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On February 1, 1967, Mr. Donald McInnes, Q.C., acting on behalf of Provinces and Central Properties Limited, advised the City of Halifax that the Company had appointed His Honour, Judge Nathan Green, Q.C., as an arbitrator, pursuant to Clause 35 of the Agreement made October 24, 1963, between the City of Halifax and the Company. The notice requested that the City appoint an arbitrator to arbitrate a dispute which has arisen between the Company and the City.

City Council by a resolution passed November 4, 1964, repudiated the agreement of October 24, 1963, and declared the contract to be at an end. It may be that, in spite of the termination of the contract, the particular clause relating to arbitration survived, and, except for Section 569 of the City Charter, the dispute between the parties might have been a subject of arbitration. Section 569 provides that any action against the City must be brought within six months of the cause of action.

The Finance and Executive Committee considered the matter on February 9, 1967, and resolved that no action ought to be taken on the request of the Company. Under the circumstances, it would appear the City is not obliged to appoint an arbitrator, unless the City intends to waive Section 569 of the City Charter.

The motion was then put and passed.

Architect's Fee - Aquarium Project

The report of the Committee reads as follows:

It is recommended that the sum of \$10,652.35 be paid to Aza Avramovitch and Associates in full settlement of the City's obligation under the terms of Article V of an agreement, dated June 30, 1966, between the City and the said firm covering Architect's Fee for an Aquarium.

Alderman Ivany felt that the City should have copies of the plans on file, and suggested that four sets be obtained from the architect.

The City Manager stated that the City could probably obtain a set of plans for the files, but that the plans are the property of the architect under the agreement.

Some discussion followed with respect to the payment of the fee being made conditional upon certain agreements made with the architect.

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Alderman Ivany suggested that the City Manager be asked to negotiate with the architect and acquire a set of plans for the City files and discuss with the architect some arrangement whereby the City can enter into an agreement with him if the City should wish to continue with the project at a later date. He felt that the funds should not be released until an agreement is reached with the architect.

After further discussion, it was agreed that the matter should be referred back to the Finance and Executive Committee for further consideration.

Agreement - Society Prevention of Cruelty

MOVED by Alderman Fitzgerald, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee:

(a) An agreement, as drafted by the City Solicitor between the City and the Society for Prevention of Cruelty, with respect to the impounding and care of stray animals in the City be approved and that His Worship the Mayor and the City Clerk be authorized to execute same on behalf of the City;

(b) Administrative Order No. 6 be amended to provide for the payment of an annual grant of \$500.00 to the Society for the Prevention of Cruelty for the years 1967 to 1969 inclusive, said amount to be applied by the said Society toward the payment of civic taxes for each of the said years;

(c) The sum of \$1,500.00 be paid as a grant to the Society for the Prevention of Cruelty to be applied toward payment of the salary of the pound-keeper employed by the said Society, funds for this purpose to be provided in the 1967 Budget;

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(d) The sum of \$2,500.00 be paid as a grant to the Society for the Prevention of Cruelty under the authority of Section 310 "I" of the City Charter, 1931.

Motion passed.

Additional Land - Saint Patrick's High School

The report of the Committee reads as follows:

It is recommended that the property owned by the Roman Catholic Episcopal Corporation on Windsor Street (former Saint Mary's College Property) be purchased by the City for the sum of \$170,000.00 for the purpose of providing a site for the extension of Saint Patrick's High School.

Alderman Black felt that the City should obtain an appraisal of this land to ascertain whether or not the amount of \$170,000.00 is fair and reasonable.

After discussion, it was agreed to defer this matter until the City Manager has obtained an appraisal report on the land, which appraisal will be submitted to the Finance and Executive Committee for consideration.

Subsidized Rental Housing - Creighton and Brunswick Streets - Awarding of Tender for Survey

MOVED by Alderman Abbott, seconded by Alderman Ivany that, as recommended by the Finance and Executive Committee, Central Mortgage and Housing Corporation be authorized to award contracts to obtain precise information on soil conditions, topography and boundary surveys required in connection with the construction of possible subsidized rental housing projects on Creighton Street and in the block bounded by Brunswick, Gerrish, Barrington and Cornwallis Streets. Motion passed.

After some discussion with respect to the total properties in the area which are to be acquired, it was MOVED

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by Alderman Meagher, seconded by Alderman A. M. Butler that a report be prepared indicating the total cost to the City of acquiring all the properties necessary for the housing project with a view to including the amount in the 1968 Capital Budget. Motion passed.

Possible Acquisition - #5513 Gerrish Street

MOVED by Alderman Black, seconded by Alderman Abbott, that, as recommended by the Finance and Executive Committee, no action be taken at this time to negotiate for the purchase of the property at 5513 Gerrish Street, offered for sale to the City, or for any other undersized lot within the Old Northern Suburb. Motion passed.

Compensation - #2369 Maitland Street

MOVED by Alderman Moir, seconded by Alderman A. M. Butler that, as recommended by the Finance and Executive Committee, in accordance with the provisions of Section 422A of the Halifax City Charter, 1963, the Staff be authorized to advance to Mrs. Eugenie Marie LeBlanc a sum equal to 75% of the amount of the compensation provided for in the resolution expropriating the property at #2369 Maitland Street, such sum to be advanced after a mutually satisfactory lease has been entered into with the said Mrs. LeBlanc, or after the property has been vacated by her. Motion passed.

Acquisition - #5423 Gerrish Street

MOVED by Alderman Abbott, seconded by Alderman Ivany that, as recommended by the Finance and Executive Committee, the sum of \$8,000.00 be paid to Mr. J. D. Harrison as settlement in

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full for all claims arising from the acquisition by the City of his property at 5423 Gerrish Street, located within the first phase of the Uniacke Square Redevelopment Area. Motion passed.

Expropriation Settlement - Estate Joseph & Michael Resk  
#2289-95 Gottingen Street  
#2297-99 Gottingen Street  
#2317-19 Gottingen Street  
#2321-23 Gottingen Street

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MOVED by Alderman Ivany, seconded by Alderman Black that, as recommended by the Finance and Executive Committee, the sum of \$90,500.00 be paid to the Estate of Joseph and Michael Resk, as settlement in full for all claims arising from the expropriation of the following properties:

#2289-95 Gottingen Street  
#2297-99 Gottingen Street  
#2317-19 Gottingen Street  
