Anybody who has ever tendered in the last five or eight years, even though they don't tender in the intervening years, we still send them forms hoping they will come back in."

Alderman DeWolf: "I happen to know that last year there was one tenderer who said that he would like to have an opportunity of tendering; and I don't know whether or not he saw the advertisement in the paper."

The City Manager suggested that Alderman DeWolf submit the name and it would be placed on the list of suppliers for future tender calls.

Moved by Alderman Connolly, seconded by Alderman Fox, that the recommendation of the Committee on Works be approved. Motion passed.

D. APPLICATION OF LIQUID ASPHALT MATERIALS

Acceptance of the following tender was recommended - Municipal Spraying and Contracting Limited. (Only tender received).

Moved by Alderman Butler, seconded by Alderman Connolly, that the recommendation of the Committee on Works be approved. Motion passed.

E. LIQUID ASPHALT MATERIALS

Acceptance of the following tender was recommended - Imperial Oil Limited. (Only tender received).

Moved by Alderman Macdonald, seconded by Alderman Lane, that the recommendation of the Committee on Works be approved. Motion passed.

F. LUBRICANTS

Acceptance of the following tenders were recommended. (Low tender recommended)

- (a) Motor oil - Canadian Petrofina Limited.
- (b) Motor oil (quarts) - British American Oil Company and Imperial Oil on an equitable basis.
- (c) Diesel Lubricant #30 - Texaco Canada Limited.
- (d) Diesel Special #30 - Canadian Petrofina Limited.
- (e) Hoist Oil - British American Oil Company and Imperial Oil Limited on an equitable basis.
- (f) Flushing Oil - Irving Oil Limited.
- (g) E.P. Lubricant - Canadian Oil Company.
- (h) Hypoid Lubricant - Canadian Oil Company.
- (i) Multi Purpose Grease - Imperial Oil Limited.

Moved by Alderman Greenwood, seconded by Alderman Connolly, that the recommendation of the Committee on Works be approved.

Alderman O'Brien: "I opposed this in Committee and I opposed all the items where there are identical tenders and would oppose them here on the grounds that if we want to stimulate real bidding on next year's supplies that we should not split it evenly. There may be, in the case of the salt, a reason to buy some from both, not necessarily even quantities; but in the case of these items before us now, I would favor buying from one supplier so that another supplier would be stimulated to bid lower another year."

His Worship the Mayor: "Which one do you suggest we buy?"

Alderman O'Brien: "If there were any possibility of Council going along with it, I would draw one from a lot, unless the Commissioner of Works impressed a preference for any supplier."

His Worship the Mayor: "Mr. West, do you express any preference for any particular supplier?"

Commissioner of Works: "On the greases and oils we have been delving into the chemical make-up of them, with a view to getting the best one for our equipment. The oil companies themselves, as I understand it, are doing somewhat the same thing; and we cannot truthfully say at this stage that we would come out and say that one is better than other. It would be just as well to pick it out of a lot as far as I am concerned."

His Worship the Mayor suggested that it be given to the Company with the larger assessment.

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Alderman Lloyd felt that Council would be ill-advised to follow Alderman O'Brien's suggestion of drawing a name from a lot which is tantamount to an award by lot rather than by tender. "It goes deeper than the local agent or representative hauling salt. It goes back to the general practice of the trade, and he likened it to catalogued items such as lamp fixtures where standards are set and there are variations of gauges etc., and there are not liable to be any major differences.

"There may not be in the case of salt but if this doesn't break at some future date, forced to some such situation—because, there is no doubt about it, eventually, you do get into the position where you encourage bidders to get together and stay together, in order to turn a nice piece of business for themselves, and, unless you get somebody outside to give you a bid on it, you don't know, as things go on, just what may develop in the trade among these bidding. I don't suggest that that is the case, now, but that is really a problem — How to break it? I don't know how you can break it." He concluded by saying he could offer no solution that would be acceptable to the Attorney General.

Alderman O'Brien: "If Alderman Lloyd is worried about the Attorney General, we could take last year's supplier, and it would serve the same purpose."

Alderman Lloyd: "I am not worried about the Attorney General as an individual. I am worried about the situation because of the rules and regulations of the City Council. You see we, also, would have borne the criticism if we were using the device of selecting one, to favor one; and I don't want to be in that position."

The motion was put and passed with Alderman O'Brien wishing to be recorded against.

C. GASOLINE AND DIESEL FUELS ETC.

Acceptance of the following tenders were recommended (Low tenders recommended).

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- (a) Gasoline, Grade 1 .. Canadian Petrofina Limited.
- (b) Gasoline Grade 11 .. Canadian Petrofina Limited.
- (c) Marked Gas, Grade 1 - Irving Oil Limited.
- (d) Marked Gas, Grade 11 - Irving Oil Limited.
- (e) Naptha Gas, British American Oil Company and Imperial Oil Limited on an equitable basis.
- (f) Kerosene .. Imperial Oil Limited.
- (g) H.S. Diesel Fuel .. Texaco Canada Limited.

Alderman Wyman asked if the marked gas could be used for combustion motors instead of the naptha gas and the Commissioner of Works advised that it was planned to do so in the ensuing year.

Moved by Alderman Greenwood, seconded by Alderman Abbott, that the recommendation of the Committee on Works be approved. Motion passed.

H. COAL

Acceptance of the following tender was recommended - Mathews Coal Company. (Low Tender recommended).

Moved by Alderman Connolly, seconded by Alderman Lane, that the recommendation of the Committee on Works be approved. Motion passed.

I. FURNACE AND STOVE OIL - BUNKER "A" AND "C"

Acceptance of the following tenders were recommended. (low tenders recommended)

- (a) Furnace Oil - Texaco Canada Limited.
- (b) Stove Oil .. Texaco Canada Limited.
- (c) Bunker "A"
- (d) Bunker "C"

Moved by Alderman Ferguson, seconded by Alderman Greenwood, that the recommendation of the Committee on Works be approved.

Alderman Wyman: "I don't understand the reason for doing that rather than what the City Manager suggested. What was the purpose of doing that?"

City Manager: "I recommended that Bunker "C" be purchased from S. Cunard & Company and Bunker "A" from Imperial Oil Limited. They were the two companies that had it last year, but they were reversed. In other words, the "A" was bought from Cunards and the "C" from Imperial. So, since they were identical this year we just changed them around."

Alderman Lloyds: "This is Alderman O'Brien's point of view. It is really a case of alternating between the Companies."

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Alderman Wyman: "It seems to me that if we are to follow the principle that we should choose one of two equal tenders that it is hardly fair to choose the same one in two items out of one list. We have a case here of a list of fuel oils and we have two firms tendering the same price on each of two items. I think that if we are going to say, 'If the same price is tendered by two companies, we will choose one', that if we choose one of those two on one item, that in fairness we should choose the other one on the other item."

Alderman O'Brien: "What Alderman Wyman suggests is a reverse of what we actually did on the Street Lighting Equipment. We were endeavouring in that case, and I think the Works Committee was endeavouring in this case, to stimulate real bidding another time by giving all the business available to one company. In the case of the street lighting equipment, I don't know how the company was chosen. An Alderman moved that we give them to one company and a majority of Council went along with giving the rest of the items to that same company in order to have this affect; and, if we split it by giving one to one and one to the other, obviously that will satisfy them as though it were just one item and it were split down the middle."

Alderman Lloyd: "What quantity was involved last year in dollars in the tender for these items?"

Commissioner of Works: "I think I remember the figures better for the current heating season; and, as I recall, it is about 87,000 odd gallons for the Bunker 'C' and forty-odd thousand gallons for the Bunker 'A' purchased so far this season."

Alderman Lloyd asked: "And what are the quotations?"

City Manager: "Bunker 'A' is 9.60¢ and Bunker 'C' is 7.95¢ per gallon. What we did was the opposite of last year and we said that whoever had the low item last year will have the high item this year."

Alderman Lloyd: "Well, what about margin? Are there marginal differences in the spendings on these or are the margins the same?"

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City Manager: "Well, the two bidders are Imperial Oil Limited and S. Cunard and Company. I don't know anything about the pricing of oil and channels of distribution, but I suspect that that of the Imperial Oil Limited which S. Cunard are bidding on (probably with the full knowledge of Imperial Oil; but that's just a guess, I wouldn't have any way of knowing) that might be it."

Alderman Lloyd: "Imperial Oil Limited had the Bunker 'C' last year and Cunard's had 'A'. Now, you are proposing to reverse it, and the reason was that the prices on both are the same."

City Manager: "That's right. Rather than split both 'A' and both 'C', we say give one to one company and one to the other. Therefore, we always buy 'A' from one and 'C' from the other company."

Alderman Lloyd: "For all practical purposes, though, we did last year award to one tenderer."

City Manager: "No."

Alderman Lloyd: "Weren't the prices the same on Bunker 'C' last year?"

City Manager: "Yes, and on Bunker 'A' and we gave one to Cunards."

Alderman Lloyd: "Just take Bunker 'C' which sells for 7.95¢ this year and has its own margin I presume in trade. Last year you purchased Bunker 'C' from Imperial Oil Limited. Now, last year did Cunards bid on Bunker 'C'?"

City Manager: "Yes."

Alderman Lloyd: "And did they bid the same price as Imperial Oil?"

City Manager: "Yes, they did."

Alderman Lloyd: "Forgetting about all the other things, you did, in fact, do what Alderman O'Brien recommended a minute ago in the case of salt. But it didn't produce any difference in the price of Bunker 'C', even though you did alternate, or you did pick one."

City Manager: "That's right. The reason for doing it was just to make it easier to order all 'A' from one supplier or 'C' from another. We did have that in mind."

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Alderman Lloyd: "I think it was done in good faith, naturally. I don't think any great harm was done, but I don't think it is going to produce the difference in price, and that was my point earlier."

City Manager: "I don't think so, either."

Alderman Macdonald: "Can Bunker 'C' be burned in the place of Bunker 'A'?"

Commissioner of Works: "We use the Bunker 'A' at certain seasons of the year, even in the Bunker 'C' burners."

City Manager: "The answer to that is that you can't burn one in the other with certain conditions."

The motion was then passed.

DEMOLITION - #18 WELLINGTON COURT & PAVILION BARRACKS

To: His Worship the Mayor and Members of City Council
From: Committee on Works
Date: November 17, 1959
Subject: Report - Disposal of #18 Wellington Court and Partial Demolition - Pavilion Barracks.

The Committee on Works at a meeting held on the above date, considered a recommendation from the City Manager that City Forces demolish #18 Wellington Court and also the vacant apartments at Pavilion Barracks, and that any surplus material be sold.

On Motion of Alderman Lane, seconded by Alderman Trainor, the Committee approved the recommendation of the City Manager that City Forces demolish #18 Wellington Court and the vacant apartments at Pavilion Barracks, and that any surplus material be sold and recommended the same to City Council.

Alderman Connolly was recorded as being "against", as he felt it was too dangerous for City Forces to demolish the apartments at Pavilion Barracks.

Respectfully submitted,

K. C. MANTIN,
CLERK OF WORKS.

Alderman Greenwood: "Is the City Manager convinced a call for tenders won't produce a lower price than we can do it for ourselves?"

City Manager: "We haven't been successful in getting what Central Mortgage consider to be lower tenders for demolition. We are still working with people who apparently can do it for less than in St. John. They certainly

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are high prices for demolition; and at the prices they charge, I think we can do it. We have the added advantage to that in the demolishing of the Pavilion Barracks we have a portion of it that can come down, at the present time, so that at least we'd be getting that portion down and won't have to maintain it for the winter. And I think we better try to level off employment as much as we can. I have Mr. West's assurance that we can do it for just about the same. I don't think we will beat them by very much if any; but, at least we can do it for the same amount."

Alderman Connolly: "Has Mr. West assured the City Manager that the City can take it down without any trouble of any sort. For instance, I know all those buildings. I have been through them a lot when I worked for the City some years ago. Each room has a flue going through it because at one time each room was heated separately; and I think it is dangerous for men who aren't qualified to demolish a building of that size. I could see the City workers tearing down a one-storey building but not this building which is two and one-half storeys at least."

His Worship the Mayor referred to the fact that City workers had been employed on other demolitions without serious incident, and he pointed out that the employees are fully covered under the Workmen's Compensation Act.

Alderman Lloyd: "We do have people in this industry. Do we have any figures from them on this at all by way of comparison. "

His Worship the Mayor: "Our tender calls have indicated a fairly high cost ratio as related to the assessed value of the properties. It is much higher here in Halifax than in any other Central Mortgage project across the Country."

Alderman Lloyd: "Have we projected our costs to do this work?"

City Manager: "Not in the Pavilion Barracks; but in the case of Wellington Court, we did have that advertised and the bid for it was \$2,000.00, which was a lot of money to tear that building down, and it wasn't accepted; not because of the amount, but because it was part of other bids taken, all of which were turned down. They advertised them, subsequently, the ones for the redevelopment area and they were awarded at somewhat lower prices, but still awfully high prices for demolition."

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His Worship the Mayor: "There is also the fact that at this time of year our employment of City Forces generally is decreasing, and approaching Christmas-time, if we have City work to do, I would like to keep our own forces employed on the job, and, if it's desirable, let us try to do that."

Alderman Lloyd: "I think that's fine in the field of work in which we usually are engaged, but every time you reach out into some other field, there are other employers who would employ men who might otherwise not be employed. Now, as you point out, tenders seem to be extremely high; and, if you feel the City can do the work substantially cheaper, then, of course, there's justification in experimenting on our own projects. I think it should be on the basis of an experiment to see how we make out. I would like to see you take Wellington Court and do it or a limited number of the apartments at Pavilion Barracks, gather the costs, with due allowances for your overhead factors, and make a fair comparison."

His Worship the Mayor said that one factor affecting costs as between Pavilion Barracks and Wellington Court is the higher salvage value of the building at Wellington Court, the buildings at Pavilion Barracks being so much older; and he pointed out that buildings having a higher salvage value are less costly to demolish.

Alderman Ferguson asked if tenders had been received for the demolition of Pavilion Barracks and was advised by the Mayor that tenders had not been called.

He then asked if the Works Department had prepared an estimate of the cost of demolishing that portion of Pavilion Barracks and was advised by the Commissioner of Works that no estimate had been prepared.

His Worship the Mayor stated that tenders had either been called or were in the process of being called for the demolition of a large number of properties in the Jacob Street Redevelopment Area and on Maitland Street; and he contended that the private firms engaged in this type of work seemed to have enough to do at the present time which could be a factor affecting their bids. "So, I think in this case it is an experiment and, providing the cost factor is watched carefully, we will have a cost account of it which can be referred to in the future."

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"Then, the more you look at it, you begin to get concerned. I find that the Order of Business provides, for example, that presentation of petitions and other papers and a reference is required by the Chairman to the appropriate Board or Committee without motion. Now, this suggests that, maybe, a lot of papers should come to Council. Was that the intention, or have we changed some of our rules? Or, does it just mean those papers that we want to bring to Council? And then, we have 'Motions and Miscellaneous Business' under Item 'G' which suggests that there is a little more freedom. You don't have to give notices as strictly as we have gotten into the habit of doing. And reading the rules still further, you find that 'if the Chairman is of the opinion that any motion, the moving of which notice has not been given, is of such a character and importance that discussion should not proceed without an opportunity for further information and consideration, or if three members object to immediate consideration of it, the Chairman shall direct that the motion be put in writing and consideration of it deferred until a subsequent meeting'.

"You have the power to defer, alone, if you felt that more information is required. Some problems of interpretation arising under our present set-up of City Manager. He has certain rights under the City Charter to explain himself; to explain certain matters or to rise to explain or to rise to give information or rise to correct wrong statements. Well, what are the rules with respect to the Manager in the Council. Now, maybe, we have got our written constitution and don't need one. But, that is a question we should at least look at and see if that is a fact.

"Then, there's one that was the subject. I believe, indirectly of a 'voice of the People' letter, and it's rule 32. It's a rule, also, that was the subject of considerable examination by the Institute of Public Affairs with the Union of Municipalities. It has to do with the conflict of interests that elected people very often find themselves placed in when serving in public office. We have certain rules in the City Charter which are very strict about persons being directors or managers of corporations and they can't sit as Aldermen. They disqualify themselves if they do or they are disqualified from even running an election for office.

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Disqualified from being a candidate I think, perhaps, is the correct terminology now Rule 32 is wider than that in its connotation.

'No members of the Council shall be permitted to vote upon any question before the Council or before any Board or Committee where his private interest is immediately concerned, distinct from his public interest; or where he is, personally, directly or indirectly interested; or where he is the solicitor, counsel or agent for any person or Company interested in such question'.

"Now, common sense and a sense of ethics I think have always managed to operate regardless of a specific rule in this Council on such matters, and I think the record shows on many occasions that Aldermen ask to be excused from voting for various reasons; but, we have an issue coming up -- a rental control matter. Now if it should so happen that a Council member happens to be the owner of rented real estate, would he be disqualified from voting under Section 32?

"Now, I'd far sooner have that question decided before we ever come to it than to have it raised before us in the middle of a debate in Council some night.

"For those reasons and maybe some others that I haven't time to mention and for others that other Aldermen may have, I am going to move that the Finance and Executive Committee review the rules of Order set forth in Ordinance No. 2 and recommend to Council such amendments thereto the Committee considers appropriate."

Alderman O'Brien: "I am going to second the motion but, in doing so, I would like to ask the mover whether he would consider adding to his motion that consideration also be given to the rules governing the operation of certain of Council's committees."

"We have been faced in the Works Committee with the situation where we cannot get re-consideration because it is said that these rules do not apply to the Committees, and there are no rules apart from the Charter, which do apply, and, therefore, the Committee is in the position of making final,

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binding decisions where there can be no second thoughts as there can be in Council. So that, not only do I think we ought to have a review of the rules of Council, but I think it ought to also apply to rules of the Committees, the standing Committees in particular. "

Alderman Lane questioned the need for the motion to be seconded since the agenda indicated that it was a notice of motion and she asked if debate is to be permitted but Alderman Lloyd stated that he had given notice at the last meeting and his motion is in order.

His Worship the Mayor ruled that the motion had been properly made and that any member of Council would be heard.

Alderman Lane stated that she had merely questioned the procedure; and she asked if the matter would now go to Committee for consideration and come back to Council for final consideration.

Alderman Lloyd agreed to add to his motion "That consideration also be given to the rules governing the operation of certain of Council's Committees" as suggested by Alderman O'Brien.

The motion was passed.

NOTICE OF MOTION ALDERMAN LLOYD RE: LEGISLATION TO LEVY REAL PROPERTY AND
BUSINESS OCCUPANCY TAXES ON PROPERTY OF THE NATIONAL HARBOURS BOARD AND
CANADIAN NATIONAL RAILWAYS

Alderman Lloyd: "The next is a Notice of Motion and it's one of those things that I wouldn't even attempt to suggest it would be a motion that would be considered tonight because it requires a great deal of independent inquiry on the matter. I thought originally that a simple resolution would serve the purpose but I find that I must tonight give a notice if I may have leave to explain it. Your Worship.

"I must give a Notice that is consistent, legally, with the matter that I propose and to that end I engaged in a long-distance telephone conversation with Mr. Teed who acted as Counsel for the City, with the late Mr. Bethune, when we pursued a course of action on this kind of matter with the Canadian National Railways; and I got from him certain technical reasons as to the need for certain kinds of legislation in order to get a matter of this kind before the Courts, with some reasonable hope of success.

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"So, bearing in mind those matters, and the view of the City Solicitor that the type of action we might take would have to be very, very carefully planned, and so that it would result in a setting before the Courts if we pursue the matter for a clear action in the Courts on the issue involved and not be sidetracked on a technicality, I now give the following notice -

Resolved that the City levy business occupancy and property taxes on the assessed valuation applicable to all lands and improvements thereon owned, occupied or under the administrative control of the National Harbours Board; and that upon the expiration of the present agreement with the Canadian National Railways, that the City levy business occupancy and real property taxes on all lands and improvements thereon owned, occupied or under the administrative control of the Canadian National Railways; and that before such tax levies are made that the Finance and Executive Committee consider and recommend to Council any legislation that would strengthen the City's right to collect such taxes; and that the City engage solicitors to present and defend the City's right to collect such levies upon reference to the Courts.

