

Council,
November 30, 1961

From: P. F. C. Byars, City Manager

Date: November 28, 1961

Subject: Accounts over \$500.00

In accordance with Section 119-F of the City Charter, the following accounts are submitted for Council's approval. These accounts have been certified and audited.

<u>DEPARTMENT</u>	<u>VENDOR</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
Finance	Provincial Treasurer	Overprinting and completing Debentures	\$ 992.48
Works	Canadian General Electric Co. Ltd.	Luminaires	1,903.40
Health	Parke, Davis & Co. Ltd.	Influenza Vaccine	686.25
Tourist	Royal Print & Litho	"Halifax Welcomes You" Brochures	3,792.88
		Personal Guide Books	<u>4,393.27</u>
			\$11,768.28

Respectfully submitted,

P. F. C. BYARS,
CITY MANAGER.

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

TENDERS FOR BLOCKS "P" AND "Q" - EXHIBITION GROUNDS

November 30, 1961

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

At a meeting of the Finance and Executive Committee held on November 23, 1961, the report of the Halifax Industrial Development Commission containing recommendations with respect to the tenders for Blocks "P" and "Q" of the Exhibition Lands had been referred to this Committee at the last meeting of City Council so that further study could be given to the recommendations.

Alderman Lane referred to the "rider" to the recommendations of the Sub-Committee of the Industrial Commission which reads as follows:-

"-that the Halifax Industrial Development Commission recommend to Halifax City Council that it should seek legislation at the earliest possible moment to amend Section 618F of the City Charter to enable City Council to sell, lease, or otherwise dispose of, any real property owned by the City on a pre-determined price basis and not by public auction or tender, when such land is to be disposed of for industrial purposes."

She stated that this is diametrically opposite to the present practice of Council and expressed herself as being opposed to it.

Your Committee recommends that the matter be referred to the Industrial Development Commission with the request that a full and ample explanation of the suggested policy that was intended to be conveyed with

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respect to the disposal of land earmarked for industrial purposes, be submitted.

His Worship the Mayor suggested that with respect to the tendered prices for the land, the Committee would have to decide whether to accept the recommendation of the Commission or request that independent appraisals be first obtained.

The City Manager expressed the view that legislation should be sought whereby the City could offer an alternate site to a business or industry, which has been displaced by City action, in return for their site, together with whatever additional compensation is required, one way or the other, so that the industry would not be lost to the City.

Your Committee also recommends that further consideration of the recommendations of the Industrial Commission be deferred until independent appraisals of the lands in question have been obtained.

Respectfully submitted,

R.H. STODDARD,
CITY CLERK.

MOVED by Alderman Abbott, seconded by Alderman Macdonald, that the report be approved and that the City Manager be instructed to name two appraisers. Motion passed.

REPORT RE: QUESTIONS RAISED BY ALDERMAN O'BRIEN
RESPECTING BICENTENNIAL DRIVE

A report was submitted from the City Manager giving the information requested by Alderman O'Brien at the last meeting of Council respecting Bicentennial Drive.

Alderman O'Brien expressed appreciation for the ~~prompt and thorough~~ manner in which the report was submitted and he said that the information contained therein brought forth questions which he would like to have considered by the appropriate committee of Council.

MOVED by Alderman O'Brien, seconded by Alderman Lane, that the matter be referred to His Worship the Mayor and to the Safety Committee for consideration. Motion passed.

REPORT - DEPUTY CITY SOLICITOR RE: RULES
OF ORDER OF COUNCIL

In accordance with the request of Alderman Lane at the last meeting of City Council, the Deputy City Solicitor, reporting verbally, explained the procedure to be followed by members of Council when processing amendments to motions according to an interpretation of Ordinance No. 2, Sections 27 and 28, which he ruled do not permit the moving of an amendment to an amendment.

REQUEST FOR PERMISSION TO ERECT CHRISTMAS TREE

A letter was submitted from the Downtown Business and Professional Men's Association requesting permission to erect a Christmas tree at the

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corner of Salter and Barrington Streets with the assistance of City staff in the erection and lighting of same.

MOVED by Alderman Healy, seconded by Alderman Fox, that the request be granted. Motion passed.

Meeting adjourned:

9:40 P. M.

HEADLINES

Appeal from the Refusal of the Building Inspector to issue an Occupancy Permit for the Property, No. 42 Birmingham Street - Date for Hearing	CHAIRMAN 690
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Capital Borrowing - \$40,000.00 - Sewer Extension - Mumford Road Area	692
Candy Sale - Kinsmen Club - November 27th to December 8th Inclusive	692
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(a) N. S. Brace and Appliance Centre - \$44.29 Plus Interest;	
(b) Canadian Legion - \$134.21;	
(c) National Heart Foundation of Canada - \$6.70 Plus Interest.	693
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Superannuation and Supplementary Grant adjustments for Messrs. Edgar Kinghorn and Roy S. Walker	697
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Report - Redevelopment Committee - Eviction - Mr. Elmer Fleet - 3A Wellington Court	704
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Street Acceptance - New Pinewood Acres Subdivision	707
Certificate No. 4 (Final) - Maitland Street Parking Lot	707
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Report - Deputy City Solicitor Re: Rules of Order of Council 714
Request for Permission to Erect Christmas Tree 714

City Hall,
Halifax, Nova Scotia,
December 3, 1961,
3:10 p.m.

A Special Meeting of the City Council was held on the above date.

After the meeting was called to order, the members of Council attending, led by the City Clerk, joined in repeating the Oath of Office.
J. E. Lloyd,
MAYOR AND CHAIRMAN.

There were present His Worship the Mayor, Chairman; Aldermen Lane, Healy, Connolly, O'Brien and Greenwood.
Also present were Messrs. P. F. G. Myers, R. H. Stoddard, M. J. Clancy, Leonard Mitchell, L. M. Rankoy, J. F. Thomson, V. W. Mitchell, G. F. West, R. A. Gray, X. M. Kuntich and Dr. J. H. Norton.

R. H. Stoddard,
CITY CLERK.

In attendance were Messrs. Gordon S. Cowan, J.C. and Thomas J. Flunkett, the legal draftsmen of the Proposed Cities' Act.

The meeting was called specially to consider Parts 3A, 4, 4A and 5 of the proposed Act.

PASSING - ALDERMAN G. C. FOX

His Worship the Mayor referred to the sudden passing of Alderman George C. Fox and stated that his relationships with the Council would be greatly missed.

At this time, he requested the members of Council to rise and observe a moment of silence to honor the memory of the late George C. Fox.

