Consequently, the City Solicitor flew to Ottawa on Sunday, October 25, 1964, and during the next two days had a series of conferences with Mr. Arne Wilson, Corporation Counsel for Central Mortgage and Housing Corporation, with respect to the position of the Partnership in relation to the October 24 1963 Agreement.

The City Solicitor and the Corporation Counsel have determined that they will submit their own legal opinion to their respective principals as soon as possible. However, both solicitors are in agreement as to the legal position of the Partnership with respect to such Agreement.

Immediately upon the completion of his legal opinion, which will take a few days, the City Solicitor will submit the same to City Council. If City Council desires, the City Clerk can be directed to call a special meeting of the Council to consider such opinion.

On Wednesday, October 28, 1964, His Worship the Mayor received a telegram from Provinces and Central Properties Limited requesting further action by the City with respect to ground rent apportionment and final lease form, as it was alleged that this was delaying completion of financing. A copy of such telegram is attached hereto as Appendix "B".

A letter was also received by the City Solicitor on Thursday, October 29, 1964, from A. Gordon Cooper, Q. C., Solicitor for Provinces and Central Properties Limited, requesting a conference with respect to apportionment of ground rent and settlement of terms of the lease. A copy of such letter is also attached hereto as Appendix "C".

Meanwhile, pending receipt of the written legal opinion of the City Solicitor with respect to the October 24, 1963 Agreement, it is essential that the legal position of the City be protected as fully as possible and therefore it is recommended that City Council instruct His Worship the Mayor to inform Provinces and Central Properties as follows:

"The City Solicitor, on behalf of the City, and the Corporation Counsel, on behalf of Central Mortgage and Housing Corporation, are studying the legal position of the City and C.M.H.C. under the terms and conditions of the Agreement dated October 24, 1963, and made between the City of Halifax and Central Mortgage and Housing Corporation, of the One Part, and Provinces and Central Properties Limited, of the Other Part.

The City of Halifax does not agree with the contents of the letter dated October 19, 1964, from Provinces and Central Properties Limited to the Mayor and Aldermen of the City of Halifax, and, without limiting the generality of the foregoing, does not agree with the last paragraph of such letter, which reads as follows:

'In the result, we consider that the submissions which we have made are in compliance with the requirement of the Agreement of October 24, 1963. Accordingly, we take the view that the Agreement remains in effect and are continuing to act in performance of our obligations thereunder.'

Pending receipt of the written legal opinion of the City Solicitor by City Council, with respect to the October 24, 1963 Agreement, Provinces and Central Properties Limited are hereby given notice that any further proceedings, representations or submissions made by Provinces and Central Properties Limited with respect to such Agreement, are solely the independent acts of Provinces and Central Properties Limited and are made at its own expense and responsibility and are made entirely without prejudice to the interests and legal rights of the City."

All of which is respectfully submitted.

Leonard Mitchell, CITY SOLICITOR.

MOVED by Alderman A. M. Butler, seconded by Alderman Lane, that the report of the City Solicitor be approved and the Mayor be instructed to write to Provinces and Central Properties Limited the letter outlined in the report.

11:05 p.m. Council adjourned for a short recess.

11:20 p.m. Council reconvened, the same members

being present.

The motion was put and passed.

MOTION TO ADJOURN

MOVED by Alderman Abbott, seconded by Alderman O'Brien, that this meeting adjourn to meet at 10:00 a.m. on Saturday, October 31, 1964.

The motion was put and lost, as follows:

For the Motion - Aldermen Black, Abbott, LeBlanc O'Brien, & H. W. Butler - 5 -

Against it: Aldermen Lane, Macdonald, A. M. Butler Meagher, Trainor, Healy, Wyman and Richard - 8 -

APPLICATION TO REZONE NORTHEAST CORNER DUBLIN AND EDINBURGH STREETS FROM R-2 TO R-3 ZONE

MOVED by Alderman Trainor, seconded by Alderman A. M. Butler, that the application be referred to the Town Planning Board for consideration and report. Motion passed.

APPLICATIONS FOR PERMITS - LORD'S DAY ORDINANCE

The following applications for permits to operate businesses on the Lord's Day were submitted:

Violet Una Banks, Grocery 506 Tower Road John Andrews, Billiard Hall 2813 Agricola Street

MOVED by Alderman Trainor, seconded by Alderman Healy, that the applications, as submitted, be approved. Motion passed.

PETITION RE: HALIFAX GRAMMAR SCHOOL - ATLANTIC STREET

Further deferred.

STAFF RE-ORGANIZATION REPORT

A report was submitted from the City Manager respecting "Proposed Organizational Changes in the Civic Service", consideration of which matter had been deferred at the last meeting.

MOVED by Alderman O'Brien, seconded by Alderman Lane, that the report of the City Manager dated October 9, 1964, on the Proposed Organizational Changes in the Civic Service be approved.

MOVED by Alderman LeBlanc, seconded by Alderman Healy, that the matter be deferred until the next regular meeting of City Council.