His Worship the Mayor: "This matter is only one touching on many financial matters which I have discussed with the City Manager, and I would like to have a meeting of a Committee of the Whole Council to discuss this and other matters affecting the finances of the City; and I will accept the Notice of Motion but I don't want to bar discussion at any Committee or Council Meeting prior to the meeting at which the motion will take effect."

Alderman Lloyd: "I realize to undertake such a proposal as this, one doesn't take it lightly and there are many implications from following this procedure -- this effort to organize ourselves to sustain an effort on a very vital question; and there are many matters -- for instance yesterday's paper carried a story which contains some references to some correspondence which you had from the Minister which I would like to have available to all members of the Council, because it is most germane to the case that I would make on this matter."

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His Worship the Mayor said that copies of the correspondence would be made available to all members of Council, as well as a copy of a letter he had received from the National Harbours Board and he said: "I was talking to the Vice-Chairman of the National Harbours Board last evening. Quite frankly I don't think we have any quarrel with the National Harbours Board, as a body. Insofar as the Board is concerned, I am sure their intentions are good intentions, we have had meetings with them; the matter has been referred to the Federal Government. The Federal Government referred it back to the Department of Finance for study; and as I understand from Mr. Flemming's letter his department has filed a report with him, which he had studied with several of his colleagues, and the reply was that the Federal Government is not prepared to take action at this time."

Alderman Lloyd: "That only emphasizes the need for the kind of action I propose," and he said that there are many matters which have to be discussed more fully by the Whole Council, and he concluded: "I would be quite happy to ask for deferment of my motion should the Council wish to have it preceded with by general discussions."

His Worship the Mayor: "May I say this — this matter was discussed at the executive meeting of the Mayors' Federation last week in Montreal. A National Ports Committee was appointed of which I am the Chairman. I have discussed the matter with Mr. Mooney, with representatives of the City of Montreal with the Mayor of Vancouver; and we are going to press our claim to the Cabinet, now. We have gone through all the regular machinery of approach and we have reached now the Cabinet level. We have been turned down in our request by the Minister of Finance and I think we properly owe it to the citizens to approach the Federal Government itself, the Cabinet, and ask them for a reply. This we hope to undertake sometime early in the new year. Mr. Mooney will be here in January. He, of course, does a lot of work in framing the brief and he will also be here to discuss the 1961 convention of the Mayors Federation of Canada which will be held in Halifax."

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"I do want to get on with a discussion with a Committee of the Whole Council on some matters of taxation, financial matters and other matters, which have a bearing on this question. "

Alderman Lloyd: "There is subject matter which has not yet been the subject of discussion in the briefs prepared by Mr. Mooney. They have not been subject matter as forcibly as they might have been presented to the Minister of Finance; and I would like an ample opportunity to deal with his letter because it is directed to the City."

Alderman O'Brien asked if it is possible to get a copy of the report of the Municipal Grants Section of the Department of Finance and His Worship the Mayor said it is a secret document and, therefore, not available.

His Worship the Mayor stated that he would call a meeting of the Council to consider the matter as soon as conveniently possible.

SUBDIVISION -- #20-22 WILLOW STREET

To: His Worship the Mayor and Members of City Council.
From: Town Planning Board.
Date: November 17, 1959.
Subject: Resubdivision - #20-22 Willow Street.

The Town Planning Board at a meeting held on the above date, considered reports from the Director of Planning and City Solicitor in regard to a request for a resubdivision at #20-22 Willow Street.

The request for the resubdivision was recommended by the Director of Planning. The City Solicitor informed the Board that if they agreed to such a resubdivision, legislation would have to be obtained to create the two undersized lots. The Board felt that by granting permission for this resubdivision a detrimental effect may arise at a future date.

On motion of Alderman Macdonald, seconded by Alderman Lane, the Board agreed to refuse permission for a resubdivision at #20-22 Willow Street and recommended the same to City Council.

Respectfully submitted,

K.C. MANTIN,
CLERK OF WORKS.

Moved by Alderman Trainor, seconded by Alderman Lloyd, that the matter be referred back to the Town Planning Board in order to give the Solicitor for the applicant an opportunity to be heard. Motion passed.

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RESUBDIVISION - #94 KLINE STREET

To: His Worship the Mayor and Members of City Council.
From: Town Planning Board.
Date: November 17, 1959.
Subject: Resubdivision .. #94 Kline Street.

The Town Planning Board at a meeting held on the above date, considered a report from the Director of Planning recommending in favor of a resubdivision at #94 Kline Street.

On Motion of Alderman Trainor, seconded by Alderman O'Brien, the Board approved the report and recommended it to City Council.

Respectfully submitted,

K.C. MANTIN,
CLERK OF WORKS.

Moved by Alderman Ferguson, seconded by Alderman Greenwood, that the report be approved. Motion passed.

RESUBDIVISION - LOTS NO. 209 AND 211 WILLIAM HUNT AVENUE

To: His Worship the Mayor and Members of City Council.
From: Town Planning Board
Date: November 17, 1959.
Subject: Resubdivision .. Lots No. 209 And 211 William Hunt Avenue.

The Town Planning Board at a meeting held on the above date, considered a report from the Director of Planning recommending in favor of a resubdivision at Lots No. 209 and 211 (Civic No. 12), William Hunt Avenue.

On Motion of Alderman Butler, seconded by Alderman Lane, the Board approved the report and recommended it to City Council.

Respectfully submitted,

K.C. MANTIN,
CLERK OF WORKS.

Moved by Alderman Greenwood, seconded by Alderman Ferguson, that the report be approved. Motion passed.

MODIFICATION OF SIDEYARD - #35 LAWRENCE STREET

To: His Worship the Mayor and Members of City Council.
From: Town Planning Board.
Date: November 17, 1959.
Subject: Modification of sideyard - #35 Lawrence Street.

The Town Planning Board at a meeting held on the above date, considered

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a report from the Director of Planning recommending in favor of modification of sideyard at #35 Lawrence Street.

On Motion of Alderman Butler, seconded by Alderman Connolly, the Board approved the report and recommended it to City Council.

Respectfully submitted,

K.C. MANTIN,
CLERK OF WORKS.

Moved by Alderman Abbott, seconded by Alderman Greenwood, that the report be approved. Motion passed.

TENDERS - TRAFFIC LIGHTS

To: His Worship the Mayor and Members of City Council.
From: Committee on Works.
Date: November 17, 1959.
Subject: Tenders - Traffic lights.

The Committee on Works at a meeting held on the above date, considered a tabulation of tenders from the City Manager and City Electrician for Traffic Lights at the corner of Kempt Road and Young Street and at the corner of Robie and Young Streets.

Acceptance of the following tenders were recommended:

Item #1,2,5,6 and 7 - Northern Electric \$1,031.98, plus 3% Hospital Tax =
\$1,062.94.

Item #3 and 4 - Canadian General Electric \$1,023.00 plus 3% Hospital Tax =
\$1,053.69.

On Motion of Alderman Lane, seconded by Alderman Butler, the Committee approved the recommendation of the City Manager and City Electrician and recommended the same to City Council.

Respectfully submitted,

K.C. MANTIN,
CLERK OF WORKS.

Moved by Alderman Lane, seconded by Alderman Wyman, that the report be approved. Motion passed.

PROGRESS ESTIMATE #10 - MATERIAL AND EQUIPMENT - NEW INCINERATOR

To: His Worship the Mayor and Members of City Council.
From: Committee on Works.
Date: November 17, 1959.
Subject: Progress Estimate #10 - Material and Equipment - New Incinerator.

The Committee on Works at a meeting held on the above date, considered a report from the Commissioner of Works recommending payment of Progress Estimate #10, re material and equipment for the New Incinerator.

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On Motion of Alderman O'Brien, seconded by Alderman Lane, the Committee recommended to City Council payment of Progress Estimate #10, re material and equipment for the New Incinerator, in the amount of \$14,040.00 to Francis Hankin and Company Limited.

Respectfully submitted,

K.C. MANTIN,
CLERK OF WORKS

Moved by Alderman Ferguson, seconded by Alderman Butler, that the report be approved. Motion passed.

PROGRESS ESTIMATE #12 INCINERATOR CONSTRUCTION

To: His Worship the Mayor and Members of City Council.
From: Committee on Works.
Date: November 17, 1959.
Subject: Progress Estimate #12 - Incinerator Construction.

The Committee on Works at a meeting held on the above date, considered a report from the Commissioner of Works recommending payment of Progress Estimate #12, re construction of the New Incinerator.

On Motion of Alderman Butler, seconded by Alderman Connolly, the Committee recommended to City Council payment of Progress Estimate #12 re construction of the New Incinerator, in the amount of \$39,718.37 to Foundation Maritime Limited.

Respectfully submitted,

K.C. MANTIN,
CLERK OF WORKS.

Moved by Alderman Ferguson, seconded by Alderman Fox, that the report be approved. Motion passed.

City Manager: I have something else on that. About ten days ago I received word from Francis Hankin and Company, who are constructing the incinerator, that they were taking their men off the job because, in their opinion, the columns supporting the floor where the furnace would be located didn't look to be strong enough. This was a visual inspection. They subsequently referred to the plans which have been in their possession I guess for quite some time and had an engineer compute the stresses in Montreal, and he came up with figures which indicate that they still had some doubt that the underpinning was strong enough. He got in touch with Mr. Dumaresq who is the local architect on the work, and he conferred with Metcalf and Eddy.

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"Because it was likely to run into a sum of money to overcome that condition, they constructed one column, that is re-inforced it with concrete which increased its bearing capacity about one hundred percent. There are I believe, twenty such columns. They have finally come up with a cost and I have a letter here from Mr. Dumaresq."

He then read the following letter:

Mr. A.A. DeBard,
The City Manager,
City Hall,
Halifax, N.S.

Dear Mr. DeBard:

Re: HALIFAX MUNICIPAL INCINERATOR

Further to my letter of last week, enclosing a letter from Metcalf and Eddy suggesting concrete encasement of the twenty-eight steel columns supporting the furnaces. I am now in possession of a quotation from the foundation Maritime Limited in the amount of \$8,400.00, for carrying out this work.

As stated to you on the telephone, the supporting columns were designed in accordance with the design loads originally supplied by Francis-Hankin and are adequate to carry these loads, and I do not know why, at this late date, they have decided to question the adequacy of these columns.

However, since they have questioned the adequacy of these supports and since they are specialists in these furnaces, I am left with no alternative but to recommend that these columns be strengthened by encasing them in concrete. Any other course of action would require me to undertake a responsibility which I am not qualified or prepared to accept.

Yours truly,

J. PHILIP DUMARESQ & ASSOCIATES.

City Manager: "So summing it up, I think it boils down to the fact that we are spending \$8,400.00 more than Council agreed for a sort of insurance to make sure that nothing could possibly happen. I have had a great deal of talk with Mr. Dumaresq about this; he, in turn, with Metcalf and Eddy and I questioned --'why did it come so late? If Francis-Hankin had a question it should have been brought up long since.' But, in any case, I suppose with an installation of that size we would want to be absolutely sure that no sort of a defect might start in the future which might cause damages to the building, or to the furnaces or, even more important to some of the personnel. So, I would recommend under the circumstances, that a Change Order be approved for this amount."

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Moved by Alderman Ferguson, seconded by Alderman Abbott, that the recommendation of the City Manager be approved.

Aldermen Connolly and Trainor expressed themselves as being opposed to the motion, and Alderman Trainor asked if the City Solicitor had been brought into the matter.

City Manager: No.

Alderman Trainor: "I think possibly the City Solicitor should be brought into that. We employed a firm of architects as consultants on this and went along with it and if they were given wrong figures, that's not our fault. I don't see, as Mr. DeBard explained it to us, why we should be the goats for an \$8,000.00 item. It was possibly overlooked. Possibly, wrong figures had been given to the architect by Francis-Hankin. Francis-Hankin may have made changes in their plant design. Again, why should we have to go back and take an \$8,000.00 bill into consideration?"

His Worship the Mayor advised that Mr. Dumaresq was present and asked him to explain the situation with regard to the Change Order.

Mr. Dumaresq: "First, I think we should make it clear that this has nothing to do with the support of the building itself. It has only to do with the twenty-eight supports for the furnaces themselves. The original supports for these furnaces were designed in accordance with the loads provided by Francis-Hankin and Company. They, as you know, are providing and installing the furnaces. And, the columns were designed to carry these loads and that's what they will carry. It has just been very recently that they have some doubts that the supports were strong enough. As Mr. DeBard has already pointed out that could have been done and, I think we might even say, should have been done many months ago. However, it wasn't done until just very recently. Well, I don't know why it has just been done now but I just know that my responsibility in this case is to see that the interests of the City are well protected. I cannot take the responsibility for saying that the supports as we now have them are strong enough to support the rattles and the bumps, and everything else of somebody else's furnaces. We

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must remember that these are furnaces that are very few in number in the world, very few installations, and not too much is known about them. All we can do is just what we did -- design to support the loads they indicated. Now, when they come along and say they feel they should be stronger, I feel, speaking just as a specialist on this type of building, I don't want to take any chances; and I believe it is in the interest of the City to encase these columns in concrete; and that's why I presented the report I have presented."

Alderman Lane: "Were Francis-Hankin and Company content with the original design of the pillars?"

Mr. Dumaresq: "Yes. Mr. DeBard has asked me this question as to whether we had anything in writing from them, and we do not have anything in writing from them saying that they were satisfied with the design of these columns a year and a half ago when the design was first made."

Alderman Lane: "They approved the general design?"

Mr. Dumaresq: "Oh, yes."

Alderman Lane: "And, these columns were included in that?"

Mr. Dumaresq: "Oh, indeed! Indeed, yes."

Alderman Ferguson: "Has there been any indication from the Company that they have run into any experience with the equipment that would have changed their reasoning?"

Mr. Dumaresq: "Well, probably they wouldn't commit themselves if they did, I suppose. I don't know what you mean by 'any indication'. Certainly, they have not --"

Alderman Ferguson: "What I am getting at -- why do they now come back and say? Do they give any reason? They have given requirements for design, certain figures and stresses -- things they would require -- and those requirements were met by these columns."

Mr. Dumaresq: "That is correct."

Alderman Ferguson: "Now, at this late date, after the columns are in, and they are erecting their furnaces, they have taken their men off and said, 'We want the columns encased for safety', now apparently, there is very little

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Alderman Wymann: "Well, from the point of view of the City and, also, from the point of view of the engineers, it would be prudent to provide the strength which anyone who can make an intelligent criticism might suggest would be there. We would be in a very serious position if this question arose and we said we are not going to do it because we didn't plan to, and then something happened after. But, I do think there is a question of responsibility of those, who were employed by the City, to show us why we are put to an extra expense at this time in connection with it; and I do think that there is a responsibility on the part of the Francis-Hankin Company to explain to us why we are faced with this, because to me, either they are criticizing the engineers and saying they didn't do their job properly, or they are saying 'Well, the load we indicated is not the load that's going to be there'. In either case, I think we should know what Francis-Hankin has to say on that question, and we should have it clearly from them where they place the responsibility for this."

Alderman Trainor: "I wonder if Mr. Dumaresq is prepared to tell us whether there has been any increased loading in the furnaces supplied by Francis Hankin to possibly bring on this problem that we have."

Mr. Dumaresq: "I can't answer that, specifically. The contract for the furnaces is being looked after pretty well by Mr. West and Mr. Abraham because it's a specialty. But I think Mr. West might be able to answer that. Would you direct your question to Mr. West?"

His Worship the Mayor: "Mr. West, can you answer the question for the gentleman? The ball's been thrown to you."

Commissioner of Works: "The question as I understand it is, has anything been added to increase the possible loads on these columns? I haven't anything definite, but I might express an opinion somewhat similar to Mr. Dumaresq's in that I am wondering why, at this late date, they come and say 'these things don't appear to be strong enough.' I have my own opinion. I don't think it is the time for them to be published in the Press, but I would have some questions to ask Francis-Hankin to satisfy myself. I feel there is definitely a reason which I would like to have explained, and until my mind is clear on the matter, as far as the reasons go, there is certainly some doubt in my mind as to the motive behind it."

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Alderman Lloyd: "I have been listening to this discussion most carefully and trying to think of a remedy or of remedial action of it, and what would I do as a private business man in a matter of this kind. The first thing I would look at -- I don't want to hold up the work and I'd be guided by my advisers, Metcalf and Eddy, and my architects. Alright, you say this should be done. I would arrange for that work to be done, but concurrently with this, I would turn the matter over to my solicitors and say, 'would you advise me as to who is responsible for this, and we will keep our hold-back until it is settled'. And that's the way I would proceed. Is that a fair procedure for us to follow in Council?"

His Worship the Mayor: "I was going to ask that same question. If we proceeded now and accepted the change order without any statement at all we might be just paying for it whereas there may be something else."

City Manager: "That's not the intention. The reason I asked you to approve that change order tonight is this that I wrote to Francis-Hankin and I said, 'Get back on the job. We are going to do one column to see what it costs. You should be able to add more weight to that since it is nowhere near complete'. They replied by telegram saying, 'We would prefer to remain off job until reinforcements completed. In order that we may re-schedule our crew please advise anticipated completion date by return wire.' I am not answering this until you people act. Now, they had no right to go off that job. We can tell them to get back on the job. But, if we do it, it's against their will, and if something happens, they can say, 'We told you so'. So, in order to get the men back on the job and to get this incinerator finished somewhere near the spring of 1960 as we planned, I wanted the change order approved; and I most certainly intend to find out as between Dumaesq, Metcalf and Eddy and Francis-Hankin just what is the whole story. As a matter of fact, I have asked Mr. West to check with certain information locally to find out just where these men are working, and certain other things that might have a bearing on their particular action, here."

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Alderman Lloyd: "Has the City Manager consulted the City Solicitor?"

City Manager: "No, I haven't."

His Worship the Mayor: "Now, the question is what procedure we should follow to be on the safe side as far as our interest is concerned."

City Solicitor: "I have no knowledge of it. As you know there are at least three or four agreements in connection with the incinerator construction. I would like to have a look at the contracts and agreements. At the outset, to me it looks this way. We gave a contract with definite specifications and so on, and I would like to know now, the reason for these specifications being changed."

Alderman Lloyd: "In other words, you want to examine the possible legal responsibility of either Metcalf and Eddy, or the Francis-Hankin Company. The responsibility may lie anywhere."

City Solicitor: "That's right."

Alderman Dunlop: "I think if we get bogged down with legal and architectural opinions we will find out it is just one of these things that happen in any contract involving a million and a half dollars. Someone will come along after a while and say, 'We want this or that changed.' I think we might as well go ahead and spend the \$8,000.00; and if that is the only amount we have to spend as an extra on this contract, I think we will be getting off very well. If they are off the job, I quite agree we can tell them to get back to work but, if those furnaces fall down next week, Francis-Hankin Company will say, 'It's just one of those things that happen'."

Moved by Alderman Dunlop that the Change Order be approved.

His Worship the Mayor: "Do we, in passing this Change Order, accept responsibility, then?"

Alderman Lloyd: "If Alderman Dunlop will word his motion that we approve of the Change Order providing that the City Solicitor is satisfied that we are not in any way legally jeopardizing our right to recover any loss that we may incur by a responsibility or delinquency of action or delinquency on the part of any one of the parties with whom you have a contract in this matter. I think if he puts the resolution that way then it rests with the

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Solicitor and if he feels, strictly, that we are in some way, then he can advise the Mayor and the Mayor can call a meeting to deal with it. If he's satisfied that we are not compromising ourselves in any way to a right of recovery by this action, then the matter will proceed at once without any further reference to Council. "

Alderman Lane: "I am just questioning the delay in the work. I am in complete accord with Alderman Lloyd who has said a great many things that I, originally had in mind to say. I think we should go ahead and complete the work. I am not so terribly concerned about the financial responsibility for the \$8,400.00, as I am concerned with the legal position of Francis--Hankin for taking their men off the job and the delay entailed. Have they the right to remove the men? Could they prove the pillars were inadequate and the men were in danger; and, if so, how long is the delay — how much longer are we going to be kept out of the incinerator as a result of their action? And, what is the loss to the City?"