MOVED by Alderman Lane, seconded by Alderman O'Brien, that the City Clerk convey to the Daily an expression of sympathy on behalf of the Council. Motion passed.

3:15 p.m. Council agreed to adjourn and meet as a Committee of the Whole.

POLICE AND FIRE DEPARTMENTS UNDER CITY MANAGER

A report was submitted from the Chief of Police giving his reasons why the method of governing the Police Department should not be brought under the City Manager system.

CITY COUNCIL
SPECIAL MEETING
MINUTES

Council Chamber,
City Hall,
Halifax, Nova Scotia,
December 8, 1961,
3:10 p.m.

A Special Meeting of the City Council was held on the above date.

After the meeting was called to order, 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 Lane, Butler, LeBlanc, Trainor, Healy, Connolly, O'Brien and Greenwood.

Also present were Messrs. P. F. C. Byars, R. H. Stoddard, W. J. Clancey, Leonard Mitchell, L. M. Romkey, J. F. Thomson, V. W. Mitchell, G. F. West, R. B. Grant, K. M. Munnich and Dr. A. R. Morton.

In attendance were Messrs. Gordon S. Cowan, Q.C. and Thomas J. Plunkett, the legal draftsmen of the Proposed Cities' Act.

The meeting was called specially to consider Parts 3A, 4, 4A and 5 of the proposed Act.

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At this time, he requested the members of Council to rise and observe a moment of silence to honor the memory of the late George C. Fox.

MOVED by Alderman Lane, seconded by Alderman Butler, that the City Clerk convey to the family an expression of sympathy on behalf of the Council. Motion passed.

3:15 p.m. Council agreed to adjourn and meet as a Committee of the Whole.

POLICE AND FIRE DEPARTMENTS UNDER CITY MANAGER

A report was submitted from the Chief of Police giving his reasons why the method of governing the Police Department should not be brought under the City Manager System.

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This report is attached to the official copy of these minutes, same having been distributed to the members of Council prior to this meeting.

The following report was submitted and read from the Fire Chief:

November 30, 1961.

Mayor John E. Lloyd,
City Hall,
Halifax, Nova Scotia.

Your Worship:

With reference to the news release in the Mail-Star of the report of Council's discussion of the new Cities' Act, it appeared that I was reluctant to express an opinion, and therefore, left before discussion took place.

I wish to correct the reporter's erroneous statement as quoted in the press.

I had been in attendance at the meeting for approximately forty minutes and was obliged to leave because of a previous commitment. I further wish to state that up to this moment I have no copy of an advance draft in my possession.

However, with reference to the proposed changes as quoted, which is the only information I have, giving full authority for the administration of the Fire Department to the City Manager, I cannot agree on the necessity for a change at this time.

The present policy has proved to be very satisfactory. We have a good and efficient Department, when compared with other cities of a comparable size, have enjoyed a favorable press and have excellent public relations with the citizens of this City.

Any change for the betterment of the Department would be to follow the recommendations as outlined by the report of Dr. Britton where full control of the Police and Fire Department was given to the Chiefs.

As you are aware, the near future will see a new Chief of this Department and I do not wish to suggest or agree to something that could be at variance with the thoughts he may entertain on this matter.

Respectfully submitted,

F. C. MACGILLIVRAY,
CHIEF, FIRE DEPARTMENT.

The following report was submitted and read from His Worship the Mayor:

To: The Members of City Council

From: Mayor John E. Lloyd

Date: December 8, 1961.

Dear Aldermen:

Representations have been made by the Chiefs of the Police and Fire Departments objecting to the proposal that they be accountable to the City Manager for the performance of their duties instead of directly to the

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Safety Committee. I believe that any criticism by the respective Chiefs arises from a misunderstanding of the contents of the Cities' Act and its purpose. Fundamentally, the new Act is being designed to enable the City to act, insofar as the Legislature will grant the power, under by-laws passed by the City Council. This has been undertaken in order to prevent a cumbersome statute which would impair the efficiency of the City in the management of its affairs.

May I bring to your attention certain provisions of the proposed legislation:

Section 4.08 of Part IV of the Cities' Act reads as follows:

"The Council shall by by-law establish a department of finance and such other departments as may be required and each department shall be headed by a director who shall be an officer of the City."

Under Section 4.09 of the proposed Act the directors of departments are described as members of the unclassified service of the City.

Under Section 4.14 employees in the unclassified service of the City, which includes directors of departments such as the Director of Finance Department, Director of Works Department, Director of Police Department, Director of Fire Department, etc., shall be appointed and subject to dismissal by the City Council.

Section 4.25 provides for the appointment of a City Manager and sets forth his powers and duties. Under those provisions the City Council cannot appoint or dismiss the director of a department except on the recommendation of the City Manager.

Section 4.28 provides "all officers of the City and directors of City Departments shall be directly responsible and accountable to the chief administrative officer and shall submit reports and recommendations required of them to and through the City Manager."

It should be noted that Section 4.08 establishes by by-law each department. Such by-law will set forth the duties and responsibilities assigned to the department and the powers of the director of each department. The by-law can be so constructed as to define the relationship between the Manager and the director of a department. In the case of police and fire departments the by-law shall contain provisions which reserve to the director of those departments the right to recommend appointments, dismiss and discipline the personnel under their direction and reserve to them exclusively to the extent necessary the lawful direction, control, discipline and government of the forces under their command.

The by-law is the legislation which determines the relationship between the Manager and the director of police, fire and other departments. Until the by-law is drafted and presented for Council's approval no basis exists for argument on the relationship between Manager and department director.

One submission on this matter seeks what is termed "group protection" for the staff of a department. I submit that any safeguards required against autocracy by either the director of a department or the Manager can be provided in the by-law governing the operation of the department.

As a supporter of the manager system I strongly oppose the political protection which is defined as "group protection" provided by a committee of

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elected Council members. To follow the argument to its logical conclusion all personnel in all departments of the City should be entitled to the so-called "group protection". Such a policy would defeat a basic principle of the Manager plan, which is designed to keep political patronage and pressures from deciding appointments, dismissals and promotions in the civil service of the City.

Yours very truly,

JOHN E. LLOYD,
MAYOR.

After discussion, it was MOVED by Alderman Trainor, seconded by Alderman Greenwood, that the Police and Fire Departments remain under the jurisdiction of the Safety Committee as at present and that one year after the new Charter is in effect, that the matter be again reviewed.

The motion was put and resulted in a tie vote as follows:

FOR: Aldermen Trainor, Healy, Connolly and Greenwood - 4

AGAINST: Aldermen Lane, Butler, LeBlanc and O'Brien - 4

His Worship the Mayor cast his vote against the motion and declared it lost.

