

Council,
December 14, 1961.

which was overhanging Walnut Street and constituting a hazard for which the City was responsible.

The City disputed liability, entered a Defence and was prepared to defend the action in Court.

He further advised that he had received a letter from Mr. John Dickie, Q.C., Solicitor for Hill the Mover (Canada) Limited, in which he stated that as a result of re-organization of the Company and the transfer of several individuals from Halifax to their office in Central Canada, the Company is now prepared to abandon its claim against the City if the City will agree to dismissal of the action without costs to either party.

He recommended that the City agree to such dismissal of the Action without costs to either party, and that Council authorize the Deputy City Solicitor to consent to an Order respecting the same.

Your Committee concurs in this recommendation.

Respectfully submitted,

R. H. STODDARD,
CITY CLERK.

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

OFFER - CITY OF HALIFAX VS AHERN - RE: DAMAGES TO CITY FIRE ENGINE

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 November 18, 1960, the City of Halifax caused a Writ to be issued against one Phillip Ahern, claiming damages to a City fire engine in the amount of \$4,423.93 as the result of an accident between the fire engine and a vehicle operated by the said Ahern. The insurers of the vehicle driven by Ahern denied total liability and defended the action.

On September 12, 1961, the insurers of the Ahern vehicle offered a compromise settlement on a 50/50 basis, which offer was not accepted.

He further advised that he had received an offer in the amount of \$4,423.93, which is the total amount of the damage suffered by the City, but without costs.

He recommended that the City accept this offer and that City Council be requested to authorize the Deputy Solicitor to sign an Order respecting the same.

Your Committee concurs in this recommendation.

Respectfully submitted,

R. H. STODDARD,
CITY CLERK.

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

Council,
December 14, 1961.

TENDERS FOR LICENSES, ETC.

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 City Manager recommending acceptance of the tender of London Rubber Stamp Company Limited, being the only tender received for the supply of license plates, badges, etc., for 1962, as follows:

2,480	dog tags	\$118.44
7	bill poster badges	15.12
3,650	bicycle license plates	378.70
150	automatic machine plates	33.75
350	pairs taxi plates	133.65
50	magazine salesmen badges	31.05
50	pedlars badges	31.05
50	pedlars license plates	13.50
75	truck license plates	18.00
10	chimney sweep badges	21.60
200	beverage stickers	39.50

TO BE FURNISHED BY JANUARY 31, 1962, TOTAL \$834.36

Your Committee concurs in the recommendation of the City Manager.

Respectfully submitted,

R. H. STODDARD,
CITY CLERK.

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

AGREEMENT - HALIFAX COUNTY VOCATIONAL HIGH SCHOOL

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 the Province has submitted a new Agreement respecting the maintenance and operation of the Halifax County Vocational High School, incorporating the following changes:

1. new sharing percentage for the City of Dartmouth and the County of Halifax, because of the recent amalgamation of certain territory from the County with the City of Dartmouth;
2. provision for the Province to build and equip additions to and alterations to the present building at no cost to the other parties;
3. provision for increasing the number of pupils from outside the County from 3% to 5%. The operating cost for these additional pupils, however, would not be borne by the parties to the agreement, as it is proposed that they pay 100% tuition fee. In any event, the parties would only be liable

Council,
December 14, 1961.

for more than 106% of the previous year's operating costs by mutual agreement.

He recommended that the Agreement be approved by City Council and that the Mayor and City Clerk be authorized to execute the same on behalf of the City.

Your Committee concurs in this recommendation.

Respectfully submitted,

R. H. STODDARD,
CITY CLERK.

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

APPOINTMENT - TRAFFIC AUTHORITY - MR. A. R. HOWARD

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

At a meeting of the Safety Committee held on December 5, 1961, a report was submitted from the City Manager recommending that to resolve any possible opportunity for conflict between the Traffic Engineer and the Traffic Authority, Council, under the provisions of the Motor Vehicle Act, pass a resolution naming Mr. Alfred R. Howard, Traffic Engineer for the City, to be the Traffic Authority for the City of Halifax.

He further recommended that the Traffic engineering function be established as a division of the Department of Works, under the Commissioner of Works and Buildings.

Your Committee concurs in the recommendations of the City Manager.

Respectfully submitted,

R. H. STODDARD,
CITY CLERK.

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

ATTENDANCE - DETECTIVE ROBINSON - CANADIAN POLICE COLLEGE - OTTAWA

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

At a meeting of the Safety Committee held on December 5, 1961, a report was submitted from the Chief of Police recommending that Detective G. O. Robinson be granted leave of absence with pay for a period of approximately 10 weeks to attend a course of instruction at the R.C.M.P. Headquarters at Ottawa.

Your Committee concurs in the recommendation of the Chief of Police.

Respectfully submitted,

R. H. STODDARD,
CITY CLERK.

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

Council,
December 14, 1961.

PURCHASE - RAIN COATS - POLICE DEPARTMENT

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

At a meeting of the Safety Committee held on December 5, 1961, a report was submitted from the Chief of Police recommending that 50 rain coats be purchased from the Safety Supply Company at a cost of \$12.20 each; funds to be provided by the Current Estimates.

Your Committee concurs in the recommendation of the Chief of Police.

Respectfully submitted,

R. H. STODDARD,
CITY CLERK.

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

REPORT - REDEVELOPMENT COMMITTEE - PROPERTY SETTLEMENTS

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

At a meeting of the Redevelopment Committee held on December 5, 1961, the following property settlements were recommended:

1. 10 Cunard Court \$4,987.50 which represents
(Miss Katherine Nehiley) assessment plus 5%
2. 25/27/29 Starr Street \$7,140.00 which represents
(W. & A. Moir Limited) assessment plus 5%
3. 23 Starr Street \$3,500.00 C.M.H.C. concurs
(Mary Burke & Estate of Simeon Burke)
4. 7 Cunard Court \$8,030.00 C.M.H.C. concurs
(Mrs. Jessie Boudreau)
5. 28 Starr Street \$9,200.00 C.M.H.C. concurs
(Mrs. Anastasia Miles)

Respectfully submitted,

R. H. STODDARD,
CITY CLERK.

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

REPORT - REDEVELOPMENT COMMITTEE - RENTAL -
PORTION OF SCHOOL FOR THE DEAF BUILDING TO Y.M.C.A.

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

At a meeting of the Redevelopment Committee held on December 5, 1961, a report was submitted from the City Manager recommending that approval

Council,
December 14, 1961.

be granted to a request from the Y.M.C.A. to lease approximately 6,000 square feet of space, including corridors, in the School for the Deaf Building under the following conditions:

1. the lease to be on a month-to-month basis for a minimum of 6 months, occupancy to terminate almost immediately a final decision is made by City Council on the disposition of the building;
2. on termination of the lease there is to be no obligation on the City to assist in the removal of the effects of the Y.M.C.A. or to provide alternative accommodation;
3. the Y.M.C.A. to pay the City of Halifax rental at the rate of \$100.00 per month for the space occupied.

Your Committee concurs in the recommendation of the City Manager.

Respectfully submitted,

R. H. STODDARD,
CITY CLERK.

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

REPORT - REDEVELOPMENT COMMITTEE - MULGRAVE PARK
HOUSING PROJECT - TENDERS FOR LANDSCAPING

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

At a meeting of the Redevelopment Committee held on December 5, 1961, a report was submitted from the City Manager advising that a request had been received from Central Mortgage and Housing Corporation, through the Department of Public Works for the Province of Nova Scotia, for authority to call tenders for the completion of landscaping at the Mulgrave Park Housing Project, the estimated cost of which is \$27,700.00, which is considerably in excess of the original estimate of \$9,350.00.

He recommended that the necessary authority be granted with the understanding that no tender will be accepted without the specific approval of the City.

Your Committee concurs in the recommendation of the City Manager.