> The motion to defer was put and lost, as follows: For the motion: Aldermen A. M. Butler, Meagher, LeBlanc, Trainor, Healy, and H. W. Butler - 6 -- 564 -

Against: Aldermen Black, Abbott, Lane, Macdonald, Wyman, Richard and O'Brien - 7 -

MOVED in amendment by Alderman Richard, seconded by Alderman LeBlanc, that Council accept recommendations No. 1, 3, 4, 5, and 6 as contained in the report, and defer consideration of recommendation No. 7 until such time as complete job specifications are drawn up and approved for the senior staff positions involved.

At this point Alderman Black asked that his motion, notice of which he had given at the October 15th meeting of Council, be considered.

It was agreed to permit Alderman Black to make his motion respecting Management Consultants, notice of which he had given at the meeting of Council held on October 15, 1964.

MOVED by Alderman Black, seconded by Alderman O'Brien, that the Finance and Executive Committee take no further action on the question of Management Consultants until such time as the report of the City Manager, dealing with the civic reorganization has been dealt with.

The motion was put and declared lost by His Worship the Mayor.

MOVED by Alderman A. M. Butler, seconded by Alderman Trainor, that this meeting do now adjourn.

> The motion was put and lost, as follows: For the motion: Aldermen A. M. Butler, Meagher and Trainor - 3 -

Against it: Aldermen Black, Abbott, Lane, Macdonald, LeBlanc, Healy, Wyman, Richard, O'Brien, and H. W. Butler - 10 -

MOVED by Alderman LeBlanc, seconded by Alderman Meagher, that the recommendations enumerated in Alderman Richard's amendment be considered item by item. Motion passed.

His Worship the Mayor then put the question on each Recommendation separately with the following results:

The City Solicitor ruled that the motion of Alderman O'Brien, as now amended, should be put to vote by Council.

Alderman Black said he would withdraw his motion until Council has voted on the motion as amended.

His Worship the Mayor ruled that Council having voted on the individual recommendations as referred to in the amendment and having disposed of same, it is not necessary that any further action be taken on the original motion.

It was then MOVED by Alderman Black, seconded by Alderman O'Brien, that Recommendation No. 2 as contained in the report of the City Manager be adopted.

- 566 -

- 6 -

The motion was put and passed as follows:

For the motion: Aldermen Black, Abbott, Lane, Macdonald, LeBlanc, Wyman and O'Brien - 7 -

Against it: Aldermen A. M. Butler, Meagher, Trainor, Healy, Richard and H. W. Butler

Alderman A. M. Butler gave notice of reconsideration of this item.

Alderman O'Brien suggested that some action be taken to guide the City Manager with respect to the presentation of job specifications for the position of Commissioner of Finance and the combined position.

His Worship the Mayor declared that the matter has been disposed of.

Meeting adjourned 12:35 a.m.

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Council,

October 29, 1964.

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> Charles A. Vaughan, MAYOR AND CHAIRMAN.

CITY COUNCIL M I N U T E S

> Council Chamber, City Hall, Halifax, N. S., November 2, 1964, 11:30 a.m.

On Fm 20 go

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 Mayor Charles A. Vaughan, Chairman; Aldermen Black, Abbott, Moir, Lane, Matheson, A.M.Butler, Meagher, LeBlanc, Trainor, Connolly, Doyle, Richard, O'Brien and H.W.Butler.

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

The meeting was called specially to consider the following items:

1. Appointment of Deputy Mayor

2. Appointment of Committees

3. Vacancies - Board of School Commissioners

Appointment of Deputy Mayor

Alderman A. M. Butler nominated Alderman LeBlanc to the post of Deputy Mayor after His Worship the Mayor called for further nominations and receiving none, he then declared Alderman LeBlanc duly appointed to the Office of Deputy Mayor for the Civic Year 1964-1965.

The Deputy Mayor then thanked the members of Council for his appointment and stated that he appreciated the honor bestowed upon him and would do anything he possibly could to make Halifax a better City as he possessed a lot of pride, faith and loyalty to the City of Halifax. He said he would do his utmost to discharge his duties with dignity at all times.

Appointment of Committees

His Worship the Mayor submitted the following list of Committees, Boards, Commissions and appointees for the Civic Year 1964-1965: - 569 -

GOVERNMENT OF THE CITY OF HALIFAX

COMMITTEES, BOARDS, COMMISSIONS AND APPOINTEES - 1964-1965.

FINANCE COMMITTEE

His Worship the MayorHis Worship the MayorAlderman A. M. ButlerAlderman R. A. O'BrienAlderman T. L. TrainorAlderman D. G. LeBlancAlderman G. R. MathesonAlderman K. P. RichardAlderman C. F. AbbottAlderman H. W. ButlerAlderman Abbie LaneAlderman L. E. MoirAlderman N. P. MeagherAlderman J. L. ConnollyAlderman G. S. BlackAlderman G. E. Doyle

WORKS COMMITTEE

HEALTH COMMITTEE

TOWN PLANNING BOARD

His Worship the MayorHis Worship the MayorAlderman A. M. ButlerAlderman R. A. O'BrienAlderman T. L. TrainorAlderman D. G. LeBlancAlderman G. R. MathesonAlderman K. P. RichardAlderman C. F. AbbottAlderman H. W. ButlerAlderman Abbie LaneAlderman L. E. MoirAlderman N. P. MeagherAlderman J. L. Connolly Alderman N. P. MeagherAlderman J. L. ConnollyAlderman G. S. BlackAlderman G. E. Doyle