MOVED by Alderman Lane, seconded by Alderman O'Brien, that Part 3A, Section 32 and Part 4, Section 28 as drafted be approved in principle and recommended to City Council. Motion passed with Aldermen Trainor, Healy and Connolly wishing to be recorded against.

PART 5 - TAXATION AND FINANCE

Mr. Cowan then proceeded with explanations of Part 5 and the following amendments and suggested additions were made:

1. Section 5.02 - Clause 2: the following words were deleted "without children under the age of sixteen years".
2. Section 5.10 - Clause 4 added as follows: "a levy on a stated percentage of the assessed rental value of the premises occupied".
3. Section 5.21 to be permissive by By-Law.

Section 5.08 was suggested for inclusion of a further clause to provide for a third tax rate.

Mr. Thomas Plunkett then submitted and read the following report:

His Worship the Mayor and
Members of the City Council,
Halifax, Nova Scotia

Taxation and Finance

In considering the sections of the draft City Act relative to finance and taxation (Part 5) members of the Halifax City Council will

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undoubtedly have a special interest in the current problem confronting the City with respect to the divided tax rate.

A divided tax rate is not usually encountered in Canadian municipalities. Its development in Halifax appears to have the effect of placing an unusually heavy annual tax burden on the owners and occupiers of business property.

It is assumed that the City Council is hopeful of eventually bringing about some amelioration of the current situation. However, such an objective can hardly be accomplished quickly, nor can it be attained solely by the addition of certain provisions to the City Act. In brief, the resolution of the problem requires

- (a) the adoption of long-term taxation policies destined to reduce the current imbalance in rates imposed on residential and business real property;
- (b) the obtaining of new sources of revenue which might help to alleviate the burden on real property taxes in general.

The question of long-term taxation policies is really a matter for Council to decide in the light of the taxation powers conferred on the City. In this connection all of the existing tax powers of the City have been continued in the new City Act. After reviewing these in the light of the report of the Pottier Commission it is considered advisable to provide the Council with the power to define rental accommodation (e.g. apartments, etc.) as commercial realty. If this power was utilized it would undoubtedly be productive of additional revenue. Consequently, it is suggested that Section 5.08 of the draft Part 5 be amended by the inclusion of a clause along the following lines which would enable the Council, by by-law, to

- (c) distinguish between residential property that is owner-occupied and that which is used for the purpose of providing rental accommodation and classify the latter as commercial property subject to a different tax rate than is levied in sub-clause (a).

Any taxation policy adopted by Council which has as its objective the reduction of the present tax rate ratio between residential and business property is dependent for its success, in part at least, on new sources of revenue. The possible new revenue sources open to municipalities is exceedingly limited. However, consideration might be given to the following:

- (a) an automobile service tax;
- (b) a retail sales tax;
- (c) a gross receipts tax.

An automobile service tax is currently levied in some cities in New Brunswick. The power to levy such a tax could be conferred on the City of Halifax by the inclusion of a section in Part 5 as follows:

5.22 (a)

The Council may, by by-law, levy an automobile service tax on every owner of a motor vehicle as defined by the Nova Scotia Motor Vehicle Act who is a resident of or doing business in the City and any by-law enacted under this Section the Council may

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- (a) vary any automobile service tax according to the weight or class of various types of commercial vehicles;
- (b) vary any automobile service tax according to the weight or class of the various types of passenger vehicles.

The retail sales tax has been used more extensively in recent years, particularly by provincial governments. In Quebec, for example, the Province levies a retail sales tax of 2% and municipalities have permissive power to levy an additional 2% for municipal purposes and 2% for school purposes. However, administration is closely co-ordinated.

While the retail sales tax is significant in terms of revenue yield its implementation municipally raises problems in administration which require special legislative treatment. Consequently, it is recommended that if it is found desirable to levy such a tax in Halifax that it be treated as a legislative matter separate from the City Act.

The only additional source of revenue that might be considered is a gross receipts tax which could be levied in lieu of the current business tax which is levied on commercial realty. It has been argued that a gross receipts tax would be more productive of tax revenue and is also more equitable than a business tax levied on business property valuation. However, experience with this type of tax in Canada is very limited. If the power to levy such a tax was to be granted to the City of Halifax it is quite probable that the necessary legislation would have to contain substantial detail. In any event a careful study would need to be undertaken before legislation could be drafted and it is, therefore, recommended that such legislation might be considered separately from the City Act.

In summary, therefore, it is concluded that

- (a) Part 5 of the draft City Act provides as complete a range of revenue powers as it is possible to include in the draft City Act at this time;
- (b) Additional powers of taxation in the form of a retail sales tax and a gross receipts tax may, if it is the desire of Council, be considered as separate legislation.

The taxing powers outlined in Part 5 of the draft City Act together with the possibility of adding additional powers (e.g. retail sales tax and gross receipts tax) constitute the total framework of local taxation powers that it would seem possible for the Halifax City Council to obtain. Within this framework the Council would have a range of tax policy choices and alternatives which might be adopted in order to alleviate the current situation with respect to the divided tax rate.

Montreal, Quebec,
December 5, 1961.

THOMAS J. PLUNKETT.

His Worship the Mayor suggested that instead of having 3 different tax rates, Council might decide to assess owner-occupied residential space at a percentage of its assessed value which might have some administrative advantages.

Mr. Plunkett suggested provision could be included in the Act that in levying the tax on real property, it could be levied on a percentage of

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the assessed value which would provide a simple mechanical formula but would not relieve the City Assessor of the burden of assessing all properties at full value. He also suggested that Council could decide that on residential or commercial property, the tax could be levied on the full value of the land but only 50% on the improvements. He advised this was not possible under the present form of the draft.

His Worship the Mayor favored such a possibility being included in the draft even though it may never be used.

Mr. Plunkett advised it would have to be included as a permissive power.

Alderman O'Brien suggested the inclusion in the draft of a provision whereby tax concessions on new construction would be reduced gradually over a period of time whether the construction was apartment buildings or commercial.

His Worship the Mayor advised that Mr. Justice Pottier, in his report had recommended over a period of 5 years a new building would be taxed at 75% of its assessed value at the current rate for that class of property and each year at a higher percentage until 100% assessment was attained. He thought the power might have to be a little wider than what Judge Pottier proposed in order to achieve a measure of encouragement for new commercial structures which might be desirable if a gradual merging of taxes on commercial real property were undertaken but, under no circumstances would the income from business occupancy taxes as such be reduced. These taxes should be kept at the present level.