Alderman Wyman: "What right of recovery have we on that?"

His Worship the Mayor: "None."

Alderman Wyman: "Is there nothing in their contract?"

His Worship the Mayor: "Oh yes, on the contract completion date."

Alderman Ferguson: "How long would it take to complete this reinforcement of the columns?"

Commissioner of Works: "About ten days."

Alderman Ferguson said he would second the motion if Alderman Dunlop would agree to add the protective clause suggested by Alderman Lloyd.

Alderman Dunlop: "I don't look upon it as a legal question at all. It is a change order to add some material to an existing contract. We can say that it is sufficient and there will be no added expense; but they come along and say, 'we recommend that you do this' and I think we should just accept their recommendation and spend the \$8,000.00."

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Moved by Alderman Lloyd, seconded by Alderman Ferguson, that the change order recommended by the City Manager be approved by the City Council providing upon reference to the City Solicitor he finds that our right to any recovery of costs incurred is not prejudiced in any way, shape or form.

Alderman Wyman: "If the removal of the Francis-Hankin employees, while this work is being done, is going to delay the completion date, I would also like to feel assured that by approving the change order we are not going to give them an excuse whereby they can be relieved of any responsibility for delaying the completion of the job."

Alderman Lloyd: "That would be embodied in the Solicitor's consideration."

Alderman DeWolf: "Is this \$8,400.00 going to be the final amount?"

Mr. Dumaresq: "Yes, sir, we went to some trouble, while awaiting Council's decision, to have one done to get the exact cost, so that it wouldn't be just an estimate."

Alderman DeWolf: "What would it have cost had this heavier weight been embodied in the columns in the first place? Would it have cost \$8,400.00, \$4,400.00, or what is the additional cost to put this in. I know it's \$8,400.00 now but what would it have been if it had been embodied in the specifications and the plans originally?"

Mr. Dumaresq: "That's a little hard to answer, Your Worship."

Alderman DeWolf: "Well, what I am getting at is I don't think Council is going to take a chance on the safety of the pillars but I do think that if there was a mistake made that whoever made it should pay for their mistake. It is up to those who provided us with expert advice to make good the difference between the added figure and what it might have been had it gone in in the first place."

City Manager: "I think that if we had decided to strengthen the columns in the same way that we are doing now, the cost would have been just about identical. Now, what it would have been for bigger steel, I don't know! It might be as much or it might not be, I wouldn't know. But to do it originally the way we are doing it would cost exactly the same because all they

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are doing is putting a form around a steel beam and encasing it with reinforced concrete."

Alderman DeWolf: "Could this be done under protest being served on Francis-Hankin and Metcalf and Eddy? Can we do this work subject to a protest? Do that and if we can't iron it out, well we can't. We will save money in the long run as there is money being tied up every day that the plant is idle."

His Worship the Mayor: "Your suggestion is not in line with Alderman Lloyd's motion."

Alderman Lane: "As I listened to Alderman Lloyd's motion I had the feeling that the work is to be done 'provided' the clause is carried out and that's what you intended, was it not?"

Alderman Lloyd: "I intend that this matter should be discussed with the City Solicitor as it should have been before it came to Council."

Alderman Lane: "In the meantime, the work is going to be delayed until a decision is reached, under your motion."

Alderman Lloyd: "I don't think we can do anything else."

Alderman Lane: "Well, could it be resolved by passing a motion to do the work and, then pass a second motion to provide for our protection and our satisfaction as to responsibilities."

Alderman Greenwood: "Your Worship, on a point of order. No opportunity was given to second Alderman Dunlop's motion and I fully intended to second it; and I do so, now."

Alderman Lloyd: pointed out that since the opportunity was not afforded Alderman Greenwood to second Alderman Dunlop's motion, he now has the privilege of making a similar motion.

Alderman Dunlop: "I think we are getting all bogged down on a lot of technicalities. Actually, this work is not going to be done by Francis-Hankin. We are not dealing with Francis-Hankin, at all. We are dealing with between the Architects and the Foundation Maritime Limited. As I see, we are not compromising our position with Francis-Hankin at all. They come along and they

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recommend this. Now, either we take the recommendation or we don't. If we take their recommendation, we have to pay for it. If we don't take it, we just go ahead the way it is."

His Worship the Mayor: "At a possible loss, though, if the thing collapses."

Alderman Lloyd: "That's just it. If I may explain my motion. I don't want in this Council to make a decision on a legal matter when our Solicitor has asked us to give him the opportunity to examine it unless I feel that I can accept somebody else's opinion, other than his, on the matter and that he is not competent to judge. I feel that until it is proven otherwise, I think he is the best advice we can get on the matter. I also feel that if, as has been pointed out by Alderman Dunlop, that this is only a matter between the Foundation Maritime Limited and Metcalf and Eddy or somebody else, but not Francis Hankin--if that's the case, and if it's clearly the case, the City Solicitor tomorrow morning will clearly indicate that to the City Manager and the work proceeds. Because, then we have a different type of action involved in the matter of dealing with our architects and our consulting engineers. However, I don't want to debate the matter further. We are put to the task, now, of setting up the machinery to make sure that the City's interests is not prejudiced in any way, in shape or form."

Alderman O'Brien: "May I ask what the affect of Alderman Lloyd's motion will be if the Solicitor says that by passing a motion tonight to proceed with the work that we would be damaging our chances of collecting from somebody else? Is there any risk that the motion in effect would mean that we just wouldn't proceed until we had another Council meeting?"

The City Solicitor asked that the motion be repeated.

Alderman Lloyd repeated his motion as follows:

Moved that Council approve the Change Order recommended by the City Manager as recommended in turn by our consultants provided the City Solicitor on examination of this matter does not recommend against such a procedure to the City Manager.

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Alderman Dunlop: "I think the responsibility is ours."

Alderman Lane: "Can we give a conditional approval?"

His Worship the Mayor: "I don't know if we can or not. I'll have to ask the Solicitor if we can."

Alderman Greenwood: "If I move an amendment, moving the same motion but leaving off the provided, and we pass that; then we pass another motion instructing the City Solicitor to examine it, we would be better off."

Alderman Lloyd said he would be willing to have the motion split into two parts.

Alderman Wyman asked to have the City Solicitor explain the Council's position if the work was authorized to be performed under protest as suggested by Alderman DeWolf.

City Solicitor: "There is no prejudice, if our rights were violated."

Alderman Wyman: "That leaves us then in the position that we can pursue the question of recompense."

His Worship the Mayor: "If we pass it without prejudice tonight, we are protected."

Moved in amendment by Alderman Greenwood, seconded by Alderman O'Brien, that the Change Order recommended by the City Manager be approved without prejudice to the City's right to proceed and to inquire into the procedure of recovery, if any, under the contract.

The amendment was subsequently withdrawn because the question of who is to be notified of the City's action could not be determined until the City Solicitor had an opportunity to examine the matter and advise Council as to the legal responsibility.

The City Manager said that the reason the City Solicitor had not been consulted was because he (City Manager) had not obtained the facts respecting loads and data from Francis-Hankin and Company and Metcalf and Eddy; and he assured Council that he was doing everything possible to expedite completion of the incinerator.

Moved in amendment by Alderman Lane, seconded by Alderman Wyman, that the recommendation of the City Manager be approved; and that action be proceeded with to recover the amount of \$8,400.00 against the party responsible, if there is any liability on their part.

The motion, as amended, was put and passed.

Alderman Ferguson asked if the City Officials would investigate the operation of similar furnaces installed by the Francis-Hankin Co. in other cities.

His Worship the Mayor said that the Commissioner of Works had done that already but he would be asked to make further inquiries and report again.

PROGRESS ESTIMATE #8 - ENGINEERING CONSULTANTS - INCINERATOR

To: His Worship the Mayor and Members of City Council.
From: Committee on Works.
Date: November 17, 1959.
Subject: Progress Estimate #8 - Engineering Consultants - Incinerator.

The Committee on Works at a meeting held on the above date, considered a report from the Commissioner of Works recommending payment of Progress Estimate #8, re engineering consultants for the New Incinerator.

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On Motion of Alderman Butler, seconded by Alderman Trainor, the Committee recommended to City Council payment of Progress Estimate #8, re engineering consultants for the New Incinerator, in the amount of \$3,078.16, to Messrs. Metcalf and Eddy.

Respectfully submitted,

K.C. MANTIN,
CLERK OF WORKS.

Moved by Alderman Greenwood, seconded by Alderman Ferguson that the report be approved. Motion passed.

AGREEMENT INDUSTRIAL ESTATES LIMITED - PURITAN CANNERS LTD.

To: His Worship the Mayor and Members of City Council.
From: T.C. Doyle, City Solicitor.
Date: November 26, 1959.
Subject: Public Service Commission Easement - Puritan Cannery Limited.

Since the Agreement between the City and Industrial Estates was submitted to you sometime ago, a situation has arisen which requires an additional Agreement.

The Public Service Commission has stated that in order to protect their pipes which run through this property, it will be necessary to excavate and put a concrete slab over these pipes along the entire length of the easement, at a cost of approximately \$1700.00.

As the City has no authority to expend money for other than a civic purpose which obviously this is not one as it is made on behalf of the Public Service Commission, it will be necessary to secure legislation. I would also recommend that the whole agreement be ratified by legislation, and that any money which the City has agreed to expend on this particular property should be charged to the Land Sale Account.

Yours truly,

T.C. Doyle,
CITY SOLICITOR.

Moved by Alderman Abbott, seconded by Alderman Lane, that the recommendation of the City Solicitor be approved. Motion passed.

S.P.C.A. AGREEMENT

An agreement as drafted by the City Solicitor between the City of Halifax and the Nova Scotia Society for the Prevention of Cruelty to animals was submitted.

After considerable discussion it was decided to change the figure \$1,000.00 to \$1,500.00 and add the words 'for the duration of this agreement' because the agreement is for a term of eighteen months.

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Moved by Alderman Dunlop, seconded by Alderman Ferguson, that the Agreement as amended be approved; and that the Mayor and City Clerk be authorized to execute same on behalf of the City. Motion passed.

REPORT REDEVELOPMENT COMMITTEE

Nil.

REPORT FORUM COMMISSION

To: His Worship the Mayor and
Members of the City Council.

Your Worship and Aldermen: Re: Proposed new Rink addition to
Halifax Forum Property

On September 17th, 1959, Council authorized funds for the provision of a new skating and recreational building in the amount of \$175,000.00.

Tenders were called and the lowest of nine tenders was an amount of \$198,399.00, not including pipes and equipment needed for ice making in the new rink.

Subsequent negotiation with the two low tenderers reduced the original tender by the amount of \$15,089.00, making a net tender price of \$183,310.00. In addition it is estimated that pipes and necessary additions to the ice plant, such as the economizers and pipes to the present refrigerating plant, will cost \$25,000.00. It is estimated that architects fees will not exceed \$10,000.00, making a total estimated cost of \$218,310.00. This is a difference of \$43,000.00 from the original authorized borrowing.

Original low tender	\$198,399.00
Reductions	<u>15,089.00</u>
Net tender price	\$183,310.00
Estimated additions to ice plant	25,000.00
Architects fees	<u>10,000.00</u>
	\$218,310.00
Less previous authorization	<u>\$175,000.00</u>
Additional borrowing requirement	43,310.00

It has been explained by our architect that the original estimated figure was based on placing the building in a parallel position on a lower level to the Forum Building. The Forum Commission studied this proposition and it became apparent that it would be wise to attach the building at right angles at the same level as the Forum itself. The additional concrete buttress work and reinforcements necessary to raise the building, including fill, to the height of the Forum increased the cost of the erection of the building by an estimated \$25,000.00. The architects fees and the higher costs of building than anticipated make up the difference of \$43,000.00 from the original figure.

The building could be erected on the lower level at a saving of \$25,000.00, but the Forum Commission, after much consideration, recommend that the building be attached to the Forum at the Forum level, thereby making a building much more flexible and adaptable for other purposes.

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The Manager of the Forum, Mr. H.R. Nicholson, has carefully estimated total revenue available from the proposed new building to be \$37,600.00 per year, which includes the multiple use of the building as both a rink and an auditorium. The new figures including amortization are as follows:

Amortization	\$25,000.00
Insurance	1,000.00
Light, heat, water	2,500.00
Salaries	5,000.00
Maintenance	<u>1,500.00</u>
	\$35,000.00

It will be seen from the above that an appraisal of revenue and expenditures indicates that this building will be self-sustaining and will in twenty years be fully paid for.

The Forum Commission is therefore recommending and requesting City Council to provide the necessary additional funds in the amount of \$50,000.00.

Yours very truly,

W.D. Greenwood,
CHAIRMAN, FORUM COMMISSION.

Moved by Alderman Greenwood, seconded by Alderman Wyman, that the report be approved.

Moved by Alderman Dunlop that the matter be deferred until the 1960 Capital Budget is considered.

"I think it's clear, now, that the rink cannot be built in time for this season, and I think that it is quite clear that the total cost of this rink are not what appears in the Paper, and there is a very substantial additional amount to be added. I would think that the figure should be at least \$250,000.00. I am not greatly impressed by the statement of estimate of income. I think that anyone who has ever had anything to do with rinks, and if we look over our Forum statements for the past number of years, we find that the rinks are not a paying proposition from a rink operation alone. It took other things, such as storage space rental, to make them pay.

"I think this matter of dealing with Capital Budget items, even of a comparatively small amount of \$175,000.00, which we don't consider to be very much here, I think they should all be considered at one time; and we should look our budget carefully, more so at the present time when money is $7\frac{1}{2}\%$. We should look over all items of the Capital Budget at one time and see which we can get along without and which is an absolute necessity.

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"As you know, we have a matter coming up before very long and that is the situation regarding the Court House. That is a capital expenditure which in my opinion, at least as far as the Registrar of Deeds Office can't be put off and it will run into a lot of money. I only mention that as one item.

"I think that for 1960 this matter is not of any great urgency at the moment. We may have some thoughts about changing it. I am happy if some of these things are deferred from time to time. I remember when this rink and two or three other rinks were going to be built on the Common. I think that at least as far as the change in site, I prefer the change in site from the Common to where it is proposed to be built. It should be considered at Capital Budget time as it will give us more time to think about it, and the architects will have more time to figure out the cost. I am sure it is going to run into a great deal more money than is put down here." and he expressed the opinion that the architects fees would exceed the estimate as well as other items.

The motion to defer was seconded by Alderman Fox.

Alderman Greenwood said that the Forum Commission had been assured by the Architect that the fee would not exceed \$10,000.00, presumably, for the reason that the building is of prefabricated steel construction where there is no design problem.

Alderman Wyman asked how long, after approval of the funds, will it be before the building is completed and can be used.

Mr. Dumaresq: "Mr. Zinck is here and while I don't think he can give you an exact program he and I have discussed this and he says he can have ice in the rink this winter. I don't know what week that would be or what month."

Alderman Wyman: "I wasn't particularly interested in knowing when he would have ice in the building, but when the building would be ready for occupancy."

Mr. Zinck: "I would anticipate April 1st."

Alderman Wyman: "In the revised plan putting the new section on the same level as the other, is it planned to make any use of the space underneath or will it be filled?"

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Alderman Greenwood: "It was discussed and considered engineering-wise and the cost of erecting the building and designing the space underneath would be quite in excess of the proposed estimate so it was decided not to go ahead with the extra work."

Alderman Wyman: "If it is possible that this building may be finished by April 1st, or even May 1st, then there should be some opportunity of making use of it even if it isn't used with ice during the season between now and next year's skating season; and I think for that reason, that it is advisable for us to proceed with it at the present time and to adopt the original motion rather than the amendment."

His Worship the Mayor: "Mention was made tonight of the high interest rates currently being paid not only by industry but, primarily by municipalities across the Country. The total cost in 1959 of servicing our total debt averages out at 4.238%. The percentage interest charge as related to current expenditures of this City went from 1945 when it took 14.93% of our total revenue to finance the City's debt, interest-wise. It rose the next year to 17.88%. This is the time when interest rates were considerably lower than they are today.

"In 1958 it dropped down to 8.95% of current expenditures to finance the City's debt bearing obligations. This does not include capital payments.

"In 1959 it is down to 8.33% of our expenditures. The gross debt of the City of Halifax in 1945 was \$14,950,446.00 as against total City revenue of \$3,191,559.24. In other words, we were carrying a load of almost five times our revenue. In 1959 the debt had increased to \$26,000,000.00 but our revenue has increased to \$13,000,000.00. We now owe about twice our revenue.

"This illustrates a fairly sound position insofar as municipalities are concerned across this nation. Now, it's true enough that we are going to have to buy money at high interest rates in the next twelve to eighteen months, but I would suggest to you that if anybody here had a portfolio of investment income coming in that had only produced 4.23% you would be looking around for changes to better investments. We have been doing that in our trust funds.

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"I would suggest to you another device that would tend to overcome higher rates and it is this. We have a sum of money coming up in the surplus account which is a profit on an investment the City made years ago. I would suggest that for next year at least we follow the policy of making a down-payment, or we not fund for these amounts we require by way of capital expenditures, by taking a sum of money from investment income to reduce the impact on the borrowing. Now, true enough we get no lower rate of interest but, at the same time the carrying charges of any project will be reduced because we reduced the Capital. In other words we use the device that many people do of making a down payment. In the province of Ontario it is required by law that every municipal undertaking of a capital nature be covered first by a Capital contribution of thirty percent."

Alderman Lloyd said that several years ago the down payment idea was tried in New York with not too much success; but the hope was that by progressively increasing the percentage of down-payment on capital funds required that in time they would get to the point where they would be on a pay-as-you-go basis with Capital expenditures; and he continued:

"Speaking to the amendment, I think there is something that the Council should be made aware of in our financing. A few years back it was our practice to kind of roughly spread the impact of the capital repayments over the life of the loan, an increasing amount of capital repayment with decreasing amounts of interest payments similar to the payments on a reducing mortgage. But brokers felt for some reason that they didn't like that kind of short term stuff at varying interest rates and they gave their reasons and, I also find out that it is the practice of the Department of Municipal Affairs to follow a straight line method. In other words, if we borrowed \$225,000.00 for this project, the annual principal re-payment would remain a constant factor throughout the twenty-year period, giving us something like an \$11,000.00 payment a year. The full interest would hit us the first year. The amortization cost will not be constant to the Forum Commission because it will be retiring. The principal payments as I understand it are \$11,000.00 or \$12,000.00 a year and the amortization expense to this operation

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November 26, 1939.

which is a revenue-producing operation, will be reducing and reducing over the twenty-year period. The interest factor would reduce something in the order of \$13,000.00 and if you add your \$11,000.00 you've got close to your \$25,000.00. So that, in effect, the Forum Commission hasn't put its best foot forward on the record. They have have overstated the amount of amortization to finance this obligation.

"Now, it also happens to day that I was advised by an officer of the Municipal Affairs Department of a quotation either to the Town of Dartmouth or the County with a net carrying charge of 6.30. The matter of interest for the life of me, I can't see in the near future any substantial reduction in the interest level. However, it may be there but I can't see the interest factor reduced very much.

"As to the Capital Budget, it is to deal with those items substantially from which there is no revenue. And if there was no revenue from this project, I would be the first one to propose that the matter be deferred until the Capital Budget is considered. But, because it is a revenue producing venture and prudently projected it offers a kind of service that is badly needed in the community from what I can gather from the Commission and from the comments of many citizens who are interested in the utility of such a facility."

Alderman Greenwood again pointed out that the project would place no additional burden on the taxpayers of the City as it is a revenue producing project and the figures are most realistic. "They have been checked and rechecked are, certainly, on the low side if anything. They are realistic revenue figures for ice time, from demands that we now have, and from auditorium demands that we have now and we feel will be forthcoming with the much enlarged new building."