Respectfully submitted,

R. H. STODDARD,
CITY CLERK.

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

REPORT - REDEVELOPMENT COMMITTEE - MAITLAND STREET PARKING LOT - LEASE

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

At a meeting of the Redevelopment Committee held on December 5, 1961, a report was submitted from the City Manager attaching a proposed

Council,
December 14, 1961.

lease between the Halifax Board of Trade and the City of Halifax covering the operation of the Maitland Street Parking Lot.

Your Committee recommends:

1. that the lease be approved subject to the inclusion of a clause to the effect that any automatic renewal of the lease is subject to a report to City Council on the adequacy of the rental rates;
2. that the Mayor and City Clerk be authorized to execute the same on behalf of the City of Halifax.

Respectfully submitted,

R. H. STODDARD,
CITY CLERK.

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

REPORT - REDEVELOPMENT COMMITTEE -
INCREASE - MULGRAVE PARK CONTRACT

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

At a meeting of the Redevelopment Committee held on December 5, 1961, a request was received from Central Mortgage and Housing Corporation, through the Provincial Government, to increase the Eastern Woodworkers' contract by the sum of \$299.44 to cover repairs to sodding adjacent to "WT" Block; such repairs to include the removal of unsatisfactory material and installation of drain tile, wire mesh, gravel covering, new topsoil, lime, fertilizer and pegged soil.

The City Manager recommended that authority be granted to increase the contract as requested and your Committee concurs in this recommendation.

Respectfully submitted,

R. H. STODDARD,
CITY CLERK.

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

HALIFAX CIVIC EMPLOYEES' UNION, LOCAL NO. 143, N.U.P.E. - (CITY HALL)

To: His Worship Mayor J. E. Lloyd and Members of City Council
From: P. F. C. Byars, City Manager
Date: December 12, 1961
Subject: Halifax Civic Employees' Local Union No. 143 - National Union of Public Employees (City Hall)

At a regular meeting of City Council held July 12, 1961, the City Manager was instructed to proceed to negotiate by mutual consent between the City and Halifax Civic Employees Local Union No. 143, a revision of the existing collective bargaining agreement entered into September 21, 1960, by the City and Local No. 143, the said revision to provide an agreement to be

Council,
December 14, 1961.

effective between the parties as from July 1st, 1961, until December 31st, 1962.

Subsequently Local Union No. 143 also mutually consented to enter into negotiations for such an agreement, and bargaining commenced between the Bargaining Committee of the Union and the City Manager as Bargaining Agent for the City.

The negotiations were conducted during a series of seven meetings between the parties, held between July 17th and December 4th, 1961.

The Union requested that the agreement of September 21st, 1960, be revised in accordance with the proposals enumerated hereunder. The action taken or agreed between the bargaining representatives during the seven meetings is also shown:

<u>Union Proposals</u>	<u>Action</u>
1. Article 7 be revised to provide 4 weeks' vacation after 20 years' service.	As the present agreement provides 15 working days vacation after one year's service, the City Manager proposed re-wording of Article 7 to provide 10 working days vacation after one year continuous service, 15 working days vacation after 15 years' service and 20 working days vacation after 25 years' service. The Union bargaining committee then decided to withdraw the request.
2. An additional day of vacation per year after 15 years' service until a maximum of 20 working days has been attained.	Refused on behalf of the City in view of present wording of Interpretations Act. Union decided not to press for this change.
3. Easter Monday to be included in the legal holidays.	It was agreed to provide for this change on condition that the article would be worded so as to make it clear that it specified employees other than those covered by Article 6 (d) ordered to work overtime on legal holidays, also that compensatory time off would be taken only at a time suitable to the Department Head.
4. Employees working on legal holidays to be paid for such work at overtime rate of \$2.25 per hour, or any employee may elect to take compensatory or overtime leave in lieu of overtime salary due as provided in clause (b) Article 6.	During discussion the Union withdrew this request.
5. All requests for vacations to be submitted to Department Heads in May with tentative dates ranging in seniority.	The City Manager refused this request, as the present maximum accumulation of 120 days sick leave is generous.
6. Sick leave to accumulate without a maximum limit.	The present agreement provides that Department Heads may request a medical certificate. The Union withdrew this request after some discussion of the question.
7. Department Head to request a medical certificate only after five days sickness.	

Council,
December 14, 1961.

8. Delete the last seven words in present Article 9, i.e. "where their positions are classified as permanent."

Article 9 provides: "All employees covered by this agreement after one years' continuous service shall be classified as permanent employees where their positions are classified as permanent." This request was refused on behalf of the City as it would preclude the City from having any temporary classifications in force for more than one year although circumstances could arise whereby a number of temporary employees could be required for longer than one year, i.e. redevelopment, or national or local emergency.

9. Provide in Article 10 that senior applicant be given promotion to higher position on a six months' probationary basis.

At present Article 10 (c) reads: "For the purpose of promotion and filling of new positions, seniority shall be given recognition when the job specifications have been complied with and the qualifications, fitness and adaptability of all competing employees are equal." It was agreed during the bargaining meetings to add the words: "in which case the senior applicant will be promoted to the higher position on a six months' probationary basis."

10. That longevity pay be given following 10 years' service.

This request was refused for the reason that sufficient opportunity for promotion of employees exists in the present job classifications in the civic service, and no justifiable reasons had been submitted to warrant introduction of longevity pay.

11. Retirement to be compulsory for male employees at age 65 and female employees at age 60

It was agreed among the bargaining group that the present civic pension plan was administered by the Retirement Committee and was, therefore, not within the scope of bargaining by the City Manager as Bargaining Agent of the City.

12. Reclassification - Any employee or group of employees with sufficient evidence to substantiate their claims shall have the right to make such claims in writing to the Union, and a copy of such claims, following approval by the Union, shall be submitted to the City Manager.

The Union pointed out that there were certain classifications where salary adjustments were necessary. This matter was fully discussed in salary negotiations and it is now considered that suitable adjustments have been made for these cases, but it was agreed that where requests for adjustments based on reclassifications could be fully substantiated to the Union, they would be submitted to the City Manager.

Council,
December 14, 1961.

13. Duration and termination of the working agreement to be by either party giving notice in accordance with Section 13 of the Trade Union Act, i.e. within two months, and not 90 days as at present.

During discussions at the meetings, it was agreed not to change the present requirements, except to fix October 1st in the year the agreement terminates as the date by which notice for revision on termination shall be received by either party from the other.

14. Salary requests:

- (1) 15% increase in existing salaries with a ceiling fixed at \$5,000.00.
- (2) The reason for not receiving a step increase shall be given in writing to the employee.

The Union request for a 15% increase was refused. A counter offer on behalf of the City suggested that salary rates as specified by the Payne-Ross report, and merit rating and job classifications as proposed by Payne-Ross be instituted. The Union refused the Payne-Ross proposals. The City Manager proposed that new rates of pay be negotiated based on either a $37\frac{1}{2}$, $36\frac{1}{4}$ or 35 hour working week in lieu of present City Hall hours of a $32\frac{1}{2}$ hour working week. It was then decided that the only way the parties could expect to get together would be to have the City Personnel Officer, with the City Manager, review all positions coming within the Union's bargaining rights and defer action until this could be done. The Union agreed to this and the results are reported later in this report.

15. Such other matters which may be mutually considered to be in the best interests of both parties to the agreement.

Matters discussed under this heading and included later in this report.

16. The other provisions in the existing agreement not proposed to be revised or amended by any of the foregoing proposals shall be retained.

Agreement subject to variation required as result of action agreed to in respect to either Union or City proposals during negotiations.

As provided during discussions of salary negotiations between the parties, the City Personnel Officer was requested by the City Manager to review with him all staff positions coming within the scope of the Union's bargaining certification as set forth in Nova Scotia Labour Relations Board Order No. 556, dated December 19th, 1958, which certified Local No. 143 as Bargaining Agent for the employees included in the classifications listed in the certificate of the Labour Board.