He then suggested that the Committee of the Whole agree in principle that provision be made for permissive power to be included in the draft to provide a broad framework under which the City can act under Legislative power, by By-Law, to bring about as fair a taxation system as possible.

The suggestion was then approved.

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Mr. Cowan then continued with Part 5 and stated that Section 5.08 would be now subject to redraft to provide for an intermediate tax rate on rented residential real estate or to provide for a different rate based on a percentage of the assessment.

Section 5.12 - add Clause 4 as follows: "a levy on a stated percentage of the assessed rental value of the premises occupied".

Section 5.15 - 21 years changed to 18 years.

Section 5.21 - Amended to read "Council by by-law may levy a tax not exceeding twenty dollars (\$20.00) on any person not a resident of the Province, coming into the Province upon commencing any employment in the City".

Section 5.24 - Amended to read "Majority vote of the total number of the Aldermen present at the meeting".

Section 5.26 - Clause 2-D transferred as 1-D.

As Section 5.29 was discussed, His Worship the Mayor advised that he had received a letter from the Halifax-Dartmouth and District Trades and Labour Council, voicing objections to a taxpayer's qualification to seek a seat in Council as follows:

Halifax-Dartmouth & District
Labour Council, C.L.C.,
P. O. Box 1061,
Halifax, Nova Scotia,
November 15, 1961.

Mr. John E. Lloyd,
Mayor of Halifax,
c/o City Hall,
Halifax, Nova Scotia.

Dear Mayor Lloyd:

The November meeting of the Labour Council instructed me to write the City about the two following matters:

FIRST: We are opposed to the proposed provision in the new City Charter which is being prepared wherein only property owners would be eligible to offer as candidates for public office. The kind of thinking which suggests that only those who own property should sit on Council is, in our view, irresponsible and neglects to take sufficiently into account the relationship between inanimate objects (real property), and animate subjects in possession of reason - the people of all of Halifax. Those who place this kind of undue restriction on citizens simply because they do not own property (either by choice or lack of opportunity) may in the long run be acting against their own best interests by developing the kind of social animosity which could, in future, result in the property-less citizens

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deciding that those with property could not sit on Council because their own self interest would not permit them to act objectively in the City's best interests. We are agreed that this thought is to be deplored - so why encourage it?

Such an idea is not as far-fetched as one might at first think. Just take a look at the tendency in the field of public housing to push present property owners in the low income brackets into public housing which serves to make them property-less in the practical sense. We know this is done in the valid interest of slum clearance and development, and we know that the method chosen (multiple unit apartment blocks) is one that, after a fashion, meets the problems of cost, shortage of available land within the City, and minimum of inconvenience and sacrifice for those not in low income brackets. None of this, of course, in any way invalidates the fact that the result is: (1) a proportionately fewer number of people with ownership qualifications, (2) Fewer people sharing in the Right of Private Property, particularly the more essential, and more attainable variety - ownership of the home by the family.

This is the fundamental reason why the Labour Council has consistently argued that public housing programs such as we now have ought to be supplemented by what we have referred to as a Land Assembly Scheme. Under this system our free enterprise system and the defenders of it would be in fact encouraging its extension instead of limiting public housing programs to multiple units with the obviously ambiguous situation where free enterprise, so called, is deliberately encouraging public ownership, and consequently public regulation of family life, simply because to encourage any housing program such as we have been insisting on would curb to a limited extent the disgraceful land speculation that has been going on in this general area since the end of the War.

Under a land assembly scheme a tract of land (necessarily outside the City) would be cleared and fully serviced and the lots of reasonable size sold at cost to low income people on a priority basis who could then build their own homes either individually or as Co-Operative housing group members. On one occasion the Executive of the Council met with representatives of the Provincial Government and men from C.M.H.C. to discuss this idea. Most of those present seemed to think we had a good idea, but, it was explained, this could not be done because it would be unfair to those of us who already owned our own homes.

We understand that Alderman Lane inferred that property-less people were likely to be less responsible than others. We attach no importance to this type of thinking nor do we consider it to have any unselfish value.

We believe that all citizens of good will ought to have the right to offer for public office and we note that property qualifications are not mandatory for those offering for higher and more complex offices in public life. We, therefore, urge the Halifax City Council to permit all competent citizens to offer for public office.

Our SECOND point in writing this letter is to voice our continued opposition to the multiple voting system. We believe this system is not in the best interests in developing democracy in Government and it is a system that can be likened in some ways to the suggestion that people of all ages be permitted to vote with those too young to cast their vote having it done for them through a proxy vote of sorts by the Head of the family. Wouldn't this suggestion create a real controversy? Yet it may be no less reasonable than the multiple voting system.

We ask your serious consideration and co-operation in both of the matters raised in this letter.

Respectfully,

PERRY RONAYNE, Secretary,
70 Hawthorne Street,
Dartmouth, Nova Scotia.

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Section 5.51 and 5.52 - Amended to read "majority vote of the total number of the Aldermen present".

Alderman Trainor wanted to know where Messrs. Cowan and Plunkett received authority to write the Cities' Act rather than a revision of the City Charter.

His Worship the Mayor explained that in the sub-committee, it was suggested that there may be some advantage in having a Cities' Act. It was also suggested that the Province of Nova Scotia might think this would be a better method. Whether the law is to be called a Cities' Act or City Charter, it has to be a Statute approved by the Nova Scotia Legislature. Once the principles of the law have been approved, it would not be difficult to rephrase it as a City Charter if it should be desirable after consultation with the Premier and Department of Municipal Affairs on the matter.

TENDERING SYSTEM

A report was submitted from and read by Mr. Thomas Plunkett respecting the system of calling for tenders for disposal of land. He expressed the fear that if Council limited in the Act, the manner in which fair actual value is determined solely on the basis of public tendering, desirable as it is, Council could be put in a position that on many occasions, the highest bid price would not approach what fair actual value would be. The Council could regulate the whole procedure regarding the sale, disposal and lease of land by a by-law procedure or resolution procedure and could use any variety of methods to arrive at a determination of what is a fair actual value.

Alderman O'Brien suggested it would be good procedure to obtain appraisals plus the call for tenders in every case.

Mr. Plunkett was of the opinion that the matter of a tender call was an administrative policy of the Council and that it should not be built into the Act as it is a matter of policy to be determined by by-law.

His Worship the Mayor requested Mr. Plunkett to circularize the Council with his report as there would be the problem of lands in the redevelopment areas, industrial areas and general provisions with respect to the sale of land. He suggested that staff prepare a report on the subject for

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consideration at a later meeting of the Committee of the Whole.