His Worship the Mayor: "This proposal before us tonight will do many things. First of all, we know very well that recreational facilities for the youngsters of Halifax are very limited in the wintertime. We have a number of skating clubs which cater to children from tots up to teens. A number of these are girls. You don't find too much recreation facilities for girls and this is one activity which the girls do enjoy and do partake of in great numbers.

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Some of these clubs number in membership about 600 people. There are only three ice surfaces at the present time available for skating or for hockey in the Halifax area of almost 150,000 people. That's a very low number."

Alderman Dunlop stated that in view of the assurance given by the Chairman of the Forum Commission that the project would be self-sustaining, and the other arguments presented he would withdraw his motion to defer the matter.

The motion was then put and passed.

A formal Borrowing Resolution in the amount of \$225,000.00 to cover the cost of erecting an addition to the ice-plant at the Halifax Forum was presented.

Moved by Alderman Greenwood, seconded by Alderman Lloyd, that the Borrowing Resolution be approved.

The motion was put and passed unanimously the following members of Council being present and voting therefor: Aldermen DeWolf, Abbott, Dunlop, Lane Macdonald, Butler, Fox, Ferguson, Trainer, Lloyd, Wyman, Connolly, O'Brien and Greenwood.

PARKING ON COMMONS

Alderman Trainer moved that parking be permitted on the north common during the period the parking ban is on, under the same terms and conditions as those in effect last year.

The motion was seconded by Alderman Lloyd and passed.

RECEPTION OF PERMISSIONS AND DELEGATIONS

Mr. Pat Shea, speaking as Chairman of the Civic Committee of the Halifax District Trades and Labor Council, asked if all employers would be obliged to make the Poll Tax check-off beginning January 1, 1960; also, he asked who the check-off covers and whether non-residents working in the City would be checked and, if not, why not.

His Worship the Mayor: Let me answer your second question first. Insofar as out-of-town residents are concerned, this Council three years running sought legislation from the Provincial Government for the right to impose a Poll Tax on non-residents coming into the City to work. It's all very well to say 'let's tax the outsiders'. We don't have the right to make our own tax laws.

We have asked the Provincial Government for the right to tax non-residents. They have refused to give us that power.

With respect to who is going to pay it, our law says that every employer shall file with us. This has been a provincial law since last April. We have had no protest that I know of from any employer that it is illegal or that they are not going to co-operate. If they fail to co-operate we have the penalties under the law to force collection from the employer.

His Worship the Mayor advised Mr. Shea that if he would put his questions in writing the City Solicitor would be pleased to reply giving a full explanation of the application of the law respecting Poll Taxes.

Meeting adjourned 11.20 P.M.

LIST OF HEADLINES

Public Hearing Re: Rezoning Lots 59, 60 and 61 Lynch Street from R-2 Zone to R-3 Zone	812
Tenders for Supplies	815
Demolition - #18 Wellington Court & Pavilion Barracks	826
Notice of Motion Alderman Lloyd Re: Legislation to Levy Real Property and Business Occupancy Taxes on Property of the National Harbours Board and Canadian National Railways	832
Subdivision - #20 22 Willow Street	835
Resubdivision - #94 Kline Street	836
Resubdivision - Lots Nos. 209 & 211 Wm. Hunt Ave.	836
Modification of Sideyard - #35 Lawrence Street	836
Tenders - Traffic Lights	837
Progress Estimate #10 - Material and Equipment - New Incinerator	837
Progress Estimate #12 - Incinerator Construction	848
Progress Estimate #8 - Engineering Consultants - Incinerator	850
Agreement Industrial Estates Limited - Puritan Cannery Ltd.	851
S.P.C.A. Agreement	851
Report Redevelopment Committee	852
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Reception of Petitions and Delegations	858

C.A. VAUGHAN,
MAYOR AND CHAIRMAN.

R.H. STODDARD,
CITY CLERK.

CITY COUNCIL MEETING
THURSDAY, DEC. 17, 1959

 A G E N D A

Prayer.

Minutes October 15, 22, 29, November 5 and 12, 1959.

1. Public Hearing - Alteration Street Lines - Lady Hammond Road.
2. Public Hearing - Removing Street Lines - Falkland Street between Brunswick Street and Brunswick Court.
3. Public Hearing Zoning Civic Nos. 21 and 23 Dudley Street from Armed Forces to R-3 Zone and Nos. 1, 3, 5, 7, 9, 11, 13, 15, 17 and 19 Dudley Street to R-2 Zone.
4. Use and Disposal of Property Redevelopment Area.
5. Accounts over \$500.00.
6. Motion Alderman Lloyd Re: Taxation National Harbours Board & Canadian National Railways.
7. City Hall Pay Roll.
8. Appointments to School Board.
9. Appointments to Bridge Commission.
10. Appointment to Vocational High School Board.
11. Supplementary Appropriations - Section 316 "C".
12. Nurses' Bursaries.
13. Payment Insurance Claim 190/92 Argyle Street.
14. Retirement Mr. Raymond Beck - Fire Department.
15. Write-off Tax Interest - 100 Summer Street - \$18.25
16. Widows' Pensions:

(a) Mrs. James R. Hudson	\$261.18
(b) Mrs. Wm. A. Rains	\$842.83
(c) Mrs. Wallace J. Ferguson	\$415.00
17. Write-off Taxes - Young Street Property - Province of Nova Scotia - \$7,399.82.
18. Alteration - Street Line - Duffus Street - January 14, 1960 Date for Hearing.
19. Rezone - Proposed Clyde Street Parking Lot (C2-Park and Institutional).
20. Modification of Sideyard - #27 Abbott Drive. (Recommended)
21. Appeal - Hair Dressing Parlor - #178 Windsor Street. (Recommended)
22. Sewer Easement - Pinewood Acres Subdivision Extension.
23. Army Benevolent Fund - \$485.00.
24. Boxing Day.
25. Rezone - #1 Ontario Street (R3-C2) (Refused)
26. Resubdivision - #20-22 Willow Street (Recommended)
27. Closing Portion of Carleton St. (College Street to University Avenue)
28. Modification of Sideyard - #1 Edinburgh Street (Recommended)
29. Modification of Zoning By-Law - Westwood Housing Project (Recommended)
30. Tenders - Sand and Gravel.
31. Tenders - New Floor - Bedford Row Fire Station.
32. Progress Payment #11 - Material and Equipment - New Incinerator.
33. Sewer Pipe Agreement - Between the City of Halifax and C.N.R.
(Roundhouse Property - Chisholm Avenue to Fairview)
34. Report - Ralston Avenue.
35. Demolition - #18 Wellington Court.
36. Progress Payment #13 - Incinerator Construction.
37. Tax Exemption - Presbyterian Church - Northwest Halifax.
38. Tax Exemption - 301 Barrington Street - Salvation Army.
39. Tax Exemption - Halifax Shipyards Limited for 1960.
40. Tax Exemption - Moirs Limited for 1960.
41. Grant Halifax-Dartmouth United Appeal.

42. Tag Day Monarchs Athletic Club -- December 19, 1959.
43. Sale of Tax Certificates.
44. Closing Collector's Office January 4 & 5, 1960.
45. Additional Borrowing - Fairview Overpass \$36,000.00.
46. Solicitor's Fees -- Bellevue Case - \$2,000.00.
47. Resolution Re: Canadian Flag.
48. Legislation Re: Overpayment of Taxes - 181/87 Gottingen Street.
49. Rules of Order of Council.
50. Confirmatory Deed to Mr. Leo Woods.
51. Agreement Bellevue Property - Parking Lot.
52. Appointment of Coal Weighers.
53. Appointment of Appraiser Four Lots All Saints Cathedral Land.
54. Tenders Pavilion Barracks.
55. Reports Redevelopment Committee.
56. Reception Petitions and Delegations.
57. Questions.

DEFERRED ITEM

1. Legislation Section 512 City Charter.

INFORMATION ITEMS

1. Administrative Report for November
2. Tax Collections.
3. Appropriations.
4. Change Trolley Stop - Duke Street.

CITY COUNCIL
MINUTES

Council Chamber,
City Hall,
Halifax, N. S.,
December 17, 1959,
8:00 P. M.

A meeting of City Council was held on the above date.

After the meeting was called to order by the Chairman and before considering the regular order of business, the members of Council attending, led by the City Clerk, joined in repeating the Lord's Prayer.

There were present His Worship the Mayor, Chairman; Aldermen DeWolf, Abbott, Dunlop, Lane, Butler, Trainor, Lloyd, Wyman, Connolly, O'Brien and Greenwood.

Also present were Messrs. A. A. DeBard, Jr., T. C. Doyle, R. H. Stoddard, W. J. Clancey, L. M. Romkey, G. F. West, J. F. Thomson, K. M. Munnich, V. W. Mitchell, H. K. Randall, Miss Jean Drake and Dr. A. R. Morton.

MINUTES

Moved by Alderman Butler, seconded by Alderman Greenwood, that the minutes of the meetings held on October 15, 22, 29, November 5 and 12, 1959 be approved. Motion passed.

PUBLIC HEARING -- ALTERATION OF STREET LINES -- LADY HAMMOND ROAD

A Public Hearing into the matter of the alteration of the official street lines of Lady Hammond Road from Kempt Road to 850 feet approximately northeastwardly, as shown on Section 7-J of the Official City Plan was held at this time.

The City Clerk advised that the matter had been duly advertised and that no written objections had been received.

No person appeared either for or against the proposal.

His Worship the Mayor: "If Council would agree, I would like to have this matter, now that the hearing is completed, adjourned till the next meeting of Council. You may recall that Mr. Munnich made some comment on this when it was before Council some time ago. He asked for time to look over the matter and we may not want to proceed in view of his report. In fairness to the staff, we should adjourn the hearing tonight."

It was agreed that the suggestion of His Worship the Mayor be approved.

W H E R E A S the City Council of the City of Halifax has received a report from the Town Planning Board of the City of Halifax recommending the removal from the official City Plan of the street lines of Falkland Street between Brunswick Street and Brunswick Court as shown on Section 11-B of the Official City Plan;

AND WHEREAS The City Council has considered the removal of the official Street lines of Falkland Street between Brunswick Street and Brunswick Court hereinbefore referred to;

AND WHEREAS pursuant to the provisions of Section 551A of the City Charter public notice of the intention to remove such street lines has been given by advertisement inserted at least once a week for two successive weeks in a newspaper published in the City, the first of such notices having been published at least three clear weeks before the 17th day of December, A. D., 1959, that being the day appointed by the Council to consider the matter;

AND WHEREAS the said notice stated the intention of the Council to remove the said official street lines, and the date of the meeting of the Council appointed for the consideration of the matter, and that the plan proposed to be altered and the proposed change thereof may be inspected at the office of the Commissioner of Works at any time during office hours up to the day so appointed for consideration of the matter;

AND WHEREAS the City Council has considered the said matter and has determined to remove the said official street lines in the manner set out on the said plan filed in the office of the Commissioner of Works as Section 11-B of the Official City Plan.

NOW THEREFORE BE IT RESOLVED that, pursuant to the authority in it vested by Section 551A of the City Charter as aforesaid, the Official City Plan of the City be amended by removing the official street lines of Falkland Street between Brunswick Street and Brunswick Court in the manner shown on the

said plan known as Section 11-B of the Official City Plan;

AND BE IT FURTHER RESOLVED that the official street lines of Falkland Street between Brunswick Street and Brunswick Court so removed, be so indicated on the Official Plan of the City and on the copy thereof filed in the Office of the Registrar of Deeds at Halifax, N. S.

Council,
December 17, 1959.

PUBLIC HEARING -- REMOVING STREET LINES -- FALKLAND STREET BETWEEN
BRUNSWICK STREET AND BRUNSWICK COURT

A Public Hearing into the matter of removing the official street lines of Falkland Street between Brunswick Street and Brunswick Court as shown on Section 11-B of the Official City Plan was held at this time.

The City Clerk advised that the matter had been duly advertised and that no written objections had been received.

No person appeared either for or against the proposal.

A formal resolution was submitted by the City Solicitor and same is attached to the original copy of these minutes.

Moved by Alderman Abbott, seconded by Alderman Butler, that the resolution as submitted be approved and that legislation be obtained to close the street to public use. Motion passed.

PUBLIC HEARING -- ZONING CIVIC NOS. 21 AND 23 DUDLEY STREET FROM
ARMED FORCES ZONING TO R-3 ZONE AND NOS. 1, 3, 5, 7, 9, 11, 13,
15, 17 AND 19 DUDLEY STREET TO R-2 ZONE

A Public Hearing into the matter of the zoning of Civic Nos. 21 and 23 Dudley Street from Armed Forces Zoning to R-3 Zone and Nos. 1, 3, 5, 7, 9, 11, 15, 17, and 19 Dudley Street to R-2 Zone was held at this time.

A petition was submitted containing the signatures of twenty-five assessed property owners, as follows:

To the City of Halifax
Province of Nova Scotia

The Petition of the Undersigned
Humbly Sheweth

1. That they are residents of Dudley Street, Warren Street, Claremont Street, Connolly Street and Oxford Street; That this portion of Claremont Subdivision as shown on Sketch #P200/48 has up to now qualified as a 2nd density area.
2. We, the undersigned, feel that Claremont Subdivision lots numbers 26 and 27 should not be rezoned to R-3 and vigorously oppose the introduction of spot zoning in the matter of lots numbers 26 and 27 as against Claremont Subdivision lots numbers 28 to 37 inclusive which presently meet the standards of R-2 zoning, although referred to as "Armed Forces".

The following reasons are put forth:

Lowering of property values within the immediate vicinity due to the erection of an 8-unit apartment building.
Parking and traffic problems due to 8 families living on a ground space originally planned for two family lots.
Special privileges being requested by one individual against the best interests of the balance of the district.

Council,
December 17, 1959.

YOUR PETITIONERS PRAY that City Council will give earnest consideration to the interests and protection of THE HOME OWNERS INVESTMENT in the above-mentioned district who endorse R-2 zoning of ALL DUDLEY STREET, but who oppose ANY SPOT ZONING of any area in the Claremont Subdivision.

Dated at Halifax, Nova Scotia, this 3rd day of December, A. D., 1959.

Mr. H. J. Langlois addressed Council on the matter as follows: "I am owner of the home at 5 Dudley Street, and incidentally, president of the Warren Co-Operative Housing Corporation Limited.

"My purpose in appearing before you tonight is to represent homeowners of Dudley, Warren, Claremont and Connolly Streets, plus the west side of Oxford Street. Almost all of them are very definitely opposed to the construction of any apartment dwellings containing more than four units in this vicinity.

"To fortify our stand, a petition from owners on the streets I have named has been presented to the City Clerk which protests the proposed 'spot rezoning' of Claremont Subdivision, Lots 26 and 27. I am able to report here that, of a total of 43 home-owners in the area I represent, 38 signed the petition and another two were not available. The response, you will agree, is a firm indication of the attitude we have towards such rezoning.

"I would like to summarize the reasons which prompted us to object: First, it is strongly felt that property values of necessity will be lowered if multi-unit apartments are introduced to this area. Second, there will be parking, traffic and many other problems associated with a number of families living on ground space originally planned for two family lots. Third, it is not in the interests of this area to allow special privileges to be granted to one individual against the best interests of the district.

"To conclude, Your Worship and Council, I would like to observe on behalf of the homeowners I represent, that although this particular district is under consideration for R-2 classification, the large number of substantial homes and general appearance of the area would indicate good cause for it to be of higher classification. However, we are willing to accept the suggestion of the City Planner that the area be classified R-2, but, under no condition will we condone spot rezoning or any other action that will tend to deteriorate our good standing, established in most cases by dint of great sacrifices."

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A plan showing the area to be zoned was displayed for the information of the Council.

Mr. Charles Burchell: "I represent Mr. Hartford Horne who is the owner of the corner lot on Dudley and Connolly streets. He purchased the lot this Spring and at that time it was marked "Armed Forces" and it was felt that he would like to, if possible, build a multiple-unit apartment, eleven units. Mr. Horne is the owner of the lot of land adjoining on Connolly Street and there is a four-unit apartment built. The lot to the south of Mr. Horne's property is owned by Mr. Don Schelew and he has consented to it. The application came up before the Town Planning Board and Mr. Munnich recommended the zoning in this manner, and the Board accepted that recommendation and gave it approval. It was advertised and I understand there was a petition filed against it. I was not able to see the petition because I was told it was not a public document until it was presented here tonight. I have not been able to check the names. I trust that all the people that signed the petition are property owners. I understand that the Co-Operative Housing Units are owned by a company and they are not owned individually."

Mr. Langlois: "We are the tenant buyers, so to speak. We are the owner in the sense that we have a mortgage with the Nova Scotia Housing Commission."

His Worship the Mayor: "They are the owners of the total stock in this Company."

Mr. Burchell: "I submit that this property is not an area that has apartment buildings at present. On the west side of Connolly Street there are the 'Armed Forces Apartments'. I would suggest that the Council accept the recommendation of the Town Planning Board."

His Worship the Mayor: "Council can do one of three things -- one you can accept the recommendation of the Town Planning Board; two, reject it; or three, refer the matter back to the Town Planning Board. You cannot in any way modify the proposal of the Town Planning Board because that would be contrary to the advertisement."

Alderman Lane: "Since there is no opposition to the zoning to R-2 of 1, 3, 5, 7, 9, 11, 13, 15, 17 and 19 Dudley Street, could that be dealt with

Council,
December 17, 1959.

separately?"

Council was advised that the advertisement contained separate descriptions of the areas to be zoned.

The City Solicitor stated that Council could approve the zoning as suggested by Alderman Lane.

Moved by Alderman O'Brien, seconded by Alderman Lane, that the properties 1, 3, 5, 7, 9, 11, 13, 15, 17 and 19 Dudley Street be zoned R-2. Motion passed unanimously.

Formal By-Laws were submitted by the City Solicitor.

Moved by Alderman O'Brien, seconded by Alderman Lane, that the By-Laws, as submitted, be approved. Motion passed unanimously.

His Worship the Mayor: "What is your wish with respect to the proposed zoning of 21 and 23 Dudley Street?"

Moved by Alderman Greenwood, seconded by Alderman Trainor, that the proposed zoning be referred back to the Town Planning Board.

Alderman Dunlop: "Does that end the Public Hearing?"

City Solicitor: "You just adjourn the Hearing and refer back to the Town Planning Board."

Alderman DeWolf: "Could the Town Planning Officer submit a plan showing the zoning of the area across the street within a radius of a hundred yards, because this does not give any indication. I think the reason it was not zoned in 1950 was that it was not subdivided. I may be wrong about that. North of the apartment houses it was 'Commercial' up to Windsor Street and along Windsor Street as far as Connaught Avenue."

The motion was then amended to read -- 'that the Hearing in connection with the zoning of 21 and 23 Dudley Street be adjourned and that the matter be referred back to the Town Planning Board'.

Alderman Lloyd: "Because of the representations made here tonight, we wish the Town Planning Board to re-examine the matter. There must be a tie-in as to why we referred it back. The representations were not made before the Board."

Alderman O'Brien: "May I ask whether the petition is of such a nature that a two-thirds vote would be required by Council?"

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December 17, 1959.

His Worship the Mayor: "No. This is zoning so it only requires a majority vote of Council."

City Solicitor: "If it were rezoning, it would require a two-thirds vote."

Alderman Dunlop: "I am going to vote against sending it back because I think the matter should be dealt with all at one time. I think the matter should be all dealt with right now."

Alderman Wyman: "We have not the choice of dealing with the matter altogether if we would like the whole thing zoned R-2. The only way that can be done is for it to go back to the Town Planning Board."

Moved in amendment by Alderman Dunlop, seconded by Alderman O'Brien, that 21 and 23 Dudley Street be zoned R-2.

His Worship the Mayor advised that action could not be taken tonight because there would have to be an advertisement in the Press and a Public Hearing held. He also advised that Council could only deal with the zoning as advertised for Public Hearing.