The President of Local Union No. 143 provided the Personnel Officer with the names and classifications of all employees covered under the certification of the Union.

Thereupon the Personnel Officer proceeded to carry out a desk audit of all positions subject to collective bargaining, and as this work was proceeding, the Personnel Officer and the President of the Union Local No. 143 held twice weekly meetings in order that the Union might be informed of the progress being made and entered into discussions respecting the various classifications as necessary.

Council,
December 14, 1961.

In the course of the Personnel Officer's review, information was obtained from other large employers of similar categories of employees in the Seaport Region, and a salary survey was conducted to relate salary rates with the going rates of pay in the area. All positions and classifications were reviewed, and each job was then evaluated under the classification plan and the ranking plan, together with some features of the factor-comparison plan. For the reason that the Union had refused the Payne-Ross proposals, no attempt was made to use the point-rating plan as performed by the Payne-Ross consultants. The Payne-Ross report was only used for comparison purposes in the case of the more complex positions that were found during the course of the review.

The Personnel Officer completed this work on November 24th, and following that date, two further formal meetings were held between the Union Bargaining Representatives and the City Manager. At the last of these meetings, that of December 4th, 1961, the Union Bargaining Committee agreed to recommend to the Local Union No. 143 the job classifications and rates of pay as enumerated on the schedule attached hereto, and the City Manager agreed to recommend the same to City Council. In accordance with the terms of reference under which by mutual consent the City and the Union agreed to bargain, the salary rates as listed are to be effective as from July 1st, 1961, until December 31st, 1962.

It is therefore recommended that City Council agree to the revised job classifications and rate of pay ranges enumerated for the various classifications listed on the Schedule attached hereto, and merit increases within each range, subject to satisfactory employee appraisal, together with the various changes in wording of the agreement as listed in this report, namely:

- (a) Revision of Article 6 of the existing agreement to provide that employees, other than those covered by Article 6 (d), who are ordered to work on a legal holiday, shall receive overtime pay of \$2.25 per hour for such time worked, or may elect to take compensatory or overtime leave in lieu of overtime pay at such time as is suitable to the Department Head.
- (b) That there be added at the end of Article 10 (c) the words: "in which case the senior applicant will be promoted to the higher position on a six months' probationary basis."
- (c) Revision of Article 16 to make the new agreement effective July 1st, 1961 and to continue until December 31st, 1962, and thereafter from year to year unless either party shall give to the other party notice in writing on or before October 1st of then current calendar year that such party desires the agreement to be revised, modified, amended or terminated, or that the terms and conditions of a new agreement be negotiated between the parties before the end of the then current calendar year.
- (d) When any employee or group of employees consider a claim for adjustment based on reclassification is necessary, upon such claim being fully substantiated to the Union, the Union may submit such claim and substantiating evidence in writing to the City Manager.

It is further recommended that Council authorize an appropriation under Section 316C of the City Charter in the amount of \$23,000.00 to provide funds for the salary adjustments listed herein.

Under date of December 12th (today) a letter has been received from the President of the Halifax Civic Employees' Union No. 143 to the effect that -

Council,
December 14, 1961.

"after largely attended meetings of the Union on December 4th, 1961 and December 11th, 1961, it was finally decided by majority vote at the last meeting to accept the proposed revisions in the salary scale. If at all possible, the Union would greatly appreciate implementation of the revised scale by the City before Christmas."

In view of the acceptance of the proposals by the Union membership, it is therefore recommended that if the Council concurs in the salary proposals as outlined herein, authority be granted by Council that cheques covering retroactive salary adjustments to each employee entitled thereto be issued, if possible, before Christmas.

I wish to record my sincere appreciation of the spirit of good faith between the City and the Union that was evident even during the most spirited discussions leading to the Union Representatives and City Manager reaching a position where both parties could take back to their respective principals a recommendation that each of the principals accept the terms as negotiated by the Bargaining Representatives.

Respectfully submitted,

P. F. C. Byars,
CITY MANAGER.

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

Date: December 12th, 1961.

Subject: Halifax Civic Employees Local Union No. 143 - National Union of Public Employees (City Hall).

In order to clarify the granting of salary adjustments in respect to members of Local No. 143, it was agreed during negotiations that salary adjustments would be effective July 1st, 1961, but would only apply to personnel in the employ of the City of Halifax on the date of the signing of the agreement to supersede the agreement dated September 21st, 1960, and personnel who have left the service of the City prior to the date of the signing of the new agreement would not be entitled to salary adjustments.

Respectfully submitted,

C. H. Burbridge,
PRESIDENT, LOCAL 143
NATIONAL UNION OF PUBLIC EMPLOYEES, CITY HALL

P. F. C. Byars,
CITY MANAGER.

MOVED by Alderman Greenwood, seconded by Alderman O'Brien, that the report of the City Manager be approved and that the Mayor and City Clerk be authorized to execute the Agreement on behalf of the City. Motion passed.

Council,
December 14, 1961.

REQUEST - PROCLAMATION, COURT HOUSE ACT

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

From: Leonard Mitchell, Deputy City Solicitor.

Date: December 5, 1961.

Subject: Court House Act.

Chapter 88 of the Acts of 1961 provided a new Court House Act to replace the existing one, but such Act was not to be proclaimed until so requested by the parties concerned, namely the Province of Nova Scotia, the City of Halifax and the Municipality of the County of Halifax. It was so provided for several reasons, particularly to enable the outstanding bonds to be retired, which has now been done, and also to give the various parties an opportunity to study the Act.

It is now desirable to have the new Act come into effect and a resolution should be passed by City Council to request that the Act now be proclaimed; Council should also direct the City Clerk to request the Municipality of the County of Halifax to also request such proclamation.

Leonard Mitchell,
DEPUTY CITY SOLICITOR.

MOVED by Alderman Healy, seconded by Alderman Lane, that the Province of Nova Scotia be requested to proclaim the new Court House Act as contained in Chapter 88 of the Acts of Nova Scotia, 1961, and that the City Clerk be directed to request the Municipality of the County of Halifax to also ask for such proclamation of the Act. Motion passed.

APPLICATION TO REZONE - NO. 3515 AND NO. 3531 DUTCH VILLAGE
ROAD FROM R-3 ZONE TO C-2 ZONE

Referred to Town Planning Board for a report to Council.

REPORT - AMENDMENT - ZONING BY-LAW - PROFESSIONAL PERSONS

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

From: Town Planning Board.

Date: December 5, 1961.

Subject: Report - Amendment - Zoning By-Law - Professional Persons.

The Town Planning Board at a meeting held on the above date considered a report from the City Manager recommending that changes in the Zoning By-Law concerning professional persons be referred to staff for consideration in their preparation of the new Zoning and Development By-Law.

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

Respectfully submitted,

K. C. Mantin,
CLERK OF WORKS.

Council,
December 14, 1961.

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

REQUEST FOR AERIAL PHOTOGRAPHS, ETC. - DEPARTMENT OF NORTHERN AFFAIRS AND NATIONAL RESOURCES

To: His Worship the Mayor and Members of City Council

From: Committee on Works

Date: December 7, 1961

Subject: Request for Aerial Photographs, etc. - Department of Northern Affairs and Natural Resources

The Committee on Works at a meeting held on the above date considered a request from the Department of Northern Affairs and Natural Resources for use of some aerial photographs, etc., which are now being prepared for the City by Atlantic Air Survey Company Limited.

On motion of Alderman Healy, seconded by Alderman Greenwood, the Committee approved the request by the Department of Northern Affairs and Natural Resources for aerial photographs, etc., and recommended the same 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.