5:13 p.m. Council reconvened the following members being present:

His Worship the Mayor, Chairman; Aldermen Lane, Butler, LeBlanc, Trainor,
Healy, Connolly, O'Brien and Greenwood.

The Committee of the Whole reported progress to Council in its con-
sideration of the proposed Cities' Act.

Meeting adjourned 5:15 p.m.

J. E. LLOYD,
MAYOR AND CHAIRMAN.

R. H. STODDARD,
CITY CLERK.

CITY COUNCIL
M I N U T E S

Council,
Dec. 14, 1961.
Council Chamber,
City Hall,
Halifax, N.S.,
December 14, 1961,
8:00 P. M.

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

After the meeting was called to order, the members of Council attending, led by the City Clerk, joined in reciting the Lord's Prayer.

There were present His Worship the Mayor, Chairman; Aldermen Abbott, Lane, Macdonald, Butler, LeBlanc, Healy, Connolly, O'Brien and Greenwood.

Also present were Messrs. P. F. C. Byars, R. H. Stoddard, W. J. Clancey, L. Mitchell, L. M. Romkey, G. F. West, J. F. Thomson, R. B. Grant, K. Munnich, V. W. Mitchell, A. P. Flynn, J. L. Leitch, D. M. Cameron and Dr. A. R. Morton.

MINUTES - NOVEMBER 28 AND 30, 1961

At the request of Alderman LeBlanc, Council agreed to amend the minutes under date of November 30th removing his name as the mover of an unseconded motion, pertaining to an item dealing with a Safety Campaign advertisement, as shown on Page 703 of the minutes.

The minutes of November 28 and 30, as amended, were approved on motion of Alderman O'Brien and seconded by Alderman Greenwood.

PUBLIC HEARING - REZONING OF LAND ON THE EASTERN SIDE OF JOHN STREET BETWEEN WEST STREET AND CHARLES STREET FROM R-3 ZONE MULTIPLE DWELLING ZONE) TO C-2 ZONE (GENERAL BUSINESS ZONE)

A Public Hearing into the matter of the rezoning of land on the East side of John Street between West and Charles Streets from R-3 Zone to C-2 Zone was held at this time.

The City Clerk advised that one written objection had been received from Mr. Frank P. Donnelly of 2482 John Street protesting the expansion of Hillcrest Motors Limited beyond its present location. Mr. Donnelly was present and reiterated the objection contained in his letter as well as stating that he was unable to find a parking place in front of his own residence.

No other persons appeared against the proposed rezoning.

A formal By-Law as prepared by the Deputy City Solicitor was submitted.

MOVED by Alderman Greenwood, seconded by Alderman Abbott, that the By-Law be approved. Motion passed with Alderman Connolly wishing to be recorded against.

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PUBLIC HEARING - AMENDMENT TO ZONING BY-LAW - SECTION 1 OF PART XV

A Public Hearing into the matter of an amendment to Section 1 of Part XV of the Zoning By-Law was held at this time.

No persons appeared for or against the proposed amendment and no written objections were received.

A formal By-Law as prepared by the Deputy City Solicitor was submitted.

MOVED by Alderman O'Brien, seconded by Alderman Macdonald, that the By-Law, as submitted, be approved. Motion passed.

VACANCY IN COUNCIL - DATE FOR BY-ELECTION

December 14, 1961.

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

Due to the passing of Alderman George C. Fox, I wish to report that a vacancy exists in Ward 4.

Under the provisions of Sections 83 and 84 of the City Charter, it is necessary that a resolution be passed declaring the Ward 4 seat to be vacant, and that Council fix a date for a By-Election to fill this vacancy.

I would suggest that the election be held on January 31, 1962 with Nomination Day falling on January 9th.

Respectfully submitted,

R. H. Stoddard,
CITY CLERK.

MOVED by Alderman Abbott, seconded by Alderman Lane that the seat formerly held by the late Alderman George C. Fox be declared vacant and that a By-Election be held on January 31, 1962 with Nomination Day falling on January 9th. Motion passed.

APPOINTMENTS - BOARD OF SCHOOL COMMISSIONERS

As Aldermen Abbott and Connolly were the only nominations received, His Worship the Mayor declared them duly appointed to the Board of School Commissioners for a further term expiring on December 31, 1964.

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ACCOUNTS OVER \$500.00

To: His Worship Mayor J. E. Lloyd
and Members of City Council

From: P. F. C. Byars, City Manager

Date: December 12th, 1961

Subject: Accounts over \$500.00

In accordance with Section 119-F of the City Charter, the following accounts are submitted for Council's approval. These accounts have been certified and audited:

<u>Department</u>	<u>Vendor</u>	<u>Purpose</u>	<u>Amount</u>
Works	James R. Kearney Corp.	Street Lighting	\$2,356.00
	Upright Scaffolds Ltd.	Scaffolding	849.15
	N. S. Tractors & Equipment	Equipment	1,175.39
Health	Kendall Company (Canada) Limited	Supplies for Halifax	
		Convalescent Hospital	677.56
			\$5,058.10

Respectfully submitted,

P. F. C. Byars,
City Manager.

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

APPOINTMENT - CITY SOLICITOR

To: His Worship Mayor J. E. Lloyd
and Members of City Council

From: P. F. C. Byars, City Manager

Date: December 13, 1961.

Subject: Appointment of City Solicitor

At the meeting of City Council held on November 30th, 1961, Council authorized the City Manager to advertise for applicants to fill the position of City Solicitor, effective as of June 1st, 1962, made necessary by the resignation of Mr. T. C. Boyle. The salary range advertised was \$9,490. to \$11,602., which is the existing range.

Accordingly, the position was advertised, and as required by Section 155 (1) of the City Charter, invited applications from barristers of the Supreme Court of Nova Scotia who have been actively engaged in the practice of law for at least five years.

Only one application was received for this position-- the application of Mr. Leonard Mitchell, present Deputy City Solicitor.

Mr. Mitchell is 38 years of age. He was educated in Halifax, having attended the Halifax County Academy and Dalhousie University, graduating in 1943 with a Bachelor of Commerce degree. He saw service with the Canadian Army, and on being honourably discharged in September, 1945, enrolled in

Council,
December 14, 1961.

Dalhousie Law School, graduating with a Bachelor of Laws degree in May, 1948. He was admitted to the Bar of Nova Scotia in August, 1948.

Mr. Mitchell was engaged in private practice for a number of years. From July 2nd, 1957, to January 31st, 1958, he served as Crown Prosecutor for the City of Halifax, resigning from that position to join the staff of the Law Department of the City of Halifax. On October 16th, 1959 he was appointed Deputy City Solicitor.