ARBITRATION BETWEEN CITY, COUNTY AND CITY OF DARTMOUTH

For the City of Halifax: His Worship the Mayor Aldermen A. M. Butler, N. P. Meagher

COURT HOUSE COMMISSIONERS

For the City of Halifax: His Worship the Mayor Aldermen L. E. Moir, A. M. Butler, J. L. Connolly

FORUM COMMISSION

His Worship the Mayor	
Alderman T. L. Trainor	May 31, 1966
Mr. D. J. Oland	May 31, 1966
Alderman G. S. Black	May 31, 1965
Alderman D. G. LeBlanc	May 31, 1965
Mr. J. D. Hallett	May 31, 1965
Mr. C. W. Moore	May 31, 1965

REGIONAL LIBRARY BOARD

His Worship the Mayor Alderman Abbie Lane Alderman R. A. O[®]Brien Mr. A. L. Caldwell Mrs. A. L. MacDonald Judge Nathan Green Mrs. W. C. Dunlop

SAFETY COMMITTEE

His Worsh	ıip	the	e Mayor
Alderman	A.	М.	Butler
Alderman	Τ.	L.	Trainor
Alderman	G.	R.	Matheson
Alderman	C.	F.	Abbott
Alderman	Abl	bie	Lane
Alderman	N.	Ρ.	Meagher
Alderman			

HALIFAX INDUSTRIAL COMMISSION

1	His Wo	rship the Mayor				
	Alderm	an D. G. LeBlanc				
	Alderm	an G. E. Doyle				
	Mr. W.	A. Logan	April	30.	1966	
	Mr. C.	E. Wayland	April	30 .	1966	
	Mr. G.	Douglas Anderson	April	30,	1966	

PUBLIC SERVICE COMMISSION

His	Wo	rsh	ip the Mayor			
Ald	erm	an	C. F. AbbottApril	. 30 ,	1965	
Mr.	Α.	Ε.	HayesApril	. 30,	1965	
Mr.	G.	Β.	RobertsonApril	. 30 .	1966	
Mr.	S.	S.	JacobsonApril	30,	1967	

RETIREMENT COMMITTEE

His Worship the Mayor The Deputy Mayor Alderman G. S. Black The Commissioner of Finance The City Solicitor

RECREATION AND PLAYGROUNDS COMMITTEE

Mayor	
eagher	April 30, 1965
ichard	April 30, 1966
01r	April 30, 1967
	April 30, 1966
67	April 30, 1967
• • • • • • • • • • • • • • • • • • • •	April 30, 1967
	Mayor eagher ichard utler oir er

2 appointees by the Local Council of Women 1 appointee by the Trades and Labour Council

NATAL DAY COMMITTEE

Alderman D. G. LeBlanc Alderman J. L. Connolly Alderman L. E. Moir

CITY APPOINTMENTS TO:

Board of Governors, Halifax Infirmary	Alderman N. P. Meagher
Rehabilitation Council	Alderman J. L. Connolly
Grace Hospital	Alderman Abbie Lane
Halifax-Dartmouth United Appeal	Aldermen R.A. O'Brien, G.R. Matheson
Council, Halifax Board of Trade	Alderman A. M. Butler
sources, maintain board of many sources sources	

VOCATIONAL HIGH SCHOOL BOARD

Alderman J. L. Connolly December 31, 1964 Alderman G. S. Black December 31, 1965

- 3 -

PROVISIONAL CITY GOVERNMENT

Alderman N. P. Meagher Alderman L. E. Moir Alderman C. F. Abbott

JURY LIST REVISORS

The City Assessor The City Clerk The City Collector

TOURIST AND CONVENTION COMMITTEE

His Worship the Mayor Alderman D. G. LeBlanc Alderman G. E. Doyle Alderman L. E. Moir Alderman Abbie Lane Mr. Roy Bowman Mr. R. A. Pepper Mr. K. A. Ross Mr. D. E. West Mr. Otis O'Hara

CIVIL DEFENCE COMMITTEE

His Worship the Mayor Alderman G. R. Matheson Alderman H. W. Butler Mr. A. M. MacKay Mr. I. B. MacCallum Mr. E. W. Mingo Mr. D. L. Calkin Mr. L. T. Hancock

DEVELOPMENT COMMITTEE

His Worship the Mayor Alderman C. F. Abbott Alderman A. M. Butler Alderman G. R. Matheson Alderman T. L. Trainor

BOARD OF MANAGEMENT, HALIFAX MENTAL HOSPITAL

Alderman R. A. O'Brien (Chairman) Alderman L. E. Moir Alderman H. W. Butler Alderman D. G. LeBlanc Alderman K. P. Richard Alderman J. L. Connolly Alderman G. E. Doyle His Worship the Mayor and 4 Provincial appointees.

BOARD OF MANAGEMENT, HALIFAX CONVALESCENT HOSPITAL

Alderman, K.	Ρ.	Richard (Chairman)
Alderman R.	٨.	O ⁹ Brien
Alderman L.	Ε.	Moir
Alderman H.	w.	Butler
Alderman D.	G.	LeBlanc
Alderman J.	Ĺ.	Connolly
Alderman G.	E.	Doyle
His Worship	th	e Mayor
Prov	inc	e may name one member.