Alderman Dunlop: "Are these two particular lots advertised to be zoned to R-3?"

His Worship the Mayor: "Yes."

Alderman Dunlop: "Is it the ruling of the City Solicitor that we can't lower the zoning?"

His Worship the Mayor: "Council cannot modify anything which appeared in the advertisement."

His Worship the Mayor then ruled the amendment out of order.

Alderman Abbott: "If the Town Planning Board decides to recommend that this be zoned to R-2, does it mean another Public Hearing?"

His Worship the Mayor: "Yes."

Alderman DeWolf: "Who pays for the advertising?"

His Worship the Mayor: "The applicant."

City Manager: "He may not want to have it changed to R-2; and if he does not want to have it zoned, then we will have to pay for the second advertisement."

The motion to refer back to the Town Planning Board was then put and passed.

Council,
December 17, 1959.

USE AND DISPOSAL OF PROPERTY -- REDEVELOPMENT AREA

Deferred in Committee.

ACCOUNTS OVER \$500.00

To: His Worship, C. A. Vaughan, and Members of the City Council.

From: A. A. DeBard, Jr., City Manager.

Date: December 15, 1959.

Subject: Accounts over \$500.00.

<u>Department</u>	<u>Vendors</u>	<u>Purpose</u>	<u>Amount</u>
Finance	Province of Nova Scotia	Per Capital Payment Hospital Construction	\$69,600.75
	L. E. Shaw Limited	Concrete Solid Blocks	504.24
	N. S. Housing Commission	Share in Federal-Prov. Projects -- 25%	3,895.81
Works	LaHave Equipment Ltd.	Equipment for Garage	1,170.24
	N.S. Tractors & Equipment Limited	Parts for Tractors	2,523.83
	L. E. Shaw Limited	Capping rings, catchpits, bottoms and rings	1,698.52
	T. S. Simms Co., Ltd.	150 lbs. broom fibre	556.04
	Tangley Monuments	Cleaning & lettering cenotaph	695.00
Convalescent Hospital	General Electric X-Ray Corporation	X-Ray Equipment	634.16
Recreation	Eastern Sound Services	Installing P. A. System	1,370.00
Prison	Murphy's Limited	Clothing -- Prisoners	<u>570.52</u>
			\$83,219.11

A. A. DeBard, Jr.,
CITY MANAGER.

Moved by Alderman Abbott, seconded by Alderman Lloyd, that the report be approved.

Alderman Dunlop requested information with respect to the payment to the Province of Nova Scotia of an account amounting to \$69,600.75 for hospital construction and was advised that it was the per capita tax. He asked when it was required to be paid.

City Manager: "A first installment of 50% is due July 1, 1959, so I presume the second installment is due on or before December 31st."

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December 17, 1959.

Alderman Dunlop: "When is the grant from the Provincial Government re-
quired to be paid? They owe us \$156,000.00."

His Worship the Mayor: "It came in today."

Alderman Dunlop: "That is all right."

The motion was then put and passed.

TAX EXEMPTION FOR 1960 -- HALIFAX SHIPYARDS LIMITED

December 17, 1959.

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Finance and Executive Committee held on December 10,
1959 a letter was submitted from the Halifax Shipyards Limited requesting the
same assessment for 1960 as that of 1959.

Your Committee recommends that the request be granted and the necessary
legislation obtained.

Respectfully submitted,

R. H. Stoddard,
CITY CLERK.

Moved by Alderman Greenwood, seconded by Alderman Abbott, that the re-
port be approved. Motion passed.

TAX EXEMPTION FOR 1960 -- MOIRS LIMITED

December 17, 1959.

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Finance and Executive Committee held on December 10,
1959 a letter was submitted from Moirs Limited requesting that legislation be
secured as follows:

"Notwithstanding the provisions of the Bonus Act, Moirs Limited
shall not be liable to be assessed for the civic year, commencing
January 1st, 1960, in respect of its occupancy of real property
in the City for the purpose of any trade, profession or other
calling carried on for the purposes of gain, except with respect
to such portion of its real property as is occupied for the pur-
pose of its bakery business."

Your Committee recommends that the legislation secured for 1959 be re-
newed for the year, 1960.

Respectfully submitted,

R. H. Stoddard,
CITY CLERK.

Moved by Alderman Wyman, seconded by Alderman Greenwood, that the report
be approved. Motion passed.

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December 17, 1959.

TAX EXEMPTION - SALVATION ARMY PROPERTY -- 301 BARRINGTON STREET

December 17, 1959.

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Finance and Executive Committee held on December 10, 1959 a letter was submitted from the Salvation Army requesting exemption from taxation on its building, 301 Barrington Street, which will be demolished and a new structure erected thereon, to be used for religious and social work only.

Your Committee recommended that legislation be secured exempting from taxation the land and any buildings standing or erected thereon at 301 Barrington Street while used for the purposes of the general work of the Salvation Army, and that the exemption be effective as of January 1, 1960.

Respectfully submitted,

R. H. Stoddard,
CITY CLERK.

Moved by Alderman Lloyd, seconded by Alderman Dunlop, that the report be approved. Motion passed.

TAX EXEMPTION - PRESBYTERIAN CHURCH -- NORTHWEST HALIFAX

December 17, 1959.

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Finance and Executive Committee held on December 10, 1959 a letter was submitted from Rev. A. O. MacLean, pastor of the Presbyterian Church of Northwest Halifax, requesting exemption from taxation on their church building on Ashburn Avenue.

Your Committee recommends that legislation be secured to exempt the church from taxation in the same manner as those of a like nature.

Alderman Greenwood abstained from voting.

Respectfully submitted,

R. H. Stoddard,
CITY CLERK.

Moved by Alderman Butler, seconded by Alderman Wyman, that the report be approved. Motion passed with Alderman Greenwood abstaining from voting.

REQUEST TO REZONE NO. 1 ONTARIO STREET FROM R-3 TO C-2 ZONE

To: His Worship the Mayor and Members of the City Council.

From: Town Planning Board.

Date: December 15, 1959.

Subject: Rezone - No. 1 Ontario Street from R-3 to C-2 Zone.

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The Town Planning Board at a meeting held on the above date, considered a report from the Director of Planning recommending against an application for the rezoning of No. 1 Ontario Street from R-3 to C-2.

It was moved by Alderman Connolly, seconded by Alderman Trainor, that the request to rezone No. 1 Ontario Street from R-3 to C-2 be approved.

The vote on the motion was as follows:

<u>For</u>	<u>Against</u>
Alderman Connolly	Alderman O'Brien
Alderman Abbott	Alderman Lane
	Alderman Trainor

The motion was defeated 3 - 2.

Respectfully submitted,

K. C. Mantin,
CLERK OF WORKS.

Moved by Alderman O'Brien, seconded by Alderman Dunlop, that the report be approved.

Mr. R. L. Rooney, appearing on behalf of the applicant, stated that the application had been dealt with by the Town Planning Board without it having first been made to the City Council as provided by the Town Planning Act; and he requested that because of this technicality it now be referred to the Town Planning Board for consideration and report.

His Worship the Mayor: "Mr. Rooney is correct."

Moved by Alderman Connolly, seconded by Alderman Butler, that the matter be referred to the Town Planning Board for a report.

In reply to a question from Alderman Lloyd, His Worship the Mayor advised that the application must be referred to the Town Planning Board.

Alderman Dunlop moved that the application be rejected.

There was no seconder to this motion.

City Solicitor: "Any application to rezone should come to Council first."

City Manager: "We have no option, but to send it to the Town Planning Board."

City Solicitor: "That is right."

Alderman Lloyd: "The Town Planning Board always has to recommend to Council. It can't act on its own."

The motion to refer was then put and passed.

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MOTION - ALDERMAN LLOYD RE: TAXATION -- NATIONAL HARBOURS
BOARD AND CANADIAN NATIONAL RAILWAYS

The following resolution was moved by Alderman Lloyd, and seconded by Alderman O'Brien:

'RESOLVED that the City levy Business Occupancy and Property taxes on the assessed valuation applicable to all lands and improvements thereon owned, occupied or under the administrative control of the National Harbours Board; and that upon the expiration of the present agreement with the Canadian National Railways that the City levy Business Occupancy and Real Property taxes on all land and improvements thereon, owned, occupied or under the administrative control of the Canadian National Railway; and that before such tax levies are made, that the Finance and Executive Committee consider and recommend to Council any legislation that would strengthen the City's right to collect such taxes and that the City engage Solicitors to present and defend the City's right to collect such tax levies upon reference to the Courts.'

Alderman Lloyd: "Alderman O'Brien has agreed to second the motion, but we are going to add the words 'but that any decision of Council on this resolution be deferred until another meeting of the Federation's Committee has been held with the authorities at Ottawa'. I believe such a meeting is going to be held.

"The purpose in moving the resolution is to make some observations at this time which might be useful to the Council members. I think probably the first thing to observe is that the Mayors' Federation, in co-operation with our Mayor, has presented a very excellent statement on the position of the municipalities in which Crown Corporations are conducting operations. It covers most of the points being presented on behalf of the municipalities in fixing the equivalent tax on Crown Corporations as it applies to other Crown properties. You are familiar, of course, that Section 125 of the B. N. A. Act is a very simply worded Section. It simply says that no lands or property of the Government of Canada, or of the Provinces, shall be liable to taxation. I am not a lawyer, but I understand from those who are that those cases that have been decided in the Courts, where some effort has been made to tax the Crown, it has been argued that this Section, 125, precludes the Province of

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Nova Scotia, for example, giving the power to a municipality to impose a property tax on the lands of the Government of Canada, I have not been able to ascertain from anyone whether that Section was challenged on the grounds that when the B. N. A. Act was passed in Great Britain that this exclusion from taxation may have meant exclusion from taxation by the British Crown and not exclusion from taxation by Canada or by the Provinces. I understand, Your Worship, you will be presenting further statements on the matter through the Mayors' Federation; and, perhaps, this point should be observed.

"The second thing, of course, is this. In 1935 the City did have an action in the Court against the National Harbours Board and the ruling was that it was ultra vires to the parties to impose such a tax on the National Harbours Board at that time. Several years later, in 1944, the late Mr. Bethune agreed with Mr. Jack Teed, Solicitor of St. John, New Brunswick, that from their approach to the matter that he felt competent that he could go to the Court and collect a tax from Crown Corporations as occupants of Crown property. I was in touch with Mr. Teed only a few days ago and he still confirms the statement. The popular belief is that the Railway people settled with the City in 1947 or 1948 because it was felt that it was in the public interest to settle the matter and the Department of Justice came in and it was taken out of the hands of the Solicitors for the Railway Company. It is also well to remember, on this matter, that this had been going on for two or three years and the case was finally before the Court in St. John and ready to be heard when the Solicitor for the Railway came in and asked again for an adjournment. In other words, our case was fully prepared and all the efforts and arguments were also prepared for the hearing. Then, the matter was adjourned and we later proceeded to Ottawa. I never did agree to the request of the Canadian National Railway Board of Directors that we should, if we accepted their settlement, put into the vaults of the City Hall in Halifax and the vaults of the City of St. John, the arguments presented at that case. It was a request that I found, to say the least, most repugnant to me to even think about. I could not understand why a Crown Corporation should make such a request. It could have been that the case had been so well prepared that

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perhaps it was in their judgment a wise one not to have wide publicity. There is no other reason for it. I refused to be bound by those conditions at that time and I still think that it was a most unreasonable thing for a Crown Corporation to ask a municipality under the circumstances which we were in. The basis of the Canadian National Railway settlement was a most peculiar request to make.

"Your brief refers to income tax payments of Crown Corporations. They are liable in Canada for income tax. They are liable under the provision of the Income Tax Act. The only significance I can point out to you on that score is that you must read Section 125 in the spirit, if not in the letter; and if you did read it in the spirit of Confederation, then you would say, 'where are we going?' Crown Corporations were not even conceived of at that time. The fact remains, however, that in Canada these Crown Corporations are liable for Corporation taxes. For example, I see in tonight's paper the suggestion that the Province of Quebec might accept a proposal to accept an increase from 9 to 10% in income tax payments in lieu of university grants. Will income taxes be payable to the Province of Quebec on Crown Corporations? I am sure that you will find such an answer, Your Worship, when you are away. The Minister of Finance, I do not believe has changed his view that fair and reasonable taxation of Crown Corporations means taxation that a private owner of such property would have expected to pay bearing in mind all the things we do today with industrial companies and how we attempt to work out fair and reasonable tax loads. I think there are some factors that should be brought to the attention of the Minister. We must always remember that a Minister of the Crown, such as the Minister of Finance, must rely upon his advisors and must also remember that it is possible for an outside agency to bring to his attention things on which he has not been advised. I presume that you have indicated, Your Worship, at Ottawa the effect on the other Crown Corporations or other Crown Properties. In other words, if we were to collect from the National Harbours Board, the full impact of that bill would not fall on the National Treasury without some relief occurring concurrently in its tax load on its other Crown Properties to the extent the payment affects our budget.

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Still more important, and one I think which should be emphasized most strenuously, most of the large property owners in the area, I am thinking of National Retail Stores, Banks, large Office Buildings, Posco and Companies of that sort, National Corporations; whether or not they have a deficit position in this area, in reporting their income tax returns usually on a consolidated basis, most of them are in a 51% tax bracket today. Any relief in business tax that they obtain by this full taxation of the National Harbours Board, increases their taxable income and in turn, brings a substantial balance back to the National Treasury; so that the full impact of this taxing of the National Harbours Board is not the bill they would have to pay the City of Halifax, especially when it is practically admitted in the correspondence from the Minister that the National Treasury will have to foot the bill.

"Finally, why do I suggest this procedure? We are being left in the position, at the moment, that we may have to sign agreements for five years. The proposal that is offered to us is an increase of some \$30,000.00 over that paid in the last five years. I doubt if it is very much more than an amount to offset the depreciation of the dollar in that period of time."

His Worship the Mayor: "I understand it is merely to show the increase in property values of the Harbour Commission by reason of new construction."

Alderman Lloyd: "We are probably losing money, then."

His Worship the Mayor: "Yes."

Alderman Lloyd: "\$75,000.00, five years ago would purchase more than \$75,000.00 today."

His Worship the Mayor: "This is not a shifting of position by the National Harbours Board."

Alderman Lloyd: "\$105,000.00, while an attempt to recognize increased property values subject to some taxation, it, in effect, is nothing more than just putting \$105,000.00 on a parity with \$75,000.00 five years ago.

"There is one other point and it does disturb me very greatly. When we took this action against the Canadian National Railway, we did at least establish a starting point for a date of settlement. The City of Halifax has lost millions of dollars in revenue ever since. Ever since the Crown took over the operation of the Port facilities, it has put us behind an '8'-ball

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economically in this area. There are no two ways about that. There is less purchasing power in the hands of Halifaxians and others who reside in the metropolitan areas by virtue of a Crown Corporation coming into operation. I feel if you are not successful in your efforts, Your Worship, then we should proceed with Court action. There is always possibility that we might be able to establish a right to fair and reasonable taxation from Crown Corporations. If, for no other reason than the age in which we live, governments are tending to set up more and more Crown agencies to control, regulate and direct the economy of countries throughout the world. ~~If it were to con-~~ tinue and they refused to pay taxes on Crown Corporations and Crown Properties, that would destroy completely the municipal form of Government which rests on the real property tax basis. I am sure that is not the desire of any government. I see in this a matter of major importance to all municipalities affected where Crown Corporations are located, but in our particular case in the Province of Nova Scotia, if you look back at Nova Scotia's entry into Confederation and the circumstances under which it was brought about and such a case is brought into Court, with that background, we may be in quite a different position from the Province of Quebec, the Province of Ontario and the other Provinces of Canada because of our constitutional background prior to Confederation. It may be that we may be able to present a case which in its precise approach may be somewhat more to the advantage of us than perhaps some other municipality in Canada could present. That point should also be made and I would be happy to enlarge upon it further with you if you wish me to do so.

"I have also talked with two other constitutional lawyers and they did feel that ~~conventions and~~ changes in Government policy, economic factors that would force new Government policies, certainly mean that at some stage an interpretation of a written constitution must be made in keeping with the events of the time in which it is being interpreted. They feel that there is a reasonable chance that something very practical would come from a Court action on the matter.

"When you go to Ottawa, Your Worship, I do hope that it will be made

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quite plain to the powers that be, that every time a consumer good or capital good is purchased, used or consumed in Nova Scotia, in its price you are paying for the cost of educating children in the municipality where those goods were manufactured. We, in the price of goods, are helping to pay for the cost of education to a greater degree per capita because of the peculiar situation in which we are placed than the taxpayers of the City of Toronto, Hamilton or Windsor. If, for no other reason, for that reason alone, properties of Crown Corporations should be subject to municipal taxes.

He then suggested that the following words be added to the resolutions "that the debate and vote on this matter be deferred until the report of the Mayors' Federation presentation to the Government in January is in our hands."

Alderman Dunlop "I presume that the adoption of this resolution, which I must say is a far-reaching one, and goes beyond anything I have ever seen, means that the Council approves of such a resolution."

His Worship the Mayor: "No."

Alderman Dunlop: "I am going to vote against it."

His Worship the Mayor stated that the intent of the motion was one of deferment.

Alderman Dunlop: "Let us have a simple motion of deferment."

His Worship the Mayor: "That is what it is."

Alderman Lloyd then restated the addition to the motion calling for deferment.

Alderman Dunlop: "If it is a simple motion to defer without the endorsement of Council, perhaps that is all right. I would like to have a ruling that is absolutely clear that by deferring this motion it is not indicating approval of the Council at all."

His Worship the Mayor: "That is right. May I beg the indulgence of the Council for a moment? The matter of taxation of the National Harbours Board will amount to, if it were owned by a private person and assessed in the normal rate, would produce \$2,100,000.00 annually. However, we have been basing our approach to Ottawa on the same formula they use under the Municipal Grants Act. This would reduce our claim to something like \$860,000.00. It seems to me that in this approach, at least we should be moved by how we ap-

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proached the other matters in which we were able to get increased taxes on the Nova Scotia Liquor Commission, the Canadian Broadcasting Corporation and the Central Mortgage and Housing Corporation. The Federal Government does not pay business tax on its properties. It weighs more heavily on us in Halifax, this non-payment of business taxes, than it does in the City of Ottawa where, for instance, the factor is eleven against the factor of fifteen here in Halifax. In Ottawa they get 10/11ths of full taxation. In Halifax we get 10/15ths. This is where our own taxation policy works to our disadvantage. The argument as to why the Government does not use the formula in the Municipal Grants Act is because they will not pay on wharves and piers. The reason they will not pay is because if they were so fixed and held to this kind of payment, they would be paying a very large amount of money on the Beauharnois Canal, St. Lawrence Seaway, the Welland Canal, most of which are located in rural areas. In turn, they pay full taxation on hospitals which are normally exempt. They pay full taxation on the formula on schools, recreation facilities and on chapels which normally are tax exempt. They do this so that all will feel they are being fairly treated. This is to make up for non-payment of taxes on wharves and piers. Our approach to the Government is going to be that it will recognize the principle to instruct the Crown Corporations to follow at least the letter and the spirit of the Municipal Grants Act."

Alderman Greenwood: "I am sure that we all agree with Alderman Lloyd's very finely-worded resume of this, but I can't see for the life of me how we can resolve to levy business and occupancy taxes and in the same motion agree to defer debate. I think we should have this in the form of two motions."

Alderman Lloyd: "I thought I made it clear that I did not ask the Council to vote for this. I will agree that to discuss it at the length which I did, might have been technically out of order on the grounds that a simple motion to defer would have a vote and that would be it; but you will recall that we were going to have a special meeting on this matter. It was not held. Immediately prior to the meeting I suggested to His Worship that perhaps a review of these matters might be useful because after all, this Council is, in effect, delegating to its Mayor and the Mayor's Federation

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a job of work to carry out on our behalf. I think we should have the right to observe, and direct him in going to that meeting. All I have done tonight is to recognize, at the moment, that there is an opportunity of presentation of still stronger cases by the Mayors' Federation, that the Minister and the Cabinet may feel that some better results should come from the efforts of the Federation as indicated in the correspondence we now have in our hands. I am willing to wait to see if that takes place."