It is recommended that Council appoint Mr. Leonard Mitchell City Solicitor, effective June 1st, 1962, the effective date of the resignation of Mr. T. C. Doyle.

It is further recommended that the salary of Mr. Mitchell be increased effective January 1, 1962 to the maximum range for Deputy City Solicitor, that is \$8,750. Under present pay rates, and that on June 1st, 1962 his salary be the minimum range of pay for City Solicitor.

Respectfully submitted,

P. F. C. BYARS,
City Manager.

MOVED by Alderman Healy, seconded by Alderman Greenwood, that the report be approved. Motion passed.

SERVICE STATION - NO. 1062-64-66 GOTTINGEN STREET

To: His Worship the Mayor and Members of City Council.
From: Town Planning Board.
Date: December 5, 1961.
Subject: Service Station - No. 1062-64-66 Gottingen Street

The Town Planning Board at a meeting held on the above date considered a report from the City Manager recommending in favor of the re-erection of a service station at No. 1062-64-66 Gottingen Street, as shown on Drawing Number P200/54, in accordance with Section 797 of the City Charter, subject to detailed agreement by staff on the layout and design of the building.

On motion of Alderman O'Brien, seconded by Alderman LeBlanc, 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 Abbott, that the report be approved. Motion passed.

REZONING - NO. 45 KAYE STREET - R-2 ZONE TO R-3 ZONE

To: His Worship the Mayor and Members of City Council.
From: Town Planning Board.
Date: December 5, 1961.
Subject: Rezoning - No. 45 Kaye Street (R2-R3).

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The Town Planning Board at a meeting held on the above date was informed by the Solicitor for the applicant that she now wished to withdraw her application for the rezoning at No.45 Kaye Street from R2 to R3.

The Board agreed to take no further action.

Respectfully submitted,

K. C. MANTIN,
Clerk of Works.

FILED

REZONING - SOUTHEAST CORNER OF CORK AND DUBLIN STREETS - R-2 ZONE TO R-3 ZONE -
HEARING - JANUARY 25, 1962.

To: His Worship the Mayor and Members of the City Council.
From: Town Planning Board.
Date: December 5, 1961.
Subject: Rezoning - Southeast Corner of Cork and Dublin Streets (R2-R3).

The Town Planning Board at a meeting held on the above date considered a report from the City Manager recommending in favor of (1) the rezoning of No.14-24 Cork Street from R2 to R3, in accordance with provisions of the Town Planning Act and that a date for a public hearing be set. It is further recommended that this rezoning be approved for the construction of an apartment building to be constructed in accordance with the preliminary Drawing Nos. P700/44-50, with a reduction in height to five storeys as agreed by the applicant, and (2) that the application for modification of sideyards and frontyards at No.14-24 Cork Street be approved in accordance with proposals shown on Drawing No. P700/50, under the provisions of Part XV, para (f) of the Zoning By-Law.

On motion of Alderman Macdonald, seconded by Alderman LeBlanc, the Board approved the rezoning at the southeast corner of Cork and public Streets from R2 to R3 and recommended to City Council that a date for a public hearing be set.

Respectfully submitted,

K. C. MANTIN,
Clerk of Works.

MOVED by Alderman Macdonald, seconded by Alderman LeBlanc, that the report be approved, and that Council fix January 25, 1962, at 8:00 P. M. in the Council Chamber, City Hall, as the time and place for a Public Hearing in connection with this matter. Motion passed.

REZONING - LOTS NO.4, 5 AND 6 KANE STREET - R-2 ZONE TO C-2 ZONE -
HEARING - JANUARY 25, 1962.

To: His Worship the Mayor and Members of City Council.
From: Town Planning Board.
Date: December 5, 1961.
Subject: Rezoning - Lots No. 4, 5 and 6 Kane Street (R2-C2)

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The Town Planning Board at a meeting held on the above date considered a report from the City Manager recommending in favor of a rezoning of lots No. 4, 5 and 6 Kane Street, as shown on Drawing No. P200/497, from R2 to C2, in accordance with provisions of the Town Planning Act, and that a date for a public hearing be set. It is also recommended that the applicants be requested to undertake an agreement with the City restricting the future commercial use of the land subject to rezoning to purposes connected with the conduct of their existing business and that, should the City rezone the said land from C2 use to residential use, they will permanently discontinue the use of it for commercial purposes.

On motion of Alderman LeBlanc, seconded by Alderman Macdonald, the Board approved the rezoning of lots No. 4, 5 and 6 Kane Street from R2 to C2, 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 LeBlanc, seconded by Alderman Macdonald, that Council fix January 25, 1962, at 8:00 P. M. in the Council Chamber, City Hall, as the time and place for a Public Hearing in connection with this matter. Motion passed.

MODIFICATION OF SIDEYARD - NO. 93 NORTH STREET

To: His Worship the Mayor and Members of City Council.
From: Town Planning Board.
Date: December 5, 1961.
Subject: Modification of Sideyard - No. 93 North 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 modification of sideyard at No. 93 North Street, as shown on Drawing No. P200/491, in accordance with Part XV, para (f) of the Zoning By-Law, and that no public hearing be held.

On motion of Alderman Macdonald, seconded by Alderman LeBlanc, 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 Butler, that the report be approved. Motion passed.

MODIFICATION OF SIDEYARD - NO. 7071 MURDOCK AVENUE
REPORT - AMENDMENT - ZONING BY-LAW

To: His Worship the Mayor and Members of City Council.
From: Town Planning Board.
Date: December 5, 1961.
Subject: (a) Modification of Sideyard - No. 7071 Murdock Avenue,
(b) Report - Amendment Zoning By-Law.

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Referred to Town Planning Board.

SUPPLEMENTARY APPROPRIATIONS - 316 "C"

December 14, 1961

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

The Finance and Executive Committee, at a meeting held on
December 7, 1961, recommends approval of the following supplementary
appropriations under the authority of Section 316 "C" of the City Charter:

Canadian Federation of Mayors and Municipalities - -	
Convention Expenses	\$ 2,210.00
City Solicitor's Department	800.00
Fire Alarm Department	2,000.00
Wanderers' Grounds	1,300.00
Mayor's Contingent Account	3,500.00
Assessment Appeal Court	9.74
Snow Removal	20,000.00
School for the Deaf Maintenance	7,000.00
	<u>36,819.74</u>

Respectfully submitted,

R. H. STODDARD,
CITY CLERK.

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

ENCROACHMENT - HALIFAX PROTESTANT ORPHANS' HOME

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

From: Committee on Works.