BOARD OF MANAGEMENT, CITY PRISON

Alderman H. W. Butler (Chairman) Alderman K. P. Richard Alderman R. A. O'Brien Alderman L. E. Moir Alderman D. G. LeBlanc Alderman J. L. Connolly Alderman G. E. Doyle His Worship the Mayor

BOARD OF MANAGEMENT, BASIN VIEW HOME

Alderman D. G. LeBlanc (Chairman) Alderman H. W. Butler Alderman K. P. Richard Alderman J. L. Connolly Alderman G. E. Doyle Alderman L. E. Moir Alderman R. A. O'Brien and 4 Provincial appointees

HALIFAX-DARTMOUTH AND COUNTY REGIONAL PLANNING COMMISSION

His Worship the Mayor Alderman H. W. Butler

COMMITTEE TO DEAL WITH AFRICVILLE

Alderman K. P. Richard Alderman J. L. Connolly Alderman R. A. O'Brien

SPECIAL COMMITTEE TO STUDY PENSION PLAN

His Worship the Mayor Alderman G. S. Black Alderman A. M. Butler Alderman R. A. O^oBrien Alderman Abbie Lane

HALIFAX-DARTMOUTH REGIONAL AUTHORITY

His Worship the Mayor Alderman Trainor

POINT PLEASANT PARK

Alderman J. L. Connolly Alderman R. A. O^oBrien Alderman G. S. Black

ATHLETIC COMMISSION

Alderman H. W. Butler Mr. M. D. Sullivan Mr. A. L. Keith

BOARD OF SCHOOL COMMISSIONERS

. . .

1 Alderman to fill term expiring December 31, 1964 1 Alderman to fill term expiring December 31, 1965 1 Alderman to fill term expiring December 31, 1966 //

5 .

December 31, 1965

MOVED by Alderman Abbott, seconded by Alderman Trainor that the list be approved with the exception of City appointments as shown on the bottom of page 2 and that same be deferred until the next regular meeting of City Council. Motion passed.

Vacancy - Board of School Commissioners - Term Expiring December 31, 1964

Alderman Abbott nominated Alderman Connolly to fill the unexpired term of former Alderman Healy. There being no further nominations His Worship the Mayor declared Alderman Connolly duly appointed to the Board for a term expiring December 31, 1964.

Vacancy - Board of School Commissioners - Term Expiring December 31, 1965

Alderman Lane nominated former Alderman H. R. Wyman to replace former Alderman Burton O. Macdonald.

There being no further nominations His Worship the Mayor declared Mr. H. R. Wyman duly appointed to the Board of School Commissioners for a term expiring December 31, 1965.

Vacancy - Board of School Commissioners - Term Expiring December 31, 1966

Alderman O'Brien nominated Alderman LeBlanc who declined the nomination.

Alderman O'Brien then nominated Alderman Matheson. After a short discussion it was MOVED by Alderman Trainor, seconded by Alderman A. M. Butler that the appointment be deferred until the next regular meeting of City Council. Motion passed.

Meeting adjourned: 11:50 a.m.

HEADLINES

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December 31, 1964	575
Vacancy - Board of School Commissioners - Term Expiring	
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Vacancy - Board of School Commissioners - Term Expiring December 31, 1966

576

C. A. VAUGHAN MAYOR AND CHAIRMAN

R. H. STODDARD CITY CLERK

EMT

CITY COUNCIL M I N U T E S

> Council Chamber, City Hall, Halifax, N. S., November 5, 1964, 4:05 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 Mayor C. A. Vaughan, Chairman; Aldermen Abbott, Moir, Lane, Matheson, A. M. Butler, Meagher, LeBlanc, Trainor, Connolly, Doyle, Richard, O'Brien and H. W. Butler.

Also present were Messrs. P. F. C. Byars, R. H. Stoddard, W. J. Clancey, L. Mitchell, Q.C., J. F. Thomson, L. M. Romkey, G. F. West, R. B. Grant, K. M. Munnich, V. W. Mitchell, G.H.Brundige, and J.A. Houston of Central Mortgage and Housing Corporation.

The meeting was called specially to consider the opinion of the City Solicitor with respect to the Agreement dated October 24, 1963 between the City of Halifax and Central Mortgage and Housing Corporation, of the one part, and Provinces and Central Properties Limited, of the other part.

4:10 p.m. Council adjourned.

7:00 p.m. Council reconvened, the following members being present:

Mayor C. A. Vaughan, Chairman; and Aldermen Abbott, Moir, Lane, Matheson, A. M. Butler, Meagher, LeBlanc, Trainor, Connolly, Doyle, Richard, O'Brien and H. W. Butler.