SUSPENSION - TWO STREET COLLECTORS

To: The Members of the Finance and Executive Committee and Council Members

From: Mayor John E. Lloyd

Date: December 14, 1961

Dear Aldermen:

The Internal Auditor, Mr. T. G. Murphy, has reported to me that two Street Collectors have admitted to suppression of tax collections made by them. In one case the irregularity was estimated to involve collections of \$711.72; in the other case the collections involved are estimated at \$2,600.00. Restitution of the declared amounts has been made in both cases. Both employees were bonded and the bonding company has been notified. The employees have been suspended and both cases are now under investigation by the City Manager and staff.

Yours very truly,

JOHN E. LLOYD,
MAYOR.

FILED

Council,
December 14, 1961.

BORROWING RESOLUTION -- \$225,000.00 -- ACQUIRING
PROPERTIES -- BICENTENNIAL DRIVE ENTRANCE

A report was submitted from the Finance and Executive Committee recommending the above Borrowing Resolution.

MOVED by Alderman Abbott, seconded by Alderman Healy, that the report and Resolution be approved. Motion passed unanimously, the following Aldermen being present and voting therefor: Aldermen Abbott, Lane, Macdonald, Butler, LeBlanc, Healy, Connolly, O'Brien and Greenwood.

BORROWING RESOLUTION -- \$40,000.00 --
SEWER EXTENSION -- MUNFORD ROAD AREA

A report was submitted from the Finance and Executive Committee recommending the above Borrowing Resolution.

MOVED by Alderman Connolly, seconded by Alderman Lane, that the report and Resolution be approved. Motion passed unanimously, the following Aldermen being present and voting therefor: Aldermen Abbott, Lane, Macdonald, Butler, LeBlanc, Healy, Connolly, O'Brien and Greenwood.

BICENTENNIAL ENTRANCE

Alderman O'Brien asked when the Traffic Engineer would be back from vacation to deal with traffic problems in connection with the Bicentennial Drive and was advised by the City Manager that the Engineer would be on duty January 2, 1962.

HEARINGS -- PROPOSED CITIES' ACT

Alderman LeBlanc asked if Council would hold public hearings in connection with the adoption of the proposed Cities' Act.

His Worship the Mayor replied that Council would most likely continue the practice of holding public hearings for the benefit of the tax payers before the Bill is submitted to the Legislature.

Meeting adjourned

9:05 p.m.

HEADLINES

Minutes - November 28th and 30th, 1961	728
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)	728
Public Hearing - Amendment to Zoning By-Law - Section 1 of Part XV	729

Council
December 14, 1961.

Vacancy in Council - Date for By-Election	729	-
Appointments - Board of School Commissioners	729	-
Accounts Over \$500.00	730	
Appointment - City Solicitor	730	
Service Station - No. 1062-64-66 Gottingen Street	731	
Rezoning - No. 45 Kaye Street - R-2 Zone to R-3 Zone	731	
Rezoning - Southeast Corner of Cork and Dublin Streets - R-2 Zone to R-3 Zone - Hearing - January 25, 1962	732	
Rezoning - Lots No. 4, 5 and 6 Kane Street - R-2 Zone to C-2 Zone - Hearing - January 25, 1962	732	aid
Modification of Sideyard - No. 93 North Street	733	
Modification of Sideyard - No. 7071 Murdock Avenue Report - Amendment Zoning By-Law	733	
Supplementary Appropriations - 316 "C"	734	
Encroachment - Halifax Protestant Orphans' Home	734	
Encroachment - Canada Permanent General Trust	735	
Betterment Charges - Albert Sewer Extension	735	
Land - Fleming Park	736	
Petition - Street Lighting	736	
Tenders - Supplies, Works Department	737	
Leave of Absence - Mr. F. J. Mielke	739	
Boxing Day	740	
Rental Control	740	
Tax Deposit Certificates	741	
Closing of Collector's Office - January 2 and 3, 1962	741	
Settlement of Action - Hill The Mover (Canada) Limited VS City of Halifax	741	
Offer - City of Halifax VS Ahern - Re: Damages to City Fire Engine	742	
Tenders for Licenses, Etc.	743	
Agreement - Halifax County Vocational High School	743	
Appointment - Traffic Authority - Mr. A. R. Howard	744	
Attendance - Detective Robinson - Canadian Police College - Ottawa	744	
Purchase - Rain Coats - Police Department	745	
Report - Redevelopment Committee - Property Settlements	745	
Report - Redevelopment Committee - Rental - Portion of School for the Deaf Building to Y.M.C.A.	745	
Report - Redevelopment Committee - Mulgrave Park Housing Project - Tenders for Landscaping	746	
Report - Redevelopment Committee - Maitland Street Parking Lot - Lease	746	
Report - Redevelopment Committee - Increase - Mulgrave Park Contract	747	
Halifax Civic Employees' Union, Local No. 143, N.U.P.E. (City Hall)	747	
Request - Proclamation, Court House Act	753	
Application to Rezone - No. 3515 And No. 3531 Dutch Village Road from R-3 Zone to C-2 Zone	753	
Report - Amendment - Zoning By-Law - Professional Persons	753	
Request for Aerial Photographs, etc. - Department of Northern Affairs and National Resources	754	
Suspension - Two Street Collectors	754	
Borrowing Resolution - \$225,000.00 - Acquiring Properties - Bicentennial Entrance	755	
Borrowing Resolution - \$40,000.00 - Sewer Extension - Mumford Rd. Area Bicentennial Entrance	755	
Hearings - Proposed Cities' Act	755	

J. E. LLOYD,
MAYOR AND CHAIRMAN.

R. H. STODDARD,
CITY CLERK.

CITY COUNCIL
MINUTES

Council Chamber,
City Hall,
Halifax, Nova Scotia,
December 28, 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, Trainor, 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, J. L. Leitch, G. F. West, J. F. Thomson, A. P. Flynn, V. W. Mitchell, K. Munnich and Dr. A. R. Morton.

APPEAL - TWIN CITY TOWING COMPANY FROM THE REFUSAL OF THE BUILDING INSPECTOR TO
ISSUE AN OCCUPANCY PERMIT TO ERECT TWO-WAY RADIO ANTENNA AT 146 BAYERS
ROAD (DATE FOR HEARING)

Mr. Kenneth S. Smith appeared on behalf of the applicant and explained that his clients intended to occupy a small portion of the property for an office to dispatch their towing trucks to scenes of accidents and not as a dumping site for damaged cars. He pointed out that since 1948, two occupancy permits were issued; one for a filling station and the other for a towing service operation and his application would merely be a transfer of those activities without changing the occupancy. He contended that refusal to issue the permit would be discriminatory action.

The City Solicitor pointed out that Section 798 of the City Charter lists the permitted uses for filling stations which do not include the operation of a towing service at such a location.

MOVED by Alderman Lane, seconded by Alderman Butler, that the matter be deferred until the next regular meeting of Council to give the Solicitor for the Company an opportunity to confer with the City Solicitor who is to report to Council on the matter of law. Motion passed.

Alderman O'Brien referred to the uses permitted under the Section 798 of the City Charter and observed that nearly all service stations are carrying on uses beyond those permitted. He asked the City Solicitor if they are, therefore, operating illegally.

Council,
December 28, 1961.

At the suggestion of His Worship the Mayor, the question was referred to the City Charter Revision Committee for possible broadening of the Section.

MODIFICATION - SETBACK REQUIREMENTS, SIDEYARDS AND ALTERATION TO SUBDIVISION - NO. 319/331 SPRING GARDEN ROAD AND NO. 25/45 CARLTON STREET

His Worship the Mayor and
Members of the City Council.

December 28, 1961.

The Town Planning Board, at a meeting held on the above date, considered a letter from the Minister of Municipal Affairs indicating his approval to an amendment to Section 1 of Part XV of the Zoning By-Law.

On motion of Alderman Trainor, seconded by Alderman O'Brien, the Board approved of the modification of setback requirements and alteration to a subdivision of the properties No. 319/331 Spring Garden Road and No. 25-45 Carlton Street and recommended the same to City Council.