Date: December 7, 1961.

Subject: Encroachment - Halifax Protestant Orphans' Home.

The Committee on Works at a meeting held on the above date
considered a report from the Commissioner of Works recommending that the
Halifax Protestant Orphans' Home be permitted to continue an existing
encroachment, free of charge, with the understanding that it shall be removed
whenever the Council so requires, in accordance with Section 538 of the City
Charter.

On motion of Alderman Lane, seconded by Alderman Connolly, the
Committee approved the report and recommended it 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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ENCROACHMENT - CANADA PERMANENT GENERAL TRUST

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

From: Committee on Works.

Date: December 7, 1961.

Subject: Encroachment - Canada Permanent General Trust.

The Committee on Works at a meeting held on the above date considered a report from the City Manager recommending approval of an encroachment of a 2,000 gallon underground fuel oil storage tank, at the rear of Civic No. 426 Barrington Street, in accordance with details as shown on Drawing No. SS-7-15265, on the condition that such encroachment shall be removed whenever the Council so requires, and that the annual rental fee be set at \$52.87 per year.

On motion of Alderman Lane, seconded by Alderman Connolly, the Committee approved the report and recommended it to City Council, subject to the company agreeing to accept any expenses or any liability arising out of the installation of the tank.

Respectfully submitted,

K. C. Mantin,
CLERK OF WORKS.

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

BETTERMENT CHARGES - ALBERT STREET SEWER EXTENSION

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

From: Committee on Works.

Date: December 7, 1961.

Subject: Betterment Charges - Albert Street Sewer Extension.

The Committee on Works at a meeting held on the above date considered a report from the Commissioner of Works recommending that legislation be obtained to defer payment of betterment charges for the property owners of Civic Nos. 2, 3 and 4 Albert Street until such time as they are called upon to connect to the Albert Street sewer. (Plan No. SS-7-15267 refers).

On motion of Alderman Greenwood, seconded by Alderman Connolly, the Committee approved the report and recommended it to City Council.

Respectfully submitted,

K. C. Mantin,
CLERK OF WORKS.

MOVED by Alderman Connolly, seconded by Alderman Greenwood, that the report be approved. Motion passed.

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LAND - FLEMING PARK

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

From: Committee on Works.

Date: December 7, 1961.

Subject: Land - Fleming Park.

The Committee on Works at a meeting held on the above date considered a report from the Deputy City Solicitor recommending that a parcel of land be sold to the County for the sum of \$2,500.00 so as certain roadways can be put in by the owners of the Fleming Glen Subdivision.

On motion of Alderman Greenwood, seconded by Alderman Connolly, the Committee approved the report and recommended it to City Council.

Respectfully submitted,

K. C. Mantin,
CLERK OF WORKS.

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

PETITION - STREET LIGHTING

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

From: Committee on Works.

Date: December 7, 1961.

Subject: Petition - Street Lighting.

The Committee on Works at a meeting held on the above date considered a petition for improved street lighting within the block bounded by Almon Street, Windsor Street, Young Street and Oxford Street.

The City Electrician informed the Committee that the lighting on Windsor Street was being done now, but that the other streets included in the petition were not in this year's budget. He said that he would recommend that temporary lights be installed on these streets and that provision be made in next year's budget for the installation of new lights from Connaught Avenue up to Windsor Street.

On motion of Alderman Greenwood, seconded by Alderman Lane, the Committee approved the City Electrician's recommendation, and recommended the same to City Council.

Respectfully submitted,

K. C. Mantin,
CLERK OF WORKS.

MOVED by Alderman Greenwood, seconded by Alderman O'Brien, that the report be approved. Motion passed.

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TENDERS - SUPPLIES, WORKS DEPARTMENT

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

From: Committee on Works.

Date: December 7, 1961.

Subject: Tenders - Supplies.

The Committee on Works at a meeting held on the above date considered a tabulation of tenders for supplies from the City Manager and Commissioner of Works.

A. Application of Liquid Asphaltic Material.

Acceptance of the following tender was recommended:

Municipal Spraying and Contracting Limited. (Only tender received)

B. Liquid Asphalt Materials.

Acceptance of the following tender was recommended:

Imperial Oil Limited. (Only tender received)

C. Special Castings.

Acceptance of the following tender was recommended:

Dartmouth Foundry Limited. (Lowest tender)

D. Salt.

Acceptance of the following tenders was recommended:

A. M. Smith and Company Limited and Burns Fisheries Limited. (Lowest tenders)

It is recommended that salt be purchased from the above two companies on an equitable basis as set out in the specifications.

E. Gasoline Pumps (Three).

Acceptance of the following tender was recommended:

Commercial Equipment Limited. (Lowest tender)

F. Crushed Stone.

Acceptance of the lowest tender was recommended.

G. Furnace Oil - Stove Oil - Bunker "A" and "C"

Acceptance of the following tenders was recommended: (Low tenders recommended)

Furnace Oil, Bunker "A" and "C" - Imperial Oil Limited.
Stove Oil - Texaco Canada Limited.

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H. Lubricants.

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

1. Motor Oil, 45's - Imperial Oil Limited.
2. Motor Oil, Qts. - Imperial Oil Limited.
3. Diesel Lubricants, 45's - Canadian Petrofina Limited.
4. Diesel Special, 45's - Canadian Petrofina Limited.
5. Hoist Oil, 45's - British American Oil Company Limited.
6. Flushing Oil, 45's - British American Oil Company Limited.
7. Lubricant, S. A. E. - Texaco Canada Limited.
8. Lubricant Hypoid - Texaco Canada Limited.
9. Multi Purpose Grease - Canadian Petrofina Limited.

I. Coal.

Acceptance of the following tenders was recommended: (Low tender recommended)

1. Screened, 1" - Mathews Coal Company.
2. Slack, 1 $\frac{1}{4}$ " - Mathews Coal Company.
3. Run of Mine - S. Cunard and Company Limited and Mathews Coal Company. (Tender divided evenly).
4. Oil Treated Prepared Stoker, 3/4" and 1/4" - Mathews Coal Company.
5. Forge - Mathews Coal Company.
6. Blower - S. Cunard and Company Limited.

J. Gasoline and Diesel Fuels, Etc.

Acceptance of the following tenders was recommended: (low tenders recommended)

1. Gasoline - Grade I - Canadian Petrofina Limited.
2. Gasoline - Grade II - Canadian Petrofina Limited.
3. Marked Gasoline - Grade I - Imperial Oil Limited.
4. Marked Gasoline - Grade II - Imperial Oil Limited.
5. Naptha Gas - Imperial Oil Limited and British American Oil Company Limited. (Tender divided evenly).
6. Kerosene - Imperial Oil Limited.
7. H. S. Diesel Fuel - Canadian Petrofina Limited.