The following Resolution was submitted:

RESOLUTION NO.1

WHEREAS the City of Halifax and Central

Mortgage and Housing Corporation, of the One Part, and Provinces and Central Properties Limited, of the Other Part, entered into an Agreement dated the 24th day of October, A. D., 1963, for the development by Provinces and Central Properties Limited of certain lands in the City of Halifax known and designated "the Central Development Area" and shown outlined in red on a plan attached to such Agreement as Schedule "A" thereto;

AND WHEREAS Section 10 of such Agreement

provided as follows:

(b)

(c)

(d)

" 10. Upon approval by the Partnership of the said proposals, the Company shall prepare and submit, at its own expense, to the City of Halifax on or before the 15th day of May, 1964:

- (a) Sketch plans, sections and elevations to a scale of one-sixteenth of an inch to one foot, sufficient to illustrate all phases of the development proposals fully showing all buildings, signs, canopies, street levels and structures below the ground, and any other similar features, and if such sketch plans, sections and elevations are in reasonable conformity with the preliminary submissions prepared in accordance with Section 4 and 5 herein and approved by the Partnership, such sketch plans, sections and elevations shall not be rejected by the Partnership.
 - The Final Phasing Programme prepared in accordance with the requirements set forth for the aforesaid Preliminary Phasing Programme, and if this Final Phasing Programme is in reasonable conformity with the approved Preliminary Phasing Programme, such Final Phasing Programme shall not be rejected by the Partnership.
 - Final construction drawings, specifications and cost estimates of all buildings, works and structures of the aforesaid Phase One of the development, and if such drawings and specifications are in reasonable conformity to the accepted sketch plans, sections and elevations and comply with the ordinances and building codes of the City of Halifax, such drawings and specifications shall not be rejected by the Partnership.

Evidence which will tend to indicate that Phase One of the proposed development has a reasonable possibility of successful completion. Without limiting the generality of the foregoing, such evidence will consist of a statement of the equity capital available for investment, the arrangements made for mortgage or debenture or other financing, a confidential list of the names of all tenants for space in excess of 4,000 square feet, and a market analysis of the tenancies available. All such evidence to be applicable to the proposed Phase One of the development. "

<u>AND WHEREAS</u> under the provisions of Section 32 of such Agreement, Provinces and Central Properties Limited had a ninety day period of grace in order to prepare and submit the submissions as required under the provisions of Section 10 of such Agreement;

AND WHEREAS by resolution of the City Council of the City of Halifax passed on the 13th day of August, 1964, it was resolved that Provinces and Central Properties Limited be granted an extension to October 15th, 1964, to complete the design and financial arrangements for the development scheme as required under the provisions of such Section 10 of the Agreement dated October 24th, 1963; provided, however, that sketch plans for all phases of the said development scheme would be submitted to the City not later than September 15th, 1964; and further provided that such extension would not in any way operate as a waiver of Clause 37 of such Agreement dated October 24th, 1963 and that time continue to be of the very essence of the Agreement and such extension; and that Mr. Derrick Osborn, or his representative, should appear in Halifax for discussions with the officials of Central Mortgage and Housing Corporation and the City of Halifax on design detail at the time of their submission;

<u>AND WHEREAS</u> Provinces and Central Properties Limited has, on or before the 15th day of October, 1964, failed to make all the submissions to the City of Halifax as required under the provisions of Section 10 of such Agreement;

-579-

AND WHEREAS Section 11 of such Agreement provided

as follows:

" 11. If the submissions as required under Section 10 herein are not received by the City of Halifax on behalf of the Partnership on or before the 15th day of May, 1964, the said deposit amount of the sum of Seventy Thousand Dollars (\$70,000.00) presently held by the City of Halifax shall be forfeited by the Company to the Partnership, and this Agreement shall be thereupon terminated."

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Halifax, that inasmuch as the City of Halifax, on behalf of the City of Halifax and Central Mortgage and Housing Corporation, has not received the submissions from Provinces and Central Properties Limited on or before October 15th, 1964 as required under the provisions of Section 10 of the Agreement dated October 24th, 1963, and made between the City of Halifax and Central Mortgage and Housing Corporation, of the One Part, and Provinces and Central Properties Limited, of the Other Part, that the provisions of Section 11 are hereby invoked and the deposit amount of the sum of Seventy Thousand Dollars (\$70,000.00) now held by the City of Halifax is forfeited by Provinces and Central Properties Limited to the City of Halifax and Central Mortgage and Housing Corporation, and that such Agreement dated October 24th, 1963, is hereby terminated.

AND BE IT FURTHER RESOLVED that Provinces and Central Properties Limited be immediately notified that such deposit amount in the sum of Seventy Thousand Dollars (\$70,000.00) now held by the City of Halifax, is forfeited by Provinces and Central Properties Limited to the City of Halifax and Central Mortgage and Housing Corporation and that the Agreement dated October 24th, 1963 is hereby terminated, as provided in Section 11 of the Agreement dated October 24th, 1963 and made between

the City of Halifax and Central Mortgage and Housing Corporation, of the One Part, and Provinces and Central Properties Limited, of the other Part.

AND BE IT FURTHER RESOLVED that a certified copy of this resolution be filed in the office of the Registrar of Deeds, at Halifax, Nova Scotia.

MOVED by Alderman Trainor, seconded by Alderman A. M. Butler that the resolution as submitted be approved. Motion passed unanimously.

RESOLUTION NO. 2

The following Resolution was submitted:

BE IT RESOLVED that a copy of the Resolution passed at this Council Meeting be sent to Provinces and Central Properties Limited and inform Provinces and Central Properties Limited, without prejudice, that the City of Halifax and Central Mortgage and Housing Corporation are willing to meet informally with Provinces and Central Properties Limited at Halifax, Nova Scotia, to explore the possibility of the development of the Central Development Area by Provinces and Central Properties Limited under a new Agreement.