His Worship the Mayor: "The only thing is the way you framed your motion, Alderman, that both the debate and vote be deferred until after a report back to Council, stifles anybody who wants to speak on this matter tonight."

Alderman Lloyd: "I would be happy, if anyone wanted to speak on the matter, to move that the Rules of Order of Council be suspended."

His Worship the Mayor: "I think it would be better if we defer this motion to January 14, 1960 which we hope will be one week following the meeting in Ottawa."

Alderman Lloyd, with the permission of his seconder, moved that the matter be deferred; and he included in the resolution that action be deferred until the Council meeting in January, which was agreed to by Council.

CITY HALL PAY ROLL

December 17, 1959.

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Finance and Executive Committee held on December 10, 1959 a report was submitted from the City Manager advising that the City Hall Union has requested that paydays be changed from the 15th and last day of the month to every second Friday which would result in twenty-six pay periods per annum instead of twenty-four.

He further advised that there would be some additional labor, but not enough to require an addition to the staff.

Your Committee recommends that the request of the Union be granted.

Respectfully submitted,

R. H. Stoddard,
CITY CLERK.

Moved by Alderman DeWolf, seconded by Alderman Wyman, that the report be approved.

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Alderman O'Brien: "I would like to make one suggestion. I don't know what the planning is in terms of implementing the change from the point of view of the City and certain of those other problems and of the community, economically speaking, I would like to suggest that we consider Tuesday or Wednesday. The reason is this: many people think that we have a terrific rush which means traffic and parking problems when the Civil Service and the Navy are paid. It occurs in particular on Friday when more people are paid in the City. The parking problems and some of the traffic would be alleviated to a degree and the retailers would be relieved of having to provide facilities for doing 50 to 75% of their business in one day of the week."

His Worship the Mayor: "I know there are certain retail outlets who find that on Monday, Tuesday and Wednesday they could dismount half their staff as far as business is concerned. They get the rush Thursday, Friday and Saturday and you get confusion on the downtown streets."

City Manager: "The Union requested to be paid every other week and that is what we are suggesting. I don't think it will have to be Friday with them. It could be any day of the week, but what we had planned was that the City Field pay roll would come on one Friday and the Fire, Police and City Hall on the other. It is all right to change City Hall at any time because we don't have hours to compute and the same with Fire and Police. We would not want to have City Hall paid on a Tuesday, even if they were different weeks, and the City Field on Friday. If we can find a Tuesday or Wednesday to which we can shift the City Field and the rest of them on alternate weeks, we will try to work it out. We want to have an equal time schedule between the City Field and the City Hall pay rolls, that is one week apart. We will do the best we can."

The motion was then put and passed.

APPOINTMENTS TO SCHOOL BOARD

Alderman Dewitt nominated Alderman Dunlop.

Alderman Butler nominated Alderman Greenwood.

Alderman Lane nominated Alderman O'Brien.

The nominations were then voted upon by Council, and the vote resulted as follows --

Alderman Dunlop -- seven votes,
Alderman Greenwood -- nine votes,
Alderman O'Brien -- three votes.

His Worship the Mayor thereupon declared Aldermen Dunlop and Greenwood duly appointed to the Board of School Commissioners for a term of three years each.

APPOINTMENTS TO HALIFAX-DARTMOUTH BRIDGE COMMISSION

His Worship the Mayor nominated Deputy Mayor Wyman and himself as members of the Halifax-Dartmouth Bridge Commission for a term of three years, expiring December 31, 1962.

Moved by Alderman Lloyd, seconded by Alderman Butler, that the nominations of His Worship the Mayor be approved. Motion passed.

APPOINTMENT TO VOCATIONAL HIGH SCHOOL BOARD

His Worship the Mayor nominated Alderman Lloyd as a member of the Vocational High School Board for a term of three years, expiring December 31, 1962.

Moved by Alderman Butler, seconded by Alderman Trainor, that the nomination of His Worship the Mayor be approved. Motion passed.

SUPPLEMENTARY APPROPRIATIONS -- SECTION 316 "C"

December 17 1959.

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Finance and Executive Committee held on December 10, 1959, a report was submitted from the Commissioner of Finance requesting supplementary appropriations under the authority of Section 316 "C" of the City Charter as follows:

14-16	Nova Scotia Hospital and County Home	\$11,200.00
22	Point Pleasant Park	3,800.00
34-187	Cost of Civic Elections	573.38
34-188	Assessment Appeal Court	2,807.69
33-243	Natal Day Committee	262.15
3-1	City Clerk - Salaries	384.75
3-6	City Clerk - Furniture & Fixtures	165.28
		<u>\$19,192.25</u>

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Your Committee recommends that the request be granted.

Respectfully submitted

R. H. Stoddard,
CITY CLERK.

Moved by Alderman Lloyd, seconded by Alderman Greenwood, that the report be approved. Motion passed.

NURSES' BURSARIES

December 17, 1959.

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Public Health and Welfare Committee held on December 10, 1959, a report was submitted from the Commissioner of Health respecting the matter of City Nurses attending a course at Dalhousie University receiving the sum of \$125.00 per month living allowance whereas the Provincial Nurses receive \$175.00 per month.

Your Committee recommends that the City of Halifax give the City Nurses a bonus of \$50.00 per month during the time they are on course effective as of January 1, 1960.

Respectfully submitted,

R. H. Stoddard,
CITY CLERK.

Moved by Alderman DeWolf, seconded by Alderman Wyman that the report be approved. Motion passed.

PAYMENT -- INSURANCE CLAIM -- 190/92 ARGYLE STREET

December 17, 1959

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Redevelopment Committee held on December 4, 1959, consideration was given to a report from the City Manager in which he recommends the acceptance of \$18,795.00 in full settlement of the insurance claim re fire loss at 190-192 Argyle Street.

Your Committee concurs in the recommendation of the City Manager.

Respectfully submitted.

R. H. Stoddard,
CITY CLERK.

Moved by Alderman Trainor, seconded by Alderman O'Brien, that the report be approved. Motion passed.

RETIREMENT -- MR. RAYMOND BECK -- FIRE DEPARTMENT

December 17, 1959.

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Finance and Executive Committee held on December 10,

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1959, a report was submitted from the Commissioner of Finance advising that the Fire Chief has requested the retirement of Inspector Raymond Beck as of December 31, 1959.

He is sixty-five (65) years of age, has served the City for forty-three (43) years, is a member of the Firemen's Old Superannuation Plan and will receive 30/50ths of his average salary for the last three (3) years which amounts to \$2,378.96 effective as of January 1, 1960.

Your Committee recommends that Mr. Beck be retired at an annual amount of \$2,378.96 as of January 1, 1960.

Respectfully submitted,

R. H. Stoddard,
CITY CLERK.

Moved by Alderman Dunlop, seconded by Alderman Lloyd, that the report be approved. Motion passed.

WRITE-OFF -- TAX INTEREST -- 100 SUMMER STREET

December 17, 1959.

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Finance and Executive Committee held on December 10, 1959, a report was submitted from the Commissioner of Finance advising that there is an outstanding tax balance for the year 1956 amounting to \$89.25 assessed against the property on Summer Street owned by the Department of Veterans Affairs.

The City has been informed that the Department will pay the taxes if the City will waive the interest charges amounting to \$18.25.

Your Committee recommends that the interest charges be written off and the necessary legislation obtained.

Respectfully submitted,

R. H. Stoddard,
CITY CLERK.

Moved by Alderman Greenwood, seconded by Alderman Butler, that the report be approved. Motion passed.

WIDOW'S ALLOWANCE -- MRS. LUCY E. HUDSON

December 17, 1959.

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Finance and Executive Committee held on December 10, 1959, a report was submitted from the Commissioner of Finance advising that the above named had applied for financial assistance under Section 310-H-1 of the City Charter which provides that she may receive one-half of the amount of her late husband's accumulated service benefits which would be a sum of \$261.18 per annum, effective as of October 1, 1959.

He further advised that the sum of \$837.21 has been refunded to the Estate of James R. Hudson plus compound interest at the rate of 2½% and

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therefore, under Section 310-H-6, Mrs. Hudson's allowance will be deferred until December 1, 1962.

Your Committee recommends that the allowance be granted as of December 1, 1962.

Respectfully submitted,

R. H. Stoddard,
CITY CLERK.

Moved by Alderman Lloyd, seconded by Alderman Wyman, that the report be approved. Motion passed.

WIDOW'S ALLOWANCE -- MRS. VERA RAINS.

December 17, 1959.

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Finance and Executive Committee held on December 10, 1959, a report was submitted from the Commissioner of Finance advising that the above named had applied for financial assistance under Section 310-H-1 of the City Charter which provides that she may receive one-half of the amount of her late husband's accumulated service benefits which would be the sum of \$692.83. Mrs. Rains has a daughter under sixteen years of age and may receive an additional amount of \$150.00 until the daughter is sixteen years of age, making a total allowance of \$842.83 per annum effective as of October 1, 1959.

He further advised that the sum of \$1,940.12 has been refunded to the Estate of William A. Rains, plus compound interest at the rate of 2 1/2%, and, therefore, under Section 310-H-6, Mrs. Rains' allowance will be deferred until January 15, 1962.

Your Committee recommends that the allowance be granted as of January 15, 1962.

Respectfully submitted,

R. H. Stoddard,
CITY CLERK.

Moved by Alderman DeWolf, seconded by Alderman Greenwood, that the report be approved. Motion passed.

WIDOW'S ALLOWANCE -- MRS. VERA FERGUSON

December 17, 1959.

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Finance and Executive Committee held on December 10, 1959, a report was submitted from the Commissioner of Finance advising that the above-named widow of the late Wallace J. Ferguson, deceased pensioner, had applied for financial assistance under Section 310-H-2 of the City Charter.

Payments from the Superannuation Plan to the estate of Constable Ferguson will expire on December 31, 1959, which amounted to the sum of \$830.01 and according to the above Section, she may receive one-half of this amount which

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would be \$415.00 per annum as of January 1, 1960.

He therefore suggested that this allowance be paid.

Your Committee recommends that the allowance be granted as of January 1, 1960.

Respectfully submitted,

R. H. Stoddard,
CITY CLERK.

Moved by Alderman Lloyd, seconded by Alderman Dunlop, that the report be approved. Motion passed.

WRITE-OFF - TAXES - YOUNG STREET - PROVINCE OF NOVA SCOTIA

December 17 1959.

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Finance and Executive Committee held on December 10, 1959, a report was submitted from the Commissioner of Finance advising that the City has been receiving taxes amounting to \$7,710.29 from the N. S. Liquor Commission for the years 1958 and 1959 on a property located on Young Street.

Previous to this arrangement, the Commission paid full taxes on this property which amounted to \$7,430.20 per annum. The City is now receiving \$16,130.19 for the year 1959 and a like amount for 1958 which was not received under the old arrangement.

He suggested that the sum of \$7,399.82, representing taxes for 1958 and 1959 on the Young Street property, be written off.

Your Committee recommends that the suggestion of the Commissioner of Finance be approved.

Respectfully submitted,

R. H. Stoddard,
CITY CLERK.

Moved by Alderman Greenwood, seconded by Alderman Lane, that the report be approved. Motion passed.

ALTERATION - STREET LINE - DUFFUS STREET - DATE FOR A HEARING

To: His Worship the Mayor and Members of the City Council.

From: Town Planning Board.

Date: December 1, 1959.

Subject: Alteration - Street Line - Duffus Street.

The Town Planning Board at a meeting held on the above date, considered a report from the Director of Planning recommending the alteration of the street line on Duffus Street between Isleville Street and Agricola Street as shown on Drawing No. P300/23.

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On motion of Alderman Lane, seconded by Alderman Butler, the Board approved the report and recommended that January 14, 1960 be set as a date for a Public Hearing and recommended the same to City Council.

Respectfully submitted,

K. C. Mantin,
CLERK OF WORKS.

Moved by Alderman Trainer, seconded by Alderman Lane, that the report be approved and that Council fix January 14, 1960 at 8:00 P. M. in the Council Chamber, City Hall, Halifax, N. S. as the time and place for a Public Hearing in this matter. Motion passed.

REZONING -- PROPOSED CLYDE STREET PARKING LOT (C2 - PARK AND
INSTITUTIONAL) :: DATE FOR A PUBLIC HEARING

To: His Worship the Mayor and Members of City Council.

From: Town Planning Board.

Date: December 1, 1959.

Subject: Rezone -- Proposed Clyde Street Parking Lot, (C2 - Park and Institutional).

The Town Planning Board at a meeting held on the above date, considered a report from the Director of Planning recommending that the proposed Clyde Street parking lot be rezoned from C2 to Park and Institutional. (Drawing No. P852/1 refers to the boundaries of this area).

On motion of Alderman O'Brien, seconded by Alderman Connolly, the Board approved the report and recommended to City Council that a date be set for a Public Hearing.

Respectfully submitted

K. C. Mantin
CLERK OF WORKS.

Moved by Alderman O'Brien, seconded by Alderman Abbott, that the report be approved and that Council fix January 28, 1960 at 8:00 P. M. in the Council Chamber, City Hall, Halifax, N. S. as the time and place for a Public Hearing in this matter. Motion passed.

MODIFICATION OF SIDEYARD :: NO. 27 ABBOTT DRIVE

To: His Worship the Mayor and Members of City Council.

From: Town Planning Board.

Date: December 1, 1959.

Subject: Modification of Sideyard -- No. 27 Abbott Drive.

The Town Planning Board at a meeting held on the above date, considered a report from the Director of Planning recommending in favor of modification of sideyard at #27 Abbott Drive.

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On motion of Alderman Lane, seconded by Alderman O'Brien, the Board approved the report and recommended it to City Council.

Respectfully submitted,

K. C. Mantin
CLERK OF WORKS.

Moved by Alderman Abbott, seconded by Alderman Butler, that the report be approved. Motion passed.

APPEAL - HAIR DRESSING PARLOR - No. 178 WINDSOR STREET

To: His Worship the Mayor and Members of City Council.

From: Town Planning Board.

Date: December 1, 1959.

Subject: Appeal - Hair Dressing Parlor - No. 178 Windsor Street.

The Town Planning Board at a meeting held on the above date considered a request from Mrs. Edith Hartnett for permission to operate a Hair Dressing Parlor at No. 178 Windsor Street.

This request had been first dealt with at the Town Planning Board meeting of August 4, 1959, and permission was then refused.

The report of the Director of Planning dated July 21, 1959 was read to the Board and it contained a recommendation from the Planner against the granting of permission for the operating of a Beauty Parlor at that address.

On motion of Alderman Butler, seconded by Alderman Lane, the Board approved the request for a Beauty Parlor at No. 178 Windsor Street and recommended the same to City Council.

Alderman O'Brien was recorded as being "against".

Respectfully submitted,

K. C. Mantin,
CLERK OF WORKS.

Moved by Alderman Lloyd, seconded by Alderman Abbott that the report be approved.

Alderman Dunlop: "I am going to vote against this because I think we should be a little consistent about these things. We turned one down on South Park Street not very long ago. I read the minutes of the Town Planning Board and what I don't like is the suggestion made by the applicant that someone on the City staff promised them this or that. Every time an applicant is refused, this same thing comes up — the suggestion that someone at City Hall told them that there would be no objection to the granting of this permit. I think that Section in the Town Planning Act that allows barber shops and beauty parlors in the residential areas should be removed", and he said he found it

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December 17, 1959.

hard to believe that someone at City Hall gave them such a promise because when he called City Hall he didn't get any promises, but very non-committal answers which is the proper thing to do.

His Worship the Mayor: "I think it is false to say that any alleged promises were not the basis of the decision made by the Board."

The motion was put and passed with Aldermen Dunlop and O'Brien wishing to be recorded against.

SEWER EASEMENT - PINWOOD ACRES SUBDIVISION EXTENSION

To: His Worship the Mayor and Members of City Council.

From: Committee on Works.

Date: December 1, 1959.

Subject: Sewer Easement (Pinewood Acres Subdivision Extension
Sewer Extension) (South of Murdoch Avenue)

The Committee on Works at a meeting held on the above date, considered a report from the City Engineer recommending that a Sewer Easement be obtained over the rear of lots Nos. 2, 4 and 6 Pinewood Acres Subdivision and also recommending that the City add to its sewer system by installing a sewer on the above mentioned 20' wide easement.

The Committee members were informed that the owner, Mr. L. A. Nightingale, is prepared to grant to the City a Sewer Easement 20' wide for the nominal sum of \$1,000.

It was also pointed out to the Committee that by arranging to lay a sewer in the proposed easement would be a net saving of nearly \$1800.00 for the City, and also the funds for this work are included in our Sewer Capital and no additional borrowing is necessary.

On motion of Alderman Lane, seconded by Alderman O'Brien, the Committee approved the report and recommended it to City Council.

K. C. Martin,
CLERK OF WORKS.

Moved by Alderman Trainor, seconded by Alderman Butler, that the report be approved.

Alderman Dunlop: "Are there buildings on these lots?"

Commissioner of Works: "Not yet."

Alderman Dunlop felt that a 20 foot sewer easement was very narrow in case of anything to be done. He asked if the sewer easement was of any great length.

Commissioner of Works: "About two and one-half or three lots."

Alderman Dunlop questioned whether there would be room for machinery to work there.

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Commissioner of Works "In this particular sewer it should be quite adequate to do any work."

His Worship the Mayor "Would you recommend a wider easement?"

Commissioner of Works "We feel that 20 feet is adequate for this particular situation."

His Worship the Mayor "What is the size of the pipe?"

Commissioner of Works "14 inches."

Alderman Dunlop suggested that a 50 foot easement be negotiated.

The motion was put and passed.

ARMY BENEVOLENT FUND

December 17, 1959.

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Finance and Executive Committee held on December 10, 1959 a report was submitted from the Commissioner of Health advising that on August 11, 1959 City Council accepted a payment from the Army Benevolent Fund for \$485.00 in full settlement on an account which he believed at that time was \$975.00. It now appears that the actual amount was \$1,013.00, therefore leaving a balance of \$38.00 which he recommended be written off.

Your Committee concurs in this recommendation.

Respectfully submitted,

R. H. Stoddard,
CITY CLERK.

Moved by Alderman DeWolf seconded by Alderman Wyman, that the report be approved. Motion passed.

BOXING DAY -- DECEMBER 26 1959

The matter of proclaiming Boxing Day as a civic holiday was considered.

To: His Worship, C. A. Vaughan and Members of the City Council.

From: A. A. DeBard, Jr., City Manager.

Date: December 15, 1959.

Subject: Boxing Day.

Since 1947, Boxing Day, December 26, has fallen on a Sunday twice and each time it was celebrated on the following Monday. During the same period it fell on a Saturday in 1951 and was celebrated on that day.

The only factor in favour of a holiday on Monday the 28th is that the Province is having a holiday.

The factors against the City declaring a holiday are:

Council,
December 17, 1959.

1. December 24th, 25th, 26th, 27th, 31st & 1st, 2nd & 3rd of January will be holidays or partial holidays.
2. Business will likely want to be open on the 28th in view of the above.
3. A civic holiday on the 28th will cost us double time if we call out crews for snow and ice control.

A. A. DeBard, Jr.,
City Manager.

Board of Trade

December 17, 1959

Mr. Ralph Stoddard
City Clerk
City Hall
Halifax, Nova Scotia

Dear Sir

Re: Boxing Day Observance

At your request we have conducted a survey of a cross-section of the business firms in Halifax and find that without exception business firms expect to observe Boxing Day on Saturday, December 26, re-opening for business December 28.

In many instances we were reminded that observing Boxing Day on the 26th would permit employees to have an uninterrupted weekend enabling those who live in other parts of the Province to have Christmas at home.

Yours very sincerely,

Kenneth A. Ross
General Manager

Halifax Construction Association

December 17, 1959

Mr. Ralph Stoddard
City Clerk
City of Halifax, N. S.