K. Sand and Gravel, etc.

Acceptance of the following tenders was recommended: (Low tender recommended)

1. Concrete Sand.
 - (a) Delivered at Plant - Hubley's Sand and Gravel.
 - (b) Delivered at Railway Siding - Hubley's Sand and Gravel.
 - (c) Delivered to City Field or on Street - Maritime Sand and Gravel and Carl B. Potter. (Tender divided evenly)
2. Coarse Sand.
 - (a) Delivered at Plant - Hubley's Sand and Gravel.
 - (b) Delivered at Railway Siding - Hubley's Sand and Gravel.
 - (c) Delivered to City Field or on Street - Maritime Sand and Gravel and Carl B. Potter. (Tender divided evenly)
3. Gravel.
 - (a) Delivered at Plant - Hubley's Sand and Gravel.
 - (b) Delivered at Railway Siding - Hubley's Sand and Gravel.
 - (c) Delivered to City Field or on Street - Maritime Sand and Gravel and Carl B. Potter. (Tender divided evenly)

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4. Asphalt Sand.

- (a) Delivered at Plant -
- (b) Delivered at Railway Siding -
- (c) Delivered to City Field or on Street - Maritime Sand and Gravel and Carl B. Potter. (Tender divided evenly).

Note:

Carl B. Potter, Halifax, has submitted low tender on (c) of each item. Mr. Potter is listed as a trucking contractor in the Directory and Telephone Book and we are unable to find out any information on his activities as a gravel contractor. We are recommending, therefore, that we divide the tender for the items referred to above evenly with the Maritime Sand and Gravel but we wish to reserve the right to deal with a known supplier if either of these two tenderers do not deliver according to our specifications.

On motion of Alderman Greenwood, seconded by Alderman Lane, the Committee approved the recommendations of the City Manager and Commissioner of Works as submitted in the tabulations, and recommended the same to City Council.

Respectfully submitted,

K. C. Mantin,
CLERK OF WORKS.

MOVED by Alderman Lane, seconded by Alderman LeBlanc, that the report be approved with the exception of the tender for Special Castings. Motion passed.

MOVED by Alderman O'Brien, seconded by Alderman Healy, that the recommended tender for Special Castings be approved.

MOVED by Alderman Greenwood, seconded by Alderman Connolly, that the matter be referred back to the Committee on Works for further consideration.

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

LEAVE OF ABSENCE - MR. F. J. MIELKE

December 14, 1961.

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

At a meeting of the Retirement Committee held on December 11, 1961, Mr. Frederick J. Mielke was retired from City service as of March 1, 1962.

As he had no vacation during his 32 years' service, the Commissioner of Finance recommended that he be granted two months' leave of absence with pay as from January 1, 1962, which recommendation has received the approval of the City Manager.

The Retirement Committee concurs in the recommendation of the Commissioner of Finance and recommends that Council authorize this leave.

Respectfully submitted,

R. H. Stoddard,
CITY CLERK.

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Mr. R. Leo Rooney, Q. C. addressed Council on behalf of Mr. Mielke requesting a longer retirement leave than that mentioned in the report.

MOVED by Alderman Connolly, seconded by Alderman Lane, that the matter be referred back to the Retirement Committee for further consideration and that Mr. Rooney be notified to be present. Motion passed.

BOXING DAY

December 14, 1961.

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

At a meeting of the Finance and Executive Committee held on December 7, 1961, it was agreed to recommend that December 26th, Boxing Day, be declared a Civic holiday.

Respectfully submitted,

R. H. Stoddard,
CITY CLERK.

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

RENTAL CONTROL

December 14, 1961.

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

At a meeting of the Finance and Executive Committee held on Dec. 7, 1961, a report was submitted from the City Manager respecting rent control.

Your Committee recommends that rent control be continued under the following conditions:

- (a) that the present arrangements respecting the Rental Authority be permitted to lapse on December 31, 1961;
- (b) that the Rental Authority be appointed within present City staff;
- (c) that the Development Officer be appointed Rental Authority for the period from January 1st, 1962 to May 31, 1962;
- (d) that a report be submitted by the City Manager at the expiration of the five-month period on the operation of the Rental Authority.

Respectfully submitted,

R. H. Stoddard,
CITY CLERK.

A letter was submitted from Mr. H. Leslie Stewart, Rental Authority, stating that it was his firm conviction, based on his experience during the past year, that Rent Control should not only be continued, but that it should be placed on a much more solid footing than heretofore.

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

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TAX DEPOSIT CERTIFICATES

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

At a meeting of the Finance and Executive Committee held on December 7, 1961, a report was submitted from the Commissioner of Finance suggesting the sale of Tax Deposit Certificates at the following rates:

- A \$100.00 Certificate purchased on or before January 2, 1962,
at a price of \$98.40
A \$100.00 Certificate purchased on or before February 1, 1962,
at a price of \$98.82
A \$100.00 Certificate purchased on or before March 1, 1962,
at a price of \$99.22
A \$100.00 Certificate purchased on or before April 2, 1962,
at a price of \$99.60

Your Committee recommends that the above schedule be approved.

Respectfully submitted,

R. H. STODDARD,
CITY CLERK.

MOVED by Alderman Abbott, seconded by Alderman Lane, that the report be approved. Motion passed.

CLOSING OF COLLECTOR'S OFFICE - JANUARY 2 AND 3, 1962

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

At a meeting of the Finance and Executive Committee held on December 7, 1961, a report was submitted from the Commissioner of Finance requesting permission to close the City Collector's Office to the general public on January 2nd and 3rd, 1962, for the purpose of balancing the tax ledgers.

Your Committee recommends that the requested permission be granted.

Respectfully submitted,

R. H. STODDARD,
CITY CLERK.

MOVED by Alderman Macdonald, seconded by Alderman LeBlanc, that the report be approved. Motion passed.

SETTLEMENT OF ACTION - HILL THE MOVER (CANADA) LIMITED VS. CITY OF HALIFAX

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

At a meeting of the Finance and Executive Committee held on December 7, 1961, a report was submitted from the Deputy City Solicitor advising that on April 21, 1961, Hill the Mover (Canada) Limited issued a Writ against the City of Halifax claiming damages in the amount of \$580.00 for damages to one of their trucks. It was alleged that the truck struck a tree