Any such meeting held between the parties must take place not later than November 25th, 1964, and that any discussions held at such meeting shall be limited to consideration of a new Agreement.

MOVED by Alderman LeBlanc, seconded by Alderman Richard, that the resolution as submitted be approved. Motion passed with Aldermen Abbott, Trainor and Connolly voting against.

RESOLUTION NO. 3

The following Resolution was submitted: BE IT RESOLVED that Council instruct the Planning

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Staff to immediately begin preparation of a Plan for the development of the Central Redevelopment Area and that the Staff also be instructed to give consideration to the location of the Court House and City Hall Annex in any such plans.

MOVED by Alderman Lane, seconded by Alderman Matheson, that the resolution as submitted be approved. Motion passed unanimously.

Meeting adjourned: 7:05 p.m.

HEADLINES

Resolution #1 Resolution #2 Resolution #3

> C. A. VAUGHAN, MAYOR AND CHAIRMAN.

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R. H. STODDARD, CITY CLERK. CITY COUNCIL M I N U T E S

> Council Chamber, City Hall, Halifax, N. S., November 12, 1964, 8:00 p.m.

E. m. d.

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 Deputy Mayor Donald G. LeBlanc, Vice-Chairman; Aldermen Black, Abbott, Moir, Lane, Matheson, A. M. Butler, Meagher, Trainor, Connolly, Doyle, Richard and H. W. Butler.

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

MINUTES - OCTOBER 15, 1964

MOVED by Alderman Lane, seconded by Alderman Abbott, that the minutes of October 15, 1964 be approved. Motion passed.

The Deputy Mayor suggested that consideration of items 1(a) and 2 be deferred until His Worship the Mayor arrived,

Alderman Black pointed out that it would be necessary for a unanimous affirmative vote of Council before this suggestion could be carried out.

Alderman A. M. Butler drew attention to the fact that two members of Council were absent.

The City Solicitor read Section 56 of the Rules of Order of Council which advised that it would be necessary for the whole Council to consent to the suggestion of the Deputy Mayor.

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Council then proceeded with the order of business as listed on the agenda.

REPORT - CITY SOLICITOR RE: RULES OF ORDER OF COUNCIL RE: COUNCIL CONSIDERATION OF PROPOSED ORGANIZATIONAL CHANGES IN CIVIC SERVICES

A report was submitted from the City Solicitor entitled, "Rules of Order as pertaining to Item 13 (b) of the Agenda of City Council at the Meeting Held on October 29th, 1964-Staff Re-organization Report". Same was distributed to the members of Council prior to the meeting and is also attached to the original copy of these minutes.

The last paragraph indicated that a certain amount of confusion had arisen and, in order to clarify the procedure, the City Solicitor suggested that the recommendations as contained in the report of the City Manager, dated October 9, 1964, be considered by nine (9) separate motions being made; the first motion being put to Council before the next one is made and continue this procedure until all nine (9) recommendations have been disposed of.

Alderman Lane asked if the City Solicitor's Report was requested or volunteered, to which Alderman A. M. Butler advised that he had raised the question.

Alderman Black asked under what Section of the Rules of Order of Council did the City Solicitor's Report appear on the agenda.

The City Solicitor replied that it was not provided for in the Rules of Order but since there were notices of reconsideration placed at the beginning of the agenda, he felt that this matter should be brought to the attention of Council before action was taken on the motions of reconsideration.

8:10 p.m. His Worship the Mayor arrives and assumes

the Chair.

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His Worship the Mayor stated that there seemed to be some mistake in procedure made at the last regular meeting of Council when the City Manager's report was considered and that it appears there was no action of Council with respect to the recommendations listed as the action was improperly taken. Therefore, Council should now consider the report anew.

Alderman Black referred to the report of the City Solicitor, stated that Alderman Richard's amendment was considered item by item and passed. Then the City Solicitor suggested to His Worship the Mayor that the motion as amended be put to Council but His Worship the Mayor ruled that the amendments had been dealt with and it was not necessary to do so. There was no appeal from that ruling but there could have been. Therefore, as far as the procedure was concerned, the ruling of His Worship the Mayor stands. He referred to the book entitled, "The Law and Practice of Meetings", by Mr. Shackleton, which stated that this procedure applies only to matters of some importance where the interest of many are concerned such as business in large deliberative assemblies and that general rules may be relaxed in the case of small deliberative bodies and in the case of larger ones when they are in Committee. It is a matter of argument whether the Council is a large or small deliberative body. The Alderman stated that this is the first time it has been suggested that the motion, as amended, be put during his term of office. He then read from the Rules of Order of Council as proposed in the new Ordinance No. 103 which stated that all Acts of the Council, all Motions and Matters coming or arising before the Council, may be done and decided by the

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majority of the members of the Council as are present and vote at a legally constituted meeting of the Council.

He then referred to the last regular meeting and said that the Council passed certain amendments which were clear and the Chair ruled in the manner it did. The Council expressed its views and the motions of reconsideration are before it. To again consider the whole matter, in his opinion, was wrong.