Respectfully submitted,

K. C. MANTIN,
CLERK OF WORKS.

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

SERVICE STATION - HALIFAX SHOPPING CENTRE - MUMFORD ROAD

To: His Worship the Mayor and Members of the City Council
From: Town Planning Board
Date: December 19, 1961
Subject: Service Station - Halifax Shopping Centre

The Town Planning Board at a meeting held on the above date considered a report from the City Manager recommending approval of the erection of a service station within the Halifax Shopping Centre on Mumford Road, as shown on Drawing Number P202/57, in accordance with Section 798 of the City Charter, and that Council be notified of the withdrawal of the previous application for a service station at the Bayers Road entrance to the Shopping Centre.

On motion of Alderman LeBlanc, seconded by Alderman Macdonald, the Board approved the report and recommended it to City Council.

Respectfully submitted,

K. C. MANTIN,
CLERK OF WORKS.

Mr. H. B. Rhude appeared for the Company and stated he was aware that residents in the area were opposing the erection of a service station on the proposed site and he indicated his willingness to have the matter deferred to give the residents an opportunity to express their views on the matter.

Council,
December 28, 1961.

MOVED by Alderman Butler, seconded by Alderman Greenwood, that the matter be deferred until the next regular meeting of Council; that a public hearing be held at that time and the City Clerk be authorized to advertise the same in the Press. Motion passed.

SALARY ADJUSTMENTS - EMPLOYEES NOT INCLUDED IN UNION AGREEMENTS

A report was submitted from the City Manager recommending salary scales for non-union employees as shown on a schedule distributed to the members of Council prior to this meeting.

MOVED by Alderman Trainor, seconded by Alderman Connolly, that Council approve of all salaries below \$6,000.00 as recommended by the City Manager, subject to review; that the sum of \$33,000.00 be provided under the authority of Section 316C of the City Charter to cover the retroactive pay, and that the remaining classifications be studied by the Finance and Executive Committee and reported thereon to Council.

His Worship the Mayor stated that the matter could not be resolved because it had not been considered by the Finance and Executive Committee and he therefore could not accept the motion.

Alderman Trainor, with the permission of his seconder, withdrew his motion.

MOVED by Alderman Trainor, seconded by Alderman Connolly, that a review of all salaries, as presented by the City Manager, be undertaken by the Finance and Executive Committee, that a grievance procedure be set up and a report made to Council.

MOVED in amendment by Alderman Butler that an appropriation under the authority of Section 216C be provided in the amount of \$33,000.00 to cover salary adjustments for employees with salaries of \$6,000.00 and less.

There was no seconder to the amendment.

Alderman O'Brien suggested that all employees be paid retroactively as of July 1, 1961, rather than those with salaries of \$6,000.00 and under.

He also expressed the opinion that Council should have, either in public or private, some explanation from the City Manager about those cases where classifications, divisions or departments seem to be in a substantially

Council,
December 28, 1961.

different position relative to other departments than they were prior to the recommendations. He was interested in hearing the basis on which substantial changes have been recommended because it appeared to him that they represent suggestions about an evolution of civic administration under the City Manager system. He wanted to know the reasoning behind it.

MOVED by Alderman Lane, seconded by Alderman O'Brien, that Council adjourn and the Finance and Executive Committee meet in the Mayor's Office, in camera, and report back to Council a salary procedure. Motion passed.

9:00 p.m. Council adjourned.

9:30 p.m. Council reconvened the following members being present: His Worship the Mayor, Chairman; Aldermen Abbott, Lane, Macdonald, Butler, LeBlanc, Trainor, Healy, Connolly, O'Brien and Greenwood.

REPORT - SALARY SCALES - NON-UNION EMPLOYEES

The Finance and Executive Committee made the following recommendations to Council:

1. That the salary scales recommended by the City Manager be referred to the Finance & Executive Committee for its further study and recommended action;
2. That all salary adjustments recommended for those employees whose maximum salary, effective July 1, 1961, is \$6,000.00 or less, be paid immediately with the understanding that such adjustments, may upon review, be further revised by City Council, Finance & Executive Committee and that the sum of \$33,000.00 be appropriated under the authority of Section 316 C of the City Charter to give effect to this resolution.
3. That those employees seeking higher salary scales than those proposed by the City Manager, set forth their claim for revision in writing, through their Department Head, to the City Manager who shall place same before the Finance and Executive Committee for its consideration and recommendation to Council, if the employee so requests.

MOVED by Alderman Greenwood, seconded by Alderman Butler, that the recommendation be approved. Motion passed.

Council,
December 28, 1961.

SUPPLEMENTARY APPROPRIATIONS - 316C

December 28, 1961.

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

At a meeting of the Finance and Executive Committee held on December 21, 1961 the following supplementary appropriations were recommended under the authority of Section 316C of the City Charter:

Recreation Department \$ 3,400.00
Board of School Commissioners \$19,046.75

Respectfully submitted,

R. H. Stoddard,
CITY CLERK.

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

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 27, 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 audited and certified.

<u>Department</u>	<u>Vendor</u>	
Finance	Provincial Treasurer	City's share of cost of Metropolitan Housing Survey to September 20, 1961 \$ 1,262.67
	Provincial Treasurer	Capital Contribution - Public Hospitals Act - 46,400.50
	J. L. Godfrey	Travelling Expenses (Planners) 4,000.00
	Dartmouth Iron Foundry	Manhole Frames and Covers 1,056.00
	N. S. Tractors & Equipment Limited	Equipment 600.00
Police	Moore Business Forms	Parking Violation Books 583.64
Works	Dean's Nursery Ltd.	Sod 1,350.00
	Scotia Equipment Ltd.	Equipment 1,200.00
		<u>\$56,452.81</u>

Respectfully submitted,

P. F. C. Byars,
CITY MANAGER.

Council,
December 28, 1961.

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

ADDITIONAL ALLOWANCE - SGT. LUKE FLINN - TRAFFIC COURSE

December 28, 1961.

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

At a meeting of the Safety Committee held on December 19, 1961, a report was submitted from the Chief of Police recommending that Sgt. Luke Flinn be granted a further sum of \$300.00, chargeable to the current estimates to compensate him for expenses incurred while on course at Northwestern University in September, 1960.

Your Committee concurs in this recommendation.

Respectfully submitted,

R. H. Stoddard,
CITY CLERK.

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

ACCOUNT - MR. G. S. COWAN - PROFESSIONAL FEES - PROPOSED CITIES' ACT

December 28, 1961.

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

At a meeting of the Finance and Executive Committee held on December 21, 1961, a report was considered from the Commissioner of Finance submitting an account from Mr. Gordon S. Cowan, Q. C., amounting to \$6,275.00 for professional services rendered in connection with the drafting of a proposed Cities' Act.

Your Committee recommends that the account be approved for payment and that a supplementary appropriation in the amount of \$3,725.00 be provided under the authority of Section 316C of the City Charter.

Respectfully submitted,

R. H. Stoddard,
CITY CLERK.

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

An account was also submitted from Mr. T. F. Plunkett in the amount of \$2,659.40 for services rendered in connection with the proposed Cities' Act.

MOVED by Alderman Greenwood, seconded by Alderman O'Brien, that the account be approved for payment and an appropriation in the amount of \$2,700.00 be provided under the authority of Section 316C of the City Charter. Motion passed.

Council,
December 28, 1961.

AMENDMENT - ZONING BY-LAW - (HEARING JANUARY 25, 1962)

To: His Worship the Mayor and Members of City Council
From: Town Planning Board
Date: December 19, 1961
Subject: Amendment - Zoning By-Law

The Town Planning Board at a meeting held on the above date considered a report from the City Manager recommending that in order to improve the City's powers to control development that Council be asked to amend Part XV, paragraph (f) of the Zoning By-Law, to read:

"(f) Permit such modification of the yard or lot area or width regulations herein as may be necessary to secure an appropriate development of the lot where such lot is of such restricted area that it cannot be appropriately developed without such modification."

On motion of Alderman O'Brien, seconded by Alderman LeBlanc, the Board approved the report and recommended that a date be set for a Public Hearing in connection with this matter.

Respectfully submitted,

K. C. MANTIN,
CLERK OF WORKS.

MOVED by Alderman O'Brien, seconded by Alderman LeBlanc, that the report be approved and that Council fix Thursday, January 25, 1962, at 8:00 p.m. in the Council Chamber, City Hall, Halifax, Nova Scotia, as the time and place for the Public Hearing. Motion passed.

REQUEST - CANADIAN LIQUID AIR COMPANY LIMITED - RE: REZONING KANE STREET

To: His Worship the Mayor and Members of the City Council
From: Town Planning Board
Date: December 19, 1961
Subject: Letter - Canadian Liquid Air Company Limited

The Town Planning Board at a meeting held on the above date considered a letter from Canadian Liquid Air Company Limited requesting that the last sentence of staff's recommendation of December 5, 1961, in regard to the rezoning of lots 4, 5 and 6 Kane Street be amended to read:

"It is recommended that the applicants be requested to enter into an agreement with the City restricting the future commercial use of the land, which is subject to rezoning, to purposes connected with the conduct of their existing business, and that should other commercial use be made of the said land, the City may then rezone from C-2 Commercial to R-2 Residential."

On motion of Alderman O'Brien, seconded by Alderman LeBlanc, the Board approved the request as submitted in the letter of Canadian Liquid Air

Council,
December 28, 1961.

Company Limited in regard to the rezoning of lots 4, 5 and 6 Kane Street, and recommended the same to City Council.

Respectfully submitted,

K. C. MANTIN,
CLERK OF WORKS.

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

REPORT - CENTRAL REDEVELOPMENT AREA

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

At a meeting of the Redevelopment Committee, held on December 19, 1961, a comprehensive report was submitted from the City Manager outlining the conclusions reached on the various submissions provided to the City by the Planning Consultants respecting the Central Redevelopment Area.

Contained in the report was a summary of five general conclusions and the following recommendations:

1. formally thank each of the Consulting Planners;
2. approve the form of a revised "Call for Proposals" and all pertinent documents;
3. obtain approval of the Central Mortgage and Housing Corporation to the revised "Call for Proposals" and obtain agreement to proceed with the Call;
4. advertise the "Call for Proposals" in leading Financial and Construction Journals in Canada, Britain, and the United States.

Your Committee concurs in the recommendations of the City Manager.

Respectfully submitted,

R. H. STODDARD,
CITY CLERK.

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

REPORT - CONTRACT EXTRA - MULGRAVE PARK HOUSING PROJECT

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

At a meeting of the Redevelopment Committee held on December 19, 1961, a report was submitted from the City Manager recommending that authority be granted to increase the contract of Eastern Woodworkers Limited for the construction of the Mulgrave Park Housing Project by \$133.26 to cover the installation of an exhaust duct and fan in the laundrette in Block "B", as requested by the Central Mortgage and Housing Corporation through the Department of Public Works of the Province of Nova Scotia.

Your Committee concurs in the recommendation of the City Manager.

Respectfully submitted,

R. H. STODDARD,
CITY CLERK.

Council,
December 28, 1961.

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

REPORT - COMPLETION DATE - MULGRAVE PARK PROJECT

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

At a meeting of the Redevelopment Committee held on December 19, 1961, the attached report respecting a completion date for the completed 300 units at the Mulgrave Park Project was submitted.

Your Committee concurs in the recommendation of the City Manager that the suggestion of Central Mortgage and Housing Corporation be approved.

Respectfully submitted,

R. H. STODDARD,
CITY CLERK.

To: His Worship Mayor J. E. Lloyd and
Members of the Redevelopment Committee.

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

Date: December 19, 1961

Subject: Mulgrave Park

By agreement, interest on construction costs during the construction period is capitalized into the cost of the Mulgrave Park. Capitalization of interest charges continues until the Federal, Provincial, Municipal Partnership establishes a completion date for the project. After the agreed completion date, interest charges become a charge against the operation of the project. The amounts of interest due each of the Partners, together with principal, are repaid to the Partners periodically by the Housing Authority.

Interest during the construction period can add appreciably to the cost of a project. The major portion of construction at Mulgrave Park is now complete and paid for. However, some capital cost items, such as landscaping, cannot be done until Spring. Interest charges from now until Spring on the costs incurred to date could have a substantial effect on the total cost of the project.

There is one item which can serve to reduce capital costs during the construction period. By agreement, the net revenue collected from tenants to the agreed date of completion are applied as a reduction in capital costs. However, these net revenue collections do not cover the interest charged on disbursements on the Mulgrave Park Project.

Central Mortgage and Housing Corporation have recommended that the Partners agree to closing out the cost on 300 units as at December 31, 1961. The amount closed out would be $\frac{300}{348}$ of the estimated costs of the completed project.

The total estimated cost of the project is \$5,178,608.95 less the City's share of services. The City's share of services is estimated at \$67,252.19. Central Mortgage and Housing Corporation point out that this estimate is subject to adjustment, but if adjustments are required, it can be effective when the final costs on the remaining 48 units are closed out.

Council,
December 28, 1961.

It is recommended that City approval be granted to Central Mortgage and Housing Corporation's suggestion. The Province concurs with these recommendations.

Respectfully submitted,

P. F. C. BYARS,
CITY MANAGER.

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

REPORT - PROPERTY ACQUISITIONS

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

At a meeting of the Redevelopment Committee, held on December 19, 1961, a report was submitted from the City Manager in which he recommended that purchase of the property No. 606-608 Barrington Street be completed by the City at the assessed value \$18,650.00 plus 5% or a total of \$19,582.50.

Your Committee concurs in the recommendation of the City Manager.

Respectfully submitted,

R. H. STODDARD,
CITY CLERK

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

REPORT - ACQUISITION OF PROPERTY - CENTRAL WHARF

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

At a meeting of the Redevelopment Committee held on December 19, 1961 a report was submitted from the City Manager recommending purchase by the City of the Central Wharf Property on Upper Water Street at a price of \$23,600.00; and that the sum of \$24,000.00 be provided for this purpose as additional funds will be required for legal expenses.

He advised that independent appraisers had been hired to investigate the possibility of purchase by the City, and reported as follows:

1. The property is on the site of the proposed Waterfront Redevelopment Area.
2. Every Planner who has investigated the subject has recommended that this area be redeveloped.
3. Funds for acquiring the property are available in the Sale of Land Account, subject to the approval of the Minister of Municipal Affairs. This, in my opinion, is a proper use of these funds.
4. No independent appraisals have been obtained, but the price offered is \$4,900.00 less than the assessed value.

Your Committee approved the recommendation of the City Manager and recommends same to City Council.

Respectfully submitted,

R. H. STODDARD,
CITY CLERK.

Council,
December 28, 1961.

REPORT - ACQUISITION OF PROPERTY - NO.59 UPPER WATER ST.

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

At a meeting of the Redevelopment Committee held on December 28, 1961, a report was submitted from the City Manager recommending that the property known as No. 59 Upper Water Street, which is located between the Central Wharf Property and Upper Water Street, be purchased by the City for the sum of \$8,500.00.

Your Committee approved the report and recommends that the property be purchased at the price recommended.

Respectfully submitted,

R. H. STODDARD,
CITY CLERK.

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

RESOLUTION - WITHDRAWAL FROM SALE OF LAND ACCOUNT

A formal Resolution to withdraw from the Sale of Land Account the sum of \$33,000.00 for the purpose of purchasing the properties known as Central Wharf and No. 59 Upper Water Street was submitted.

MOVED by Alderman O'Brien, seconded by Alderman Trainor, that the Resolution be approved. Motion passed.

TENDERS - DEMOLITION - NO.153 GOTTINGEN STREET

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

At a meeting of the Redevelopment Committee held on December 19, 1961, a tabulation of tenders was submitted from the City Manager and Commissioner of Works, recommending acceptance of the tender of George Redmond in the amount of \$482.00 (being the lowest of three) for the demolition of the building located at 153 Gottingen Street, which recommendation is concurred in by the Central Mortgage and Housing Corporation.

Your Committee approved the recommendation of the City Manager and recommends same to City Council.

Respectfully submitted,

R. H. STODDARD,
CITY CLERK.

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

Council,
December 28, 1961.

WRITE-OFF - TAX ACCOUNTS

December 28, 1961.

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

At a meeting of the Finance and Executive Committee held on December 21, 1961, a report was submitted from the Commissioner of Finance recommending that uncollectible tax accounts amounting to \$3,036.81 be written off under the authority of Section 283-2 of the City Charter.

Your Committee concurs in this recommendation.

Respectfully submitted,

R. H. Stoddard,
CITY CLERK.

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

TENDERS - SPECIAL CASTINGS

To: His Worship the Mayor and Members of City Council.
From: Committee on Works.
Date: December 21, 1961.
Subject: Tenders - Supplies - Special Castings.

The Committee on Works at a meeting held on the above date considered a report from the City Manager in regard to the tenders for special castings.

The report stated that on the basis of 1961 purchases of special castings that if the tender of Hillis and Sons Limited was accepted, the City's 1962 costs would increase by more than \$3,000.00 or approximately 17%.

The City Manager again recommended that the tender of Dartmouth Iron Foundry Limited be accepted.

On motion of Alderman Lane, seconded by Alderman Greenwood, the Committee approved the report and recommended to City Council that the tender of Dartmouth Iron Foundry Limited for special castings be accepted.

Respectfully submitted,

K. C. MANTIN,
Clerk of Works.

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

9:45 p. m. Alderman Trainor retires.

Council,
December 28, 1961.

EXPROPRIATIONS OF LAND - DUTCH VILLAGE ROAD - STREET WIDENING

Deferred pending the result of negotiations with the property owners concerned.

RECOMMENDATIONS FOR DISPOSITION OF LAND

December 28, 1961.

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

At meetings of the Redevelopment and Finance and Executive Committees held on December 19 and 21, 1961 a report entitled "Disposition of Land" from the City Manager was considered and the following recommendations are made to Council:

1. As a general policy except in unusual circumstances, City-owned land shall be disposed of by Lease. Freehold title will be given in exceptional cases.
2. The term of the Lease shall be determined by the anticipated use. Generally a 99-year period shall be applicable for all commercial leases.
3. Each lease shall provide that the land rental shall be subject to periodic review preferably every seven years.

Procedure

The following procedure is also recommended:

1. Three independent appraisals shall be obtained on the land in question.
2. City staff shall prepare a condition of tender form outlining the basic information to be submitted by each prospective lessee and defining the basis on which offers will be judged.
3. The appraisals, (1) above, and the requirements in (2) above shall be submitted to City Council by the City Manager. The submissions shall be accompanied by the recommendation of the City Manager as to the value of the land and this shall be not less than the lowest value established by the independent appraisers.
4. When Council has approved the form of tender and the value of the land, tenders may be called. The call for tenders shall be within six months of the date of Council approval. It shall provide that tenderers will compete for the land on the following basis:
 - (a) Tenderers shall compete on the percentage of the stated value of the land which they are prepared to pay in the form of an annual rental.
 - (b) Tenderers will be required to submit complete details of the proposed use of the land as indicated in the manner set forth in the tender form. The re-use or the use of the land, including the potential tax return, will be weighed in reaching a decision.

Council,
December 28, 1961.

5. The successful tenderer will be required to enter into a lease with the City. The term of the lease will depend on the use to be made of the land. The lease will, of course, contain a provision that the rental is subject to revision every seven years. The revision will be determined in the following manner:
- (a) The value of the land will be established by arbitration. A qualified appraiser will be appointed by the City, a second qualified appraiser will be appointed by the lessee and these two qualified appraisers will appoint a third. The decision of the arbitrators as to the value of the land will be final.
 - (b) The lessee will be required to pay the percentage (contained in his original tender) of the revised land value as annual rental.
6. If the call for tenders does not result in acceptable proposals, the City should, for a period of one year thereafter, have the right to negotiate the disposal of the land. The negotiations should be subject to the following conditions:
- (a) The value of the land shall be as approved by Council.
 - (b) The percentage of the value applicable as annual rental shall be approved by Council after recommendations from the City Manager, based upon three appraisals. The appraisers will, of course, be guided by the ultimate use of the land.
 - (c) The offer recommended to Council for acceptance shall be accompanied by firm staff recommendations. In addition, the offer shall have been reviewed by a Committee of three independent citizens appointed by the City Manager. These appointments shall generally include a local businessman and a prominent architect.

Your Committee concur in these recommendations subject to the necessary legislation being obtained.

Respectfully submitted,

R. H. Stoddard,
CITY CLERK.

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

RECOMMENDATIONS FOR DISPOSITION OF LAND EXHIBITION GROUNDS &
INDUSTRIAL MILE AREA

December 28, 1961.

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

At meetings of the Redevelopment and Finance and Executive Committee held on December 19 and 21, 1961, a report, entitled "Industrial Lands", from the City Manager was considered and the following recommendations are made to Council:

Exhibition Grounds

1. that the Industrial Commission be requested to refrain from promoting the disposition of that portion of the Industrial Land in the Exhibition Grounds which is affected by Emergency Shelter units.

Council,
December 28, 1961.

This restriction will have to remain in effect until an ultimate decision is made on the disposition of the emergency shelters. The restriction is recommended because it would seem unwise to encourage developers and then have them wait for an indefinite period.

2. that no dispositions of land be made until the developer has provided the City with a full and precise proposal. Ground rules respecting the type of industry, the type of building, land use, employment, etc., can be established between the Industrial Commission and the Development Department and submitted to Council for approval.
3. the land be disposed of preferably on a long-term leasing basis only. The procedure to be followed would be in accordance with the general Land Disposal Report.

Industrial Mile Area

1. that no commitments for the disposal of land within the Industrial Mile be given until a plan showing the location of the periphery road, access streets, and suggested lotting arrangements is prepared.
2. that work on this plan is to commence immediately Contour Data is available and should be completed within a month of that date. A plan should, therefore, be available by the end of January, 1962, at the latest.
3. that no disposals or active promotion should take place until such time as ground rules have been established for disposal of the land. These ground rules would cover such matters as the type of industry, type of buildings and the degree of exterior finish. The ground rules would also cover potential employment and the long-term prospects for the industry.
4. that no active promotion of the Industrial Mile should be undertaken until a final decision is made in respect of the Relief Commission Lands. A decision on further procedure in this matter can best await finalization of planning studies.
5. that the land be disposed of preferably on a long-term leasing basis only. The procedure to be followed would be in accordance with the general Land Disposal Report.

Your Committee concurs in these recommendations subject to any necessary legislation being obtained.

Respectfully submitted,

R. H. STODDARD,
CITY CLERK.

MOVED by Alderman Greenwood, seconded by Alderman Abbott, that the recommendations respecting the Exhibition Grounds be approved. Motion passed.

MOVED by Alderman O'Brien, seconded by Alderman Abbott, that the recommendations respecting the Industrial Mile be approved. Motion passed.

Council,
December 28, 1961.

LEAVE OF ABSENCE - MR. F. J. MIELKE

December 28, 1961.

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

At a meeting of the Retirement Committee held on the above date consideration was given to the matter of a leave of absence for Mr. F.J. Mielke.

As he had no vacation during his 32 years' service, the Committee made the following recommendations to Council:

1. That Mr. Mielke be granted 3 months semi-retirement leave as from January 1, 1962;
2. That he be subject to the call of the Commissioner of Finance to assist in certain matters pertaining to housing;
3. That he be granted 3 months full retirement leave upon the expiration of the semi-retirement leave;
4. That he be retired as of July 1, 1962.

Respectfully submitted,
R. H. STODDARD,
CITY CLERK.

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

10:05 p. m. Council adjourned to meet as a Committee of the Whole.

REPORT - CITY CHARTER REVISION COMMITTEE, PARTS 3A, 4A, 5, 6, 7 AND 8.

December 28, 1961.

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

The City Charter Committee met on December 18, 1961 to consider Parts 3A, 4A, 5, 6, 7 and 8 of the proposed Cities Act.

After discussion your Committee recommends the proposed revision with the following amendments:

PART VI

Page 1 - Section 6.02(e) Insert the word "registered" between the words "the" and "purchaser" in the first line.

Additional clause to be added to give the City Assessor authority to assess property, the owner of which is unknown.

Page 3 - Section 6.03 Deferred pending discussions between the Mayor and City Assessor, and receipt of an explanation from Mr. Plunkett in support of a required separation in land and improvement values.

Council,
December 28, 1961.

Page 5 - Section 6.09 This section to be re-drafted so that vacant land is assessed in accordance with the zoning.

PART V

The following clauses and sections as suggested by Mr. Plunkett were submitted and are subject to further consideration:

5.08 (c) distinguish between residential property that is owner-occupied and that which is rented to others and establish a different and separate rate with respect to residential property rented to others.

5.08 A

When levying a tax on real property under Section 8.08(b) the Council may, by by-law, provide that in the case of new construction the tax rate imposed shall apply to a stated percentage of the assessed value of the improvements on such property provided that such percentage shall not be less than Seventy-five per centum of the assessed value during the first year and shall be increased annually thereafter by stated increases until the full assessed value is reached within a maximum period of five years.

5.08 B

When levying a tax on real property under Section 5.08(b) the Council may, by by-law, provide that the tax shall be applied at the rate stated on the full assessed value of land, and on a stated percentage not less than Seventy-five per centum of the assessed value of the improvements thereon.

5.22 A

The Council may, by by-law, levy an automobile service tax on every owner of a motor vehicle who is a resident of or doing business in the City and the Council may

(a) vary the automobile service tax according to the weights and classes of various types of commercial vehicles;

(b) vary the automobile service tax according to the weights and classes of various types of passenger vehicles.

PART V - Page 23 "Financial Administration" - Draft approved.

PART VII - Draft approved.

PART III A

Page 13 - Section 23 - Deferred pending consideration of City Manager's memorandum by Redevelopment Committee.

Page 21 - Section 29 Delete the word "resolution" in the first line and substitute the word "by-law".

The Acting City Solicitor expressed concern about the house numbering program and pointed out that there is no provision governing the size and type of numbers used and applicable penalties.

Mr. Cowan stated that he would draft an additional covering clause.

Page 43 - Section 48(2) Add the words "development, zoning or" after the word "to" in the first line.

Council,
December 28, 1961.

PART IV A

Page 10 - Section 4.63 Approved as re-drafted.

PART VIII

Draft approved.

Respectfully submitted,

R. H. STODDARD,
CITY CLERK.

Mr. Cowan then explained the provisions of the various parts for the information of the Council.

MOVED by Alderman O'Brien, seconded by Alderman Butler, that Parts 5, 7 and 8 of the proposed Cities' Act be approved in principle. Motion passed.

Mr. Cowan was requested to consolidate the various parts, approved in principle to date, into one volume to facilitate the final consideration by Council.

10:25 p. m. Council reconvened the following members being present: His Worship the Mayor, Chairman; Aldermen Abbott, Lane, Macdonald, Butler, LeBlanc, Healy, Connolly, O'Brien and Greenwood.

The Committee of the Whole reported progress to Council in its deliberations respecting the proposed Cities' Act.

ACCOUNT - INSTITUTE OF PUBLIC AFFAIRS

An account was submitted from the Institute of Public Affairs of Dalhousie University in the amount of \$1,466.74 covering the City's share of the cost of carrying out an Economic Base Survey of the Halifax Metropolitan Area.

MOVED by Alderman Healy, seconded by Alderman Connolly, that the account be approved for payment, funds to be provided under the authority of Sections 122A and 316C of the City Charter. Motion passed.

APPROPRIATION 316C - LIBRARY BOARD - SALARIES

A report was submitted from the Regional Library Board requesting an appropriation under authority of Section 316C of the City Charter in the amount of \$1,950.00 to cover salary adjustments of members of the Library Staff retroactive to January 1, 1961.

MOVED by Alderman Lane, seconded by Alderman Abbott, that the request be granted. Motion passed.

Council,
December 28, 1961.

REQUEST FOR REZONING - SEABOARD INVESTMENTS LIMITED AND B. D. STEVENS LIMITED -
GLEBE STREET EAST SIDE - R-2 TO R-3 ZONE

Referred to Town Planning Board

COMPENSATION - PROPERTY OWNERS - ELLIOTT STREET

Alderman O'Brien asked that consideration be given by the Finance and Executive Committee to a policy under which compensation may be paid with respect to the properties on Elliott Street which are likely to be affected by the entry of Bicentennial Drive.

His Worship the Mayor directed the City Clerk to place it on the agenda of the next meeting of the Finance and Executive Committee.

Meeting adjourned.

10:35 P. M.

HEADLINES

Appeal - Twin City Towing Company from the Refusal of the Building Inspector to Issue an Occupancy Permit to Erect Two-Way Radio Antenna at 146 Bayers Road (Date for Hearing)	757
Modification - Setback Requirements, Sideyards and Alteration to Subdivision - No. 319/331 Spring Garden Road and No. 25/45 Carlton Street	758
Service Station - Halifax Shopping Centre - Mumford Road	758
Salary Adjustments - Employees not Included in Union Agreements	759
Report - Salary Scales - Non-Union Employees	760
Supplementary Appropriations - 316C	761
Accounts Over \$500.00	761
Additional Allowance - Sgt. Luke Flinn - Traffic Course	762
Account - Mr. G. S. Cowan - Professional Fees - Proposed Cities' Act	762
Amendment - Zoning By-Law - (Hearing January 25, 1962)	763
Request - Canadian Liquid Air Company Limited - Re: Rezoning Kane Street	763
Report - Central Redevelopment Area	764
Report - Contract Extra - Mulgrave Park Housing Project	764
Report - Completion Date - Mulgrave Park Project	765
Report - Property Acquisitions	766
Report - Acquisition of Property - Central Wharf	766
Report - Acquisition of Property - No. 59 Upper Water St.	767
Resolution - Withdrawal from Sale of Land Account	767
Tenders - Demolition - No. 153 Gottingen Street	767
Write-Off - Tax Accounts	768
Tenders - Special Castings	768
Expropriations of Land - Dutch Village Road - Street Widening	769
Recommendations for Disposition of Land	769
Recommendations for Disposition of Land Exhibition Grounds & Industrial Mile Area	770
Leave of Absence - Mr. F. J. Mielke	772
Report - City Charter Revision Committee, Parts 3A, 4A, 5, 6, 7 and 8	772
Account - Institute of Public Affairs	774
Appropriation 316C - Library Board - Salaries	774
Request for Rezoning - Seaboard Investments Limited & B. D. Stevens Limited - Glebe Street East Side - R-2 To R-3 Zone	775
Compensation - Property Owners - Elliott Street	775

J. E. LLOYD,
MAYOR AND CHAIRMAN.

R. H. STODDARD,
CITY CLERK.