Dear Sirs:

The Halifax Construction Association believes that it is in the best interest of both employers and employees in our industry that Saturday, December 26, be designated the official holiday for Boxing Day.

Proclaiming Monday, December 28, a civic holiday could result in the shut down of construction projects on that date and the subsequent loss of wages for the industries' employees.

Sincerely,

Malcolm R. Gilman
Secretary

Acting on instructions received from the Finance and Executive Committee the City Clerk advised the Federal Government Offices, as well as the banks

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would be open for business on December 28th. The Provincial Government was the only body having the 28th as a holiday.

It was agreed that Saturday, December 26th be proclaimed as Boxing Day.

RESUBDIVISION - NOS. 20/22 WILLOW STREET

To: His Worship the Mayor and Members of City Council.

From: Town Planning Board.

Date: December 15, 1959.

Subject: Resubdivision - Nos. 20/22 Willow Street.

The Town Planning Board at a meeting held on November 2, 1959, considered a report from the Director of Planning recommending in favor of a resubdivision at Nos. 20/22 Willow Street. The Board at that time recommended to City Council against a resubdivision at that address.

At the City Council meeting of November 26, 1959, the matter was referred back to the Town Planning Board so as a solicitor for the applicant could be heard.

The matter was again considered by the Town Planning Board at a meeting held on December 15, 1959.

On motion of Alderman Trainor, seconded by Alderman Abbott, the Board agreed that the resubdivision be approved and recommended to City Council that the necessary legislation be obtained to create the two undersized lots.

Respectfully submitted.

K. C. Mantin
CLERK OF WORKS.

Moved by Alderman Trainor, seconded by Alderman Connolly, that the report be approved. Motion passed.

CLOSING PORTION OF CARLTON STREET

To: His Worship the Mayor and Members of City Council.

From: Town Planning Board.

Date: December 15, 1959.

Subject: Closing Portion of Carlton Street (College Street to University Avenue).

The Town Planning Board at a meeting held on the above date considered reports from the City Engineer and the Director of Planning recommending the closing of a portion of Carlton Street from College Street to University Avenue, subject to agreement safeguarding the future development of the area to the satisfaction of the City.

On motion of Alderman O'Brien, seconded by Alderman Trainor, the Board approved the reports and recommended to City Council that the necessary legislation be obtained for the closing of a portion of Carlton Street from College Street to University Avenue.

Respectfully submitted.

K. C. Mantin
CLERK OF WORKS.

Council,
December 17, 1959.

To: His Worship the Mayor and Members of the Committee on Town Planning.

From: A. C. Harris, City Engineer.

Date: December 14, 1959.

Subject: Closing portion of Carlton Street (College Street to University Avenue)

Accompanying this report is a report from the Director of Planning which was requested in connection with the proposed closing to public use of that portion of Carlton Street as contained between University Avenue and College Street. This portion of Carlton Street was laid out and shows a total width of 60' between official street lines on Section 17B of the official City plans.

When looking up our records we find that the City conveyed to the Governors of Dalhousie University in 1912 the land lying between the western official street line of Carlton Street through to Summer Street, but reserved a right-of-way to be not less than 60' in width. No sewer or water mains are laid in this block; the only underground structure is a heating tunnel connecting two Dalhousie University buildings. There exists a line of poles with street lights, which could be abandoned were this street closed.

The first step would be to seek legislation requesting the closing to public use and then the street lines could be lifted and a conveyance could be made giving up the City's right to this street. Concurrently with the lifting of the street lines, the two open gaps should be closed by laying down the official northern line of University Avenue and southern official street line of College Street.

A. C. Harris, Engineer,
CITY ENGINEER.

To: His Worship the Mayor and Members of the Town Planning Board

From: K. M. Munnich, Director of Planning.

Date: December 15, 1959.

Subject: Closing of Carlton Street between College Street and University Avenue.

A request has been received from the Dalhousie University to close the above portion of Carlton Street and convey the land to the University to form part of the adjoining development. I consider that the closure of this portion of Carlton Street would be an advantage from the planning point of view since it would eliminate two junctions, one on College Street and the other on University Avenue making these two roads safer. It will also provide more space on the site of the adjoining university buildings. It is important, however, that any future development of the area should be carefully considered and agreed with the City.

The portion of Carlton Street to be closed carries little traffic and does not contribute greatly to the vehicular circulation in the area. Robie Street and Summer Street provide easy north-south connections within a short distance.

The Chief of Police and Fire Chief have been consulted and are in agreement to this closure.

I RECOMMEND, therefore, that on planning grounds the above portion of Carlton Street should be closed and the land conveyed to the Dalhousie University subject to agreement safeguarding the future development of the area to the satisfaction of the City.

Respectfully submitted

K. M. Munnich,
DIRECTOR OF PLANNING.

Council,
December 17, 1959

Moved by Alderman Lane, seconded by Alderman Abbott, that the report be approved and that the same be held without calling for readers. Motion passed.

MODIFICATION OF SIDEYARD AT NO. 1 EDINBURGH STREET

To: His Worship the Mayor and Members of City Council.

From: Town Planning Board.

Date: December 15, 1959.

Subject: Modification of Sideyard at No. 1 Edinburgh Street.

The Town Planning Board at a meeting held on the above date considered a report from the Director of Planning recommending in favor of modification of sideyard at No. 1 Edinburgh Street.

On motion of Alderman Butler, seconded by Alderman Lane, the Board approved the report and recommended it to City Council.

Respectfully submitted,

K. C. Martin
CLERK OF WORKS.

Moved by Alderman Butler, seconded by Alderman Connolly, that the report be approved. Motion passed.

MODIFICATION OF ZONING BY-LAW - WESTWOOD PARK HOUSING PROJECT

To: His Worship the Mayor and Members of City Council.

From: Town Planning Board.

Date: December 5, 1959.

Subject: Modification of Zoning By-law - Westwood Housing Project.

The Town Planning Board at a meeting held on the above date considered a report from the Deputy City Solicitor recommending that this housing project be dealt with in the same manner as the Bayers Road Project and that Sub-section 1(h) of Part XV of the Zoning By-law be amended so that any multiple housing project by Central Mortgage and Housing Corporation may be exempted from the Zoning By-law regulations by City Council. An amendment to the Zoning By-law by City Council would be sufficient to accomplish this.

On motion of Alderman O'Brien, seconded by Alderman Abbott, the Board approved the report and recommended it to City Council.

Respectfully submitted,

K. C. Martin
CLERK OF WORKS.

Moved by Alderman Connolly, seconded by Alderman Trainer, that the report be approved. Motion passed.

CITY OF HALIFAX

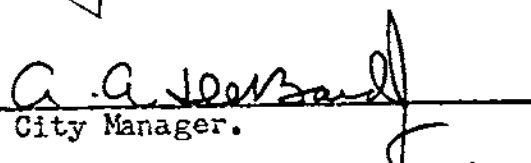
TABULATION OF TENDERS
FOR
SAND AND GRAVEL

		P R I C E P E R T O N		
		HUBLEY'S SAND AND GRAVEL CO. LTD.	NOONAN SAND AND GRAVEL LIMITED	ACCEPTED TENDER (HUBLEY)
		1960	1960	1959
<u>CONCRETE SAND</u>				
Delivered at				
Plant	##	\$3.80 c.y.	-	\$3.50
Siding	##	3.50 c.y.	-	3.50
City Field or Street	##	4.20 c.y.	-	3.90
<u>COARSE SAND</u>				
Plant	##	4.00 c.y.	-	3.50
Siding	##	4.00 c.y.	-	3.50
City Field or Street	##	4.40 c.y.	-	3.90
<u>GRAVEL</u>				
Plant	##	3.25 c.y.	-	3.25
Siding	##	3.25 c.y.	-	3.25
City Field or Street	##	4.00 c.y.	-	3.25
<u>CRUSHED GRAVEL</u>				
Plant		-	-	-
Siding		-	-	-
City Field or Street	##	2.75 ton	-	-
<u>ASPHALT SAND</u>				
Plant		-	-	-
Siding		-	-	-
City Field	##	3.05 ton	4.35 c.y.	3.05 ton
<u>BEACH SAND</u>				
Plant	##	2.50 c.y.	-	-
Siding	##	2.50 c.y.	-	-
City Field	##	3.00 c.y.	-	-

Denotes Lower Tender.

RECOMMENDED - HUBLEY'S SAND AND GRAVEL CO. LTD. - HALIFAX.


Commissioner of Works.


City Manager.

Council
December 17, 1959

TENDERS -- SAND AND GRAVEL

To: His Worship the Mayor and Members of City Council.

From: Committee on Works.

Date: December 15, 1959.

Subject: Tenders -- Sand and Gravel.

The Committee on Works at a meeting held on the above date considered a tabulation of tenders from the City Manager and the Commissioner of Works for Sand and Gravel.

Acceptance of the following tender was recommended -- Hubley's Sand and Gravel Company Limited.

On motion of Alderman Butler, seconded by Alderman Lane, the Committee approved the recommendation of the City Manager and the Commissioner of Works and recommended it to City Council.

Respectfully submitted,

K. C. Martin
CLERK OF WORKS.

Moved by Alderman Lane, seconded by Alderman DeWolf, that the tender of Hubley's Sand and Gravel Company Limited be accepted in accordance with the tabulation submitted, a copy of which is attached to the original report of these minutes. Motion passed.

TENDERS -- NEW FLOOR -- BEDFORD ROW FIRE STATION

To: His Worship the Mayor and Members of City Council.

From: Committee on Works.

Date: December 15, 1959.

Subject: Tenders -- New Floor -- Bedford Row Fire Station

The Committee on Works at a meeting held on the above date considered a tabulation of tenders from the City Manager and the Commissioner of Works for repairs to the concrete floor at the Bedford Row Fire Station.

Acceptance of the following tender was recommended -- Fryer Construction Limited at \$2,386.00

On motion of Alderman Connolly, seconded by Alderman Abbott, the Committee approved the recommendation of the City Manager and the Commissioner of Works and recommended it to City Council.

Respectfully submitted,

K. C. Martin
CLERK OF WORKS.

Alderman Dunlop asked if a new floor were not laid when the Station was remodelled a few years ago.

Commissioner of Works: "The concrete floor was put down in the 1920's. This is just a 20' strip in front of the Station where the concrete is ab-

Council
December 17, 1959.

viously weak and it could be dangerous. We are investigating the strength of the rest of the fiber and may have to come back for money.

Moved by Alderman Abbott, seconded by Alderman Uive, that the report be approved. Motion passed.

PROGRESS PAYMENT NO. 11 - MATERIAL AND EQUIPMENT - NEW
INCINERATOR

To: His Worship the Mayor and Members of City Council.

From: Committee on Works.

Date: December 15, 1959.

Subject: Progress Payment No. 11 - Material and Equipment - New Incinerator.

The Committee on Works at a meeting held on the above date considered a report from the Commissioner of Works recommending payment of Progress Estimate No. 11 for material and equipment for the New Incinerator.

On motion of Alderman Lane, seconded by Alderman O'Brien, the Committee approved the report and recommended to City Council payment of Progress Estimate No. 11 for material and equipment for the New Incinerator in the amount of \$12,970.80 to Francis Hankin and Company Limited.

Respectfully submitted

K. C. Martin,
CLERK OF WORKS.

Alderman Trainor asked if there were a report available regarding the recent \$8,000.00 payment on the Incinerator.

The City Manager will have a report. I talked with Francis Hankin and Company Limited while I stopped in Boston on December 4th.

Moved by Alderman Lane, seconded by Alderman O'Brien, that the report be approved. Motion passed.

SEWER PIPE AGREEMENT - CITY OF HALIFAX AND CANADIAN NATIONAL
RAILWAY (ROUNDHOUSE PROPERTY - CHISHOLM AVENUE TO FAIRVIEW)

To: His Worship the Mayor and Members of City Council.

From: Committee on Works.

Date: December 15, 1959.

Subject: Sewer Pipe Agreement - Between the City of Halifax and C. N. R.
(Roundhouse Property - Chisholm Avenue to Fairview)

The Committee on Works at a meeting held on the above date considered a report from the City Manager recommending that the City enter into a sewer pipe crossing agreement with the Canadian National Railways for the installation of a new sewer on the Roundhouse Property from Chisholm Avenue to the existing sewer near the Fairview Overpass. The length of the proposed sewer is approximately 1800 feet and the rental requested is \$175.00 per annum.

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December 17, 1959.

On motion of Alderman O'Brien, seconded by Alderman Trainor, the Committee approved the report and recommended it to City Council.

Respectfully submitted,

K. C. Martin,
CLERK OF WORKS.

Moved by Alderman O'Brien, seconded by Alderman Trainor, that the report be approved and that the Mayor and City Clerk be authorized to execute the agreement on behalf of the City. Motion passed.

ACCEPTANCE OF A PORTION OF RALSTON AVENUE AS A CITY STREET

To: His Worship the Mayor and Members of the City Council.

From: Committee on Works.

Date: December 15, 1959.

Subject: Report on Ralston Avenue.

The Committee on Works at a meeting held on the above date considered the matter of accepting part of Ralston Avenue as a City street.

On motion of Alderman Trainor, seconded by Alderman O'Brien, the Committee recommended to City Council that the necessary legislation be obtained in order to accept that portion of Ralston Avenue as a City street, without it being up to grade.

Respectfully submitted,

K. C. Martin,
CLERK OF WORKS.

The City Manager stated that it should be recorded that there would be no cost to the abutter in this case.

City Solicitor: "In other words, the City is going to take the title and do everything."

His Worship the Mayor: "That is right."

Moved by Alderman Trainor, seconded by Alderman O'Brien, that the report be approved and that an agreement be made against the abutter. Motion passed.

DEMOLITION - NO. 18 WELLINGTON COURT

To: His Worship the Mayor and Members of City Council.

From: Committee on Works.

Date: December 15, 1959.

Subject: Demolition - No. 18 Wellington Court.

The Committee on Works at a meeting held on the above date considered a report from the Commissioner of Works recommending that Mr. John Gray be permitted to demolish No. 18 Wellington Court. The Commissioner of Works

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December 17 1959.

pointed out to the Committee that vandals had caused considerable damage prior to Council's decision of November 26, 1959, and that Mr. Gray had offered to demolish the building and remove it from the site at no cost to the City.

On motion of Alderman Connolly, seconded by Alderman Trainor, the Committee approved the report and recommended it to City Council.

Respectfully submitted,

K. C. Manton
CLERK OF WORKS.

Moved by Alderman Trainor, seconded by Alderman Abbott, that the report be approved. Motion passed.

PROGRESS PAYMENT No. 13 - INCINERATOR CONSTRUCTION

To: His Worship the Mayor and Members of City Council.

From: Committee on Works.

Date: December 15, 1959.

Subject: Progress Payment No. 13 - Incinerator Construction

The Committee on Works at a meeting held on the above date considered a report from the Commissioner of Works recommending payment of Progress Estimate No. 13, re construction of the New Incinerator.

On motion of Alderman Trainor, seconded by Alderman Lane, the Committee approved the report and recommended to City Council payment of Progress Estimate No. 13, re construction of the New Incinerator in the amount of \$50,268.66 to Foundation Maritime Limited.

Respectfully submitted,

K. C. Manton
CLERK OF WORKS.

Moved by Alderman Connolly, seconded by Alderman Butler, that the report be approved. Motion passed.

GRANT - HALIFAX-DARTMOUTH UNITED APPEAL

December 17 1959.

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Finance and Executive Committee held on December 10, 1959, a letter was submitted from the Halifax-Dartmouth United Appeal requesting an increase of ten percent in their grant from the City for the year, 1959.

Your Committee recommends that the City's contribution be increased by the amount of \$1,000.00 and that the necessary legislation be obtained.

Respectfully submitted,

R. H. Stoddard
CITY CLERK.

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December 17, 1959.

His Worship the Mayor: "Do you want to agree to that because of the fact that in 1960 one agency is going to be dropped from the United Appeal?"

He stated that he did not endorse the idea where citizens were called upon to donate privately and then again through a donation by the City to the Appeal.

The City Manager advised that the City of Vancouver decided it would not make a contribution to the Appeal for this reason.

Alderman Lane: "I never did get the proportion of money to Dartmouth Agencies and the percentage it represented against the Dartmouth donation, and the comparable figures in Halifax. I am still waiting for that."

His Worship the Mayor: "We had member organizations here last year and in some cases they could, such as in case work. They were able to break down the proportion granted to County and Dartmouth residents."

Moved by Alderman Lloyd, seconded by Alderman Wyman that the report be approved. Motion passed with Aldermen Abbott and Lane wishing to be recorded against.

TAG DAY - MONARCHS ATHLETIC CLUB - DECEMBER 19, 1959

December 17, 1959.

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Finance and Executive Committee held on December 10, 1959, application was made from the Monarchs Athletic Club advising that their tag day, scheduled for March 28, 1959, had been rained out and for that reason they requested that they be permitted to hold their 1959 Tag Day on any Saturday prior to Christmas.

Your Committee recommends that the Club be granted December 19, 1959.

Respectfully submitted

R. H. Stoddard,
CITY CLERK.

Moved by Alderman DeWolf, seconded by Alderman Greenwood, that the report be approved. Motion passed.

SALE OF TAX CERTIFICATES

December 17, 1959.

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Finance and Executive Committee held on December 10,

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December 17, 1959

1959, it was agreed to recommend that tax certificates be sold under the authority of Section 44-B of the City Charter to those who apply to the City Treasurer for them under the following schedules:

- A \$100.00 certificate purchased on or before January 4, 1960, at a price of \$98.40
- A \$100.00 certificate purchased on or before February 4, 1960, at a price of \$98.80
- A \$100.00 certificate purchased on or before March 4, 1960, at a price of \$99.20
- A \$100.00 certificate purchased on or before April 1, 1960, at a price of \$99.60

Respectfully submitted

R. H. Stoddard
CITY CLERK.

Moved by Alderman Dunlop, seconded by Alderman Lloyd, that the report be approved. Motion passed.

CLOSING CITY COLLECTOR'S OFFICE JANUARY 4 & 5, 1960

December 17, 1959.

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Finance and Executive Committee held on December 10, 1959 a report was submitted from the Commissioner of Finance suggesting that the City Collector's Office be closed to the general public on January 4 and 5, 1960 for the purpose of balancing the tax Ledgers as at the close of business on December 31, 1959.

Your Committee recommends that the suggestion of the Commissioner of Finance be approved.

Respectfully submitted

R. H. Stoddard
CITY CLERK.

Moved by Alderman Lloyd, seconded by Alderman Lane, that the report be approved. Motion passed.

ADDITIONAL BORROWING -- FAIRVIEW OVERPASS -- \$36,000.00

December 17, 1959

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Finance and Executive Committee held on December 10, 1959, an additional borrowing resolution amounting to \$36,000.00 was submitted by the City Solicitor for the purpose of defraying the City's share of the cost of the Fairview Overpass making a total of \$251,000.00.

Your Committee recommends that the Borrowing Resolution be approved and forwarded to the Minister of Municipal Affairs.

Respectfully submitted

R. H. Stoddard
CITY CLERK.

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December 17, 1959.

Moved by Alderman Wyman, seconded by Alderman Dunlop that the report be approved. Motion passed.

SOLICITOR'S FEES - BELLEVUE CASE

December 17, 1959

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Finance and Executive Committee held on December 10, 1959, a report was submitted from the City Solicitor advising that Mr. R. H. Fielding, Q. C., has requested payment of \$2,000.00 for his services in connection with the Bellevue Expropriation.

Your Committee recommends that the payment be approved and the funds provided under the authority of Section 316 "C" of the City Charter.

Respectfully submitted

R. H. Stoddard
CITY CLERK.

Moved by Alderman Lloyd, seconded by Alderman DeWolf, that the report be approved. Motion passed.

RESOLUTION RE: CANADIAN FLAG

December 17, 1959.

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Finance and Executive Committee held on December 10, 1959, a resolution was submitted from Assumption University of Windsor, Ontario, recommending that citizens of Canada recommend that a Committee be formed to work co-operatively to support the creation and adoption of a distinctive Canadian Flag.

The resolution is forwarded to Council without recommendation.

Respectfully submitted

R. H. Stoddard
CITY CLERK.

Moved by Alderman Greenwood, seconded by Alderman Trainer, that the Resolution be filed. Motion passed.

LEGISLATION RE: OVERPAYMENT OF TAXES -- 181/87 GOTTINGEN STREET

December 17, 1959.

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Finance and Executive Committee held on December 10, 1959 a letter was submitted from Mr. Harry MacDonald requesting a refund of taxes paid on property at 181/87 Gottingen Street for the years 1956, 1957 and 1958 amounting to \$801.50.

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In the general re-assessment made in the year 1956, it had applied to the whole of the property. No. 16 Maitland Street was assessed to him as part of the Gottingen Street property. The error was corrected in the records of the City Assessor's Office in the assessment made on December 15, 1958.

Your Committee recommends that Mr. MacDonald be refunded the amount of \$801.50 without interest and that the necessary legislation be obtained.

Respectfully submitted,

R. H. Stoddard
CITY CLERK.

Moved by Alderman Lloyd, seconded by Alderman Dunlop, that the report be approved. Motion passed.

RULES OF ORDER OF COUNCIL

December 17, 1959.

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Finance and Executive Committee held on December 10, 1959 the following resolution was submitted from the Council at a meeting held on November 26, 1959

RESOLVED that the Finance and Executive Committee review the Rules of Order set forth in Ordinance No. 2 and also consider the matter of rules that are or may be applicable to Committee procedure and to make such recommendation it deems appropriate thereto.

Your Committee recommends that Aldermen Wyman, Dunlop and Lloyd be appointed a sub-committee to make an objective study of the Rules of Order of Council and report back to this Committee.

Respectfully submitted,

R. H. Stoddard
CITY CLERK.

Moved by Alderman DeWolf, seconded by Alderman Greenwood that the report be approved. Motion passed.

CONFIRMATORY DEED TO MR. LEO WOODS

December 17, 1959.

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Finance and Executive Committee held on December 10, 1959 a report was submitted from the City Solicitor advising that Mr. Leo W. Woods purchased a piece of land on the west side of Craighton Street at a Tax Sale from the City of Halifax. According to the record in the City Collector's Office, a deed was forwarded to him in August, 1944 which he states he did not receive. He requests the issuance of a confirmatory deed.

Your Committee recommends that the request be granted.

Respectfully submitted,

R. H. Stoddard
CITY CLERK.

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Moved by Alderman Dunlop, seconded by Alderman Greenwood, that the report be approved. Motion passed.

AGREEMENT -- BELLEVUE PROPERTY -- PARKING LOT

December 17, 1959

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Finance and Executive Committee held on December 10, 1959, a report was submitted from the City Solicitor suggesting that a lease between the City and the Province of Nova Scotia respecting the Bellevue Property Parking Lot be ratified at a rental of \$40.87 which represents the Fire Protection charge for the lot plus \$1.00.

Your Committee recommends that the Mayor and City Clerk be authorized to execute the lease on behalf of the City.

Respectfully submitted,

R. H. Stoddard
CITY CLERK.

Moved by Alderman Greenwood, seconded by Alderman Lloyd, that the report be approved. Motion passed.

APPOINTMENT OF COAL WEIGHERS

December 17, 1959

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Finance and Executive Committee held on December 10, 1959 a letter was submitted from Mathews Coal Co. requesting that Messrs. Andrew Mathews and Patrick J. Burke be appointed Coal Weighers for the above named Company.

Your Committee recommends that the request be granted.

Respectfully submitted,

R. H. Stoddard
CITY CLERK.

Moved by Alderman Lloyd, seconded by Alderman DeWolf, that the report be approved. Motion passed.

APPOINTMENT OF APPRAISER -- FOUR LOTS -- ALL SAINTS CATHEDRAL LAND

December 17, 1959.

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Finance and Executive Committee held on December 10, 1959, His Worship the Mayor stated that he indicated to Bishop R. H. Waterman that he would like to discuss the matter of the City purchasing four lots from the Dean and Chapter of All Saints Cathedral which are immediately west of the building.

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He suggested to them that he would recommend that each party appoint an appraiser to determine a price for the lots.

Your Committee recommends that the City Manager be authorized to appoint an appraiser to act for the City of Halifax.

Respectfully submitted

R. H. Stoddard
CITY CLERK.

Moved by Alderman Lloyd, seconded by Alderman Wyman, that the report be approved. Motion passed.

JENPEPS - PAVILION BARRACKS

December 17, 1959

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Finance and Executive Committee held on December 10, 1959 it was agreed to recommend that the City of Halifax enter into an Agreement of Sale with Messrs. Steeves and Haskett for the purchase of Pavilion Barracks, that they deposit the sum of \$10,000.00 to be forfeited if they do not construct the motel, that the agreement recite the covenants and the undertakings and that a closing date be determined.

Respectfully submitted

R. H. Stoddard
CITY CLERK.

The City Manager explained that after discussion with Steeves and Haskett the City Solicitor will prepare a draft Agreement of Sale for presentation to Council.

Moved by Alderman Lane, seconded by Alderman Abbott, that the report be approved. Motion passed.

REZONING OF WESTWOOD PARK AREA - R-2 ZONE TO R-3 ZONE

December 17, 1959.

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Redevelopment Committee held on December 4, 1959, it was agreed to recommend that the Westwood Park Area be rezoned from R-2 zone to R-3 zone to permit the construction of a multiple housing project, and application as hereby made for such rezoning.

Respectfully submitted.

R. H. Stoddard
CITY CLERK.

Moved by Alderman O'Brien, seconded by Alderman Dunlop, that the report be approved. Motion passed.

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REPORT OF ACTIVITY IN JACOB STREET REDEVELOPMENT AREA.

His Worship the Mayor referred to the activity in the Jacob Street redevelopment area with respect to demolitions.

Alderman Lloyd said he heard rumors to the effect that Webb and Krapp were going to abandon their site near Simpsons-Sears Limited and ask the City to take over the land for housing. He asked if they intended to establish in the redevelopment area.

His Worship the Mayor: "An international real-estate concern sent two emissaries to Halifax on two different occasions. About May one real estate company had sent a man to survey the situation with respect to the St. Patrick's Home property. We also had a visit from a representative of an international real estate firm who was surveying the potential in the redevelopment area. He surveyed the market for office and storage space from the local point of view, and is also surveying it nationally. So, we have an agent working for us and for redevelopment. We hope to hear from him soon."

RECEPTION OF PETITIONS AND DELEGATIONS.

No petitions were submitted and no delegations appeared.

SIDEWALKS :: DUTCH VILLAGE ROAD :: SCHOOL CHILDREN :: PINWOOD ACRES.

Alderman Greenwood: "At a recent meeting we asked the City Manager to investigate the possibility of making some arrangement with Mr. Nightingale regarding the number of children going to school in the Pinewood Acres Subdivision. I wonder if we could have a report?"

City Manager: "I can't give much of a report. I talked with Mr. Harris about six weeks ago, but I can't give anything definite."

Alderman Greenwood: "There is a petition on file. There is quite a problem there and I wish something could be done. Perhaps we should refer it to the Committee on Works."

His Worship the Mayor: "If you know the physical setup of Pinewood Acres, it is a self-contained real estate development bounded by MacCullochs on the South, on the East by a property which is zoned commercially, on the North by the Subdivision extension. The layout of the streets means that the only exits are on Dutch Village Road. I have explored this matter and I

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thought that there was a sewer easement going through one property which might have been possible for us to acquire as a right-of-way; and thereby provide access for children along that commercially-zoned area to Mumford Road, but it is not possible to do that. All we can hope is that sidewalks will be constructed on Dutch Village Road to provide safety for children. This matter is being processed now by the Works Department officials and will be presented to the Minister of Highways as soon as the Plan is completed. This Plan calls for the widening of Dutch Village Road to be the same width as Howe Avenue is, north of Dutch Village Road. The Minister has indicated that he is prepared to share in the cost of the sidewalks."

RENTAL CONTROL BY-LAW

Alderman O'Brien asked if there were any information available regarding negotiations with the County of Halifax and the Town of Dartmouth with respect to the preparation of a Rental Control Ordinance.

His Worship the Mayor: "I talked with the Warden of the County and the Mayor of Dartmouth. The City Solicitor has been conferring with their Legal Officers on the framing of a By-Law. Unfortunately, it took a lot of digging to get some samples of a By-Law."

Alderman O'Brien: "I raise the question now because I think timing has some importance in this respect. Some of the major recommendations of the Pottier Commission have not come with recommendations for or against from the Finance Committee to Council; and one of them relating to our method of taxing rented residential accommodation is tied in to a degree with this question of rent control. If we were going to do anything in time for legislation this year, we should have that matter before us before too long. I for one would like to see us have the rent control issue settled before that kind of an issue were before us. I would hope it could be done prior to legislation deadline."

City Solicitor: "We will have that. I have copies of eight or nine different types of Rental Control By-Laws. We are trying to keep those within the recommendation of the Morrison Report. I think I will have them for you at the January Finance Meeting."

INCREASE IN ASSESSMENTS IN 1960

Alderman Lloyd: "There has been quite a bit of discussion about the change in assessments reported in the Press. There is some confusion in some people's mind that the land increase was to offset the household tax. I have assured everybody that this is purely coincidental that the City Assessor's action with respect to land assessment is entirely independent of any taxing measures by the Council and the time to judge that is when the Council gets the budget and sees what its problem is with respect to taxing in 1960. The re-adjustment of the household tax this year does get passed on to the owners of property and, as such, the household tax being passed on to the owners of rented property may create a situation which adds further to Alderman O'Brien's view that we should get on with our examination of the rental authority question."

The City Assessor stated in his annual report he had mentioned to Council, as well as to the Press and Radio Stations, that real property values in the residential areas had continued to increase. "It is five years since we had a re-evaluation by the firm of J. M. Clemenshaw and Company. I feel the Assessor's Department should periodically review the assessments depending on the trend. Assessments are not static. They have to go up or down, and our opinion is that real estate values in Halifax continued to increase, particularly in residential. This year we took our land value and I increased, generally speaking, the land in the City of Halifax residential-wise and commercial in the outlying sections. It has nothing to do with the household tax. We have increased vacant lots where there is no household tax. Some vacant land has gone up much more than ten percent. The action is the action of the City Assessor's Department and not Council action."

His Worship the Mayor: "Have you found that the information you have ~~received through the Deed Transfer Tax~~ has been of assistance to you?"

The City Assessor stated that in the future this information would be of assistance to secure property values in certain areas.

His Worship the Mayor: "Your action with regard to an upward revision of the assessments is a reflection of what you consider to be the true market

value of the properties in the City of Halifax?"

City Assessor: "Yes. I feel that every five years we should be re-viewing the assessments."

CITY EMPLOYEE IN EXTERMINATION BUSINESS

Alderman Trainor referred to the matter of a Health Department employee being engaged in the extermination business in competition with Mr. Mackie of W. E. Mackie Ltd., exterminators and fumigators.

The City Manager stated he had consulted Dr. Morton on the matter.

The Doctor then advised that he had informed the employee that he just could not carry on this work any longer.

Alderman Connolly: "I was wondering, under the health regulations if there is something which says a fumigator must take out a permit?"

Dr. Morton: "There are only three fumigating firms in the City operating at the present time and they are not licensed by the Health Department. There are no permits taken out."

City Manager: "That is something we might well do because fumigating improperly done could result in injury or death to individuals."

His Worship the Mayor: "I think that should be referred to the Public Health and Welfare Committee."

RE-NUMBERING OF STREETS.

Alderman Wyman: "I would like to know from the Commissioner of Works what progress, if any, has been made on the re-numbering of Duffus Street."

Commissioner of Works: "As you know, just recently we obtained permission from the City Council to re-number streets according to a certain re-numbering scheme we had in mind. We didn't start on that yet because we have found to re-number streets before Christmas would create considerable confusion for the Postal Officers. We have Duffus Street and a number of other streets prepared to start the first of the year. I realize there is confusion on some of the streets."

WATER DRAINAGE - LADY HAMMOND ROAD.

Alderman Wyman: "I notice on Lady Hammond Road near Kempt Road there is a great deal of water draining on the pavement there. It is a condition I don't ever remember noticing before. I would like to ask if we could have a

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report from the Works Department indicating what the source of this water is and what might be necessary in order to put in another one. Also from the City Solicitor if the source of that water has been caused by the action of any private parties and if we have any recourse for costs that may arise? I don't think the answer to my question is available right now, so let us have a report on it."

His Worship the Mayor contended that he has noticed the same situation existed and felt it could be dangerous when the water froze which could result in a number of accidents.

Commissioner of Works: "I have written to one owner advising him of our powers under the Charter to make him drain his own property properly. We can only take action against the property owner if the water flows over and onto the street. We do not have any power under the City Charter to settle a dispute between neighboring property owners. That is the situation which exists up there. One particular party has permitted some grading on his property and has diverted a stream of water which was flowing along a certain route. It flows over his property onto a second party's property and is coming into the street from the second party's property. We have plans drawn and have had the area surveyed. We are going to present these to the Legal Department and City Manager shortly."

STREET NUMBERING - DUTCH VILLAGE ROAD

Alderman Greenwood referred to the matter of street numbering on the above road and stated that there are two number 51's. He asked what the Commissioner of Works planned to do with re-numbering on this road.

Commissioner of Works: "The same thing applies there. We are aware that there are two number 51's. The first of the year that street will be re-numbered and the matter will be taken care of."

TRAFFIC LIGHTS - COBURG ROAD AND OXFORD STREETS

Alderman DeWolf asked if consideration had been given to the matter of installing traffic lights at the above intersection as three or four motorists had spoken to him about it. "There is quite a lot of traffic at certain times. I would like to know how the Chief of Police feels about this matter."

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His Worship the Mayor suggested four-way stop signs as in operation at the corner of Oxford and Almon Streets, and that a traffic count be carried out to ascertain if lights are necessary.

The matter was referred to the Chief of Police for a report.

MOTION RE REZONING -- ALDERMAN TRAINOR

Alderman Trainor stated that the residents in the area bounded by Willow Street, Dublin Street and Chebucto Road are concerned because of a Commercial zoning at present and wish to have the area zoned as R-2.

He then gave notice that at the next meeting of Council he would move that the above block be rezoned from Commercial to R-2 Zone.

His Worship the Mayor stated he would accept this as a motion as no member of Council objected.

It was then moved by Alderman Trainor, seconded by Alderman Lloyd that the block bounded by Willow Street, Dublin Street and Chebucto Road be rezoned from Commercial Zone to R-2 Zone and that the matter be referred to the Town Planning Board for a report. Motion passed.

PEDESTRIANS CROSSING INTERSECTION OF COBURG ROAD, SPRING GARDEN ROAD AND ROBIE STREET

Alderman Lloyd stated that he had been consulted on the matter of pedestrians experiencing difficulty in crossing the above intersection due to the width of the street. He asked if a traffic island could be constructed or a delay at the traffic lights arranged.

His Worship the Mayor: "The matter had been given consideration when the lights first went on. We had objections that they were not giving enough time on the north-south light to provide persons an opportunity to cross Coburg and Spring Garden Roads. They could adjust the lights to provide more time. We can look at it again."

Chief of Police: "We made a check and we found there was a five-second error in the east-west light. That has been corrected."

PARKING ON SUNDAYS DURING CHURCH SERVICES

Alderman Lloyd brought up the matter of cars not being permitted to park on certain streets during church services on Sunday and requested that the Police Department would not be too serious in the matter of issuing parking

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tickets. He made reference to St. Thomas Aquinas Church

Chief of Police: "About six months ago we reviewed Sunday parking and for close to a year there has been a hands-off policy. We are now of the opinion that we can not afford this hands-off policy any longer. We have had a number of complaints and we circulated the pastors of all churches."

Alderman Lloyd: "On Sunday the traffic situation is not bad. I think we can afford some latitude in that matter."

His Worship the Mayor: "We can't instruct the Chief of Police how to enforce the law."

Alderman Lane: "I would like to rise to this question. The problem has been double parking on both sides of the street so that on Sunday morning after the church hour, two lines of traffic can't get through. Also, the parking has come pretty close to the traffic lines. It is quite a difficult situation for about fifty feet on either side of that corner. The biggest problem is up and down Jubilee Road."

City Managers: "Maybe the Chief would consider the posting of signs, 'Parking on Sundays only East of this Sign' to keep the corner clear."

His Worship the Mayor: "When you bring in exceptions, it makes it awfully difficult to enforce the law."

LEGISLATION - SECTION 512 - CITY CHARTER

Deferred for one month.

ADMINISTRATIVE REPORT FOR NOVEMBER

A report was submitted from the City Manager for the month of November and same is attached to the original copy of these minutes.

CHANGE - TROLLEY COACH STOP - DUKE STREET

December 7, 1959.

Mr. T. C. Doyle, Q. C.,
City Solicitor,
City Hall,
Halifax, N. S.

Dear Sir:

Enclosed is certified copy of an Order issued by the Board in the matter of the application of Nova Scotia Light and Power Company Limited for the elimination of the trolley coach stop on the south side of Duke Street, west of Granville Street and the location of a new trolley coach stop on the south side of Duke Street, west of Hollis Street, in the City of Halifax.

Yours truly,
Joan Covey,
CLERK.

Filed.

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December 17, 1959.

TAX COLLECTIONS MONTH OF NOVEMBER 1959

CIVIC YEAR	RESERVES	O/S BALANCE OCT. 31, 1959	NEW ACCOUNTS & ADJUSTMENTS	NOV. 1959 COLLECTIONS	O/S BALANCE NOVEMBER 1959
1957	92,702.88	143,195.40	DR. 9.39	20,415.70	122,789.09
1958	94,874.22	332,739.53	DR. 2,618.24	25,155.07	310,202.69
1959	104,270.58	1,138,879.51	CR. 2,463.12	107,284.50	1,029,131.89
		1,614,814.44	DR. 164.51	152,855.28	1,462,123.67

TAX YEARS PRIOR TO 1957 (COVERED BY RESERVES) 704.04
153,359.39

POLL TAXES

1954	10,869.74			259.55	10,560.19
1958	9,692.84			763.67	8,929.17
1959	52,720.09	DR.	13.00	3,074.25	49,698.84

POLL TAXES OTHER THAN LISTED ABOVE 891.60
4,979.07

TOTAL COLLECTIONS IN NOVEMBER 1959 158,538.39
TOTAL COLLECTIONS IN NOVEMBER 1958 201,166.52

CURRENT TAXES COLLECTED JAN. 1st. to NOVEMBER 30, 1959 7,696,273.94

CORRESPONDING PERIOD 1958 7,450,749.29

TAX ARREARS COLLECTED JAN. 1st to NOVEMBER 30, 1959 703,932.37

CORRESPONDING PERIOD 1958 808,534.80

POLL TAX COLLECTIONS JAN. 1st to NOVEMBER 30, 1959 173,441.27

CORRESPONDING PERIOD 1958 179,373.42
8,573,647.58 8,438,657.51

		AMOUNT COLLECTED JAN. 1st to NOVEMBER 30	%
TAX LEVY 1959	8,692,401.33	7,696,273.94	88.54
TAX LEVY 1958	8,437,086.76	7,450,749.29	88.31
TAX ARREARS JANUARY 1st 1959	1,232,763.37	703,932.37	57.10
TAX ARREARS JANUARY 1st 1958	1,279,244.14	808,534.80	63.20
TOTAL COLLECTIONS TO NOV. 30/59		8,400,206.31	96.64
TOTAL COLLECTIONS TO NOV. 30/58		8,259,284.09	97.89

Respectfully submitted,
H.R. McDonald,
CHIEF ACCOUNTANT.

Meeting adjourned.

10:00 P. M.

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C. A. Vaughan,
MAYOR AND CHAIRMAN.

R. H. Stoddard,
CITY CLERK.