He also stated that as the new members of Council did not have all the background material in their hands, he would be in favour of deferring the reconsideration motions in order to give the new members an opportunity to study the previous report and Council minutes pertaining to the same.

He felt the Council was bound by the ruling of the Chair unless the City Solicitor could state that the ruling constituted a nullity.

Alderman A. M. Batler stated that the opinion of the City Solicitor should be accepted and he was prepared to move its acceptance and, if approved, would then open up the whole matter again and it could be debated at this meeting or deferred. In deference to the new members of Council, he suggested that the matter was serious and important enough to give them the opportunity to obtain background information and then the matter could be dealt with at the next regular meeting of Council.

It was then MOVED by Alderman A. M. Butler, seconded by Alderman Trainor, that the report of the City Solicitor be approved and that Council then consider the organizational plan of the City Manager.

His Worship the Mayor stated that he followed the procedure used in Council for many years that when the amendment

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is accepted, the motion as amended, is not put and that it has not been done for at least fifteen years to his knowledge. Failing an appeal from the Council, he ruled that his actions were correct notwithstanding the report of the City Solicitor.

Alderman A. M. Butler appealed the ruling of the Chair at this time.

The City Clerk then advised Council that the motion before Council was in the following terminology: "Shall the decision of the Chair be sustained?"

The motion was put and passed 7 voting for the same and 6 against it as follows:

For the Motion:	Aldermen Black, Abbott, Moir, Lane, Meagher, LeBlanc and
	Richard - 7
Against:	Aldermen Matheson, A. M. Butler, Trainor, Connolly, Doyle and
	H. W. Butler = 6

MOTION - ALDERMAN TRAINOR RE: RECONSIDERATION OF RECOMMENDATION #3, PROPOSED ORGANIZATIONAL CHANGES IN CIVIC SERVICES

MOVED by Alderman Trainor, seconded by Alderman Meagher, that recommendation #3 of the Proposed Organizational Changes in Civic Services be reconsidered.

Alderman Trainor asked how much effort and study has been put forth relating to the installation of a different type of alarm system then at present such as one operated by the Maritime Telegraph and Telephone Company Limited and what the cost would be. If the new system is to be put into effect April 1, 1965, what would be the purpose of putting the Fire Alarm System under the Fire Department?

The motion was put and passed 9 voting for the same and 4 against it as follows:

For the Motion: Aldermen Black, Moir, Matheson, A. M. Butler, Meagher, Trainor, Connolly, Doyle and H.W.Butler - 9

Against: Aldermen Abbott, Lane, LeBlanc and Richard - 4

It was then MOVED by Alderman Richard, seconded by Alderman LeBlanc, that the Fire Alarm System presently operating under the direct supervision of the Deputy City Electrician be attached to the Fire Department effective January 2, 1965.

Alderman Matheson stated that as he had no background information or reports on the subject of Staff Re-Organization, he was not in a position to vote intelligently on the matter.

His Worship the Mayor advised that consideration of the matter could be deferred until the next regular meeting.

Alderman Trainor then asked the City Manager if it were true that there is under consideration and study a new type of fire alarm system for the City of Halifax to which the City Manager replied that a study has been going on for almost two years concerning the matter of putting in a new emergency telephone number for the City to take the place of the present numbers which are in use by the Police and Fire Departments. This comes about because of the introduction in the system of the automatic long distance and the Numbers 125 and 123 will no longer be available. Essentially the whole operation will switch to the emergency system with the new switchboard and he anticipated it would be maintained by the Fire Department which Department now maintains the present switchboard of the Fire Alarm System.

Alderman Trainor then asked if information was

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available as to the cost operating the system by the City as against a Public Utility operation such as the Telephone or Light and Power Companies.

The City Manager stated that the costs are being checked but at this time, it is not possible to know all the costs involved until all the requirements are known. If the new system proves to be advantageous, then it is expected that the telephone system would take over the present Fire Alarm Staff as is done in normal cases or else, if by that time, the City has extended its boundaries by annexation, which would require additional electrical inspectors, that the present Staff would be available for that purpose.

The Fire Chief was asked of the total calls received in the Fire Stations, what percentage are registered by phone as compared to the number registered by fire alarm box.

The Fire Chief advised that 75% are by phone and of the 25% which comes over the telegraph system, 60% of the calls are false.

Alderman Trainor stated that he would like to see a report as to what the cost would be if the system were operated by a Utility and what it would be if operated by the City.

His Worship the Mayor stated that the report requested by the Alderman would be prepared for his information.

At this time, the Fire Chief stated that it would not make any difference to him if the maintenance of the system were transferred to his Department.

The City Manager then stated that the Fire Alarm System is an integral part of the operation of the Fire Department and as such, it should come under the Fire Chief who is ~589-

in charge of the Fire Department. The Fire Alarm Staff to all intents and purposes, are members of the Fire Department; they belong to Local #268 of the Fire Fighters Union; are members of the Group Life Insurance Plan of the Fire Fighters Union and operate as though they are members of the Fire Department.

In reply to a question from Alderman LeBlanc concerning pension rights for these employees, the City Manager stated that under the proposal he has made, it will protect all their interests in regard to their association with the Fire Fighters.

MOVED by Alderman Black, seconded by Alderman Lane, that consideration of this matter be deferred until the next regular meeting of Council.

Alderman A. M. Butler asked if the motion to defer was in order.

The City Solicitor then read Sections 21 and 47 of the Rules of Order of Council. He referred to the words, "disposed of" and stated that such wording is very vague and indefinite.

His Worship the Mayor then ruled that consideration of the matter can be deferred.

The motion to defer was put and passed with Aldermen Richard, Trainor, Meagher and A. M.Butler voting against.

MOTION - ALDERMAN A. M. BUTLER RE: RECONSIDERATION OF RECOMMENDATION #6, PROPOSED ORGANIZATIONAL CHANGES IN CIVIC SERVICES

Alderman A. M. Butler withdrew his motion to reconsider Recommendation #6.

MOTION - ALDERMAN A. M. BUTLER RE: RECONSIDERATION OF RECOMMENDATION #2 - PROPOSED ORGANIZATIONAL CHANGES IN CIVIC SERVICES

MOVED by Alderman A. M. Butler, seconded by Alderman Trainor that Recommendation #2 of the proposed organizational changes in civic services be reconsidered.

Alderman A. M. Butler read excerpts from reports of the City Manager, dated July 1961 and February 1964, pertaining to the proposed Finance and Development Departments.

He also referred to the report dated October 1964 wherein it referred to how the function is handled in various places and in some cities it is part of the Works Department.

He stated that when the Lord Provost of Glasgow was in Halifax the Alderman asked him how the system was operated in Glasgow and he replied that they did it in the same manner as in the City of Halifax. Also that Central Mortgage and Housing Corporation divide Inspection and Planning. In Regina the matter of taking Building Inspection from Public Works was unknown.

The Alderman further stated that the City Manager wants to build the Development Department by including the Finance Department and Building Inspection which are permanent entities in a city's activities; not so with Development, but Development has an assured life if it is embraced with the Finance Department and Building Inspection. He said he was not so sure that Development, having regard to recent information obtained, should not itself be investigated. He contended that no further enlargement of the Development Department should be allowed. For these reasons, he suggested that the Council should not proceed to allow the inclusion of Building Inspection into the Development Dept. He said it should not be placed under the control of the City Manager

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as the City Manager is not an engineer and is wholly unacquainted with the details required in that position.

The motion was then put and passed 11 voting for the same and 2 against it as follows:

Aldermen Abbott, Moir, Matheson,	
A. M. Butler, Meagher, LeBlanc,	
Trainor, Connolly, Doyle,	
Richard and H. W. Butler -	11
	Trainor, Connolly, Doyle,

Against: Aldermen Black and Lane -

It was then MOVED by Alderman Black, seconded by Alderman Meagher that consideration of Recommendation #2 of the Proposed Organizational Changes in Civic Services be deferred until the next regular meeting of Council in order to give new members of Council an opportunity to study the various reports, and also in view of the fact that the effective date of this recommendation is upon Proclamation of Part 18 of the new City Charter. Motion passed unanimously.

PETITION RE: SATURDAY PARKING METER FEES

The following petition was submitted from Mr.G.D.Hogan, Chairman of the Traffic and Parking Committee of the Downtown Halifax Business Association:

> Downtown Halifax Business Association, P. O. Box 761, Halifax, N. S.

We, the undersigned, members of the Downtown Halifax Retail Community, do urgently petition the City Council of the City of Halifax todeclare an immediate holiday on Saturday parking meter tariffs. It is estimated that approximately two-thirds of those employed in the Downtown area do not work on Saturdays, being employed in government and professional offices, banks and other financial institutions and the like. It, therefore, appears that those who do use the parking facilities on this day are bona fide customers.

Ticketing of parkers on Saturdays is a keen embarrassment to the Downtown merchants and a great annoyance to the shoppers, many of whom, it is believed, have been driven from our area to the shopping centres where no restrictions are placed on parking.

It is our considered opinion, as well as that of experts in the

field, that parking is still the Number One problem in Downtown Halifax. We, therefore, implore you to help alleviate this problem to the extent that you declare a holiday or moratorium on parking meter fares on Saturdays.

> G. D. HOGAN, Chairman, Traffic & Parking Committee.

The petition was signed by owners or representatives of approximately fifty different business firms and was endorsed by Alderman Abbott.

MOVED by Alderman Richard that a holiday or a moratorium on parking meter fees in the Downtown area on Saturdays until December 25th be put into effect.

There was not seconder to this motion.

The City Solicitor advised that the meters and the plates on the meters are under the control of the Traffic Authority. If Council wished to grant the request, the regulations would have to be changed subject to the approval of the Governor in Council and publication in the Royal Gazette. Secondly, a complete new issue of plates to be affixed to the meters would have to be ordered and placed thereon.

His Worship the Mayor supported the request because he contended that the Downtown meters were in operation for the control of traffic and not for revenue purposes.

It was then MOVED by Alderman Lane, seconded by Alderman Abbott that the matter be referred to the City Manager for a report and recommendation to the Safety Committee as to how this request can be accomplished. Motion passed.

PETITION RE: THREE-MAN TRAFFIC AUTHORITY

The following petition was submitted from Mr.G.D.Hogan, Chairman of the Traffic and Parking Committee of the Downtown Halifax Business Association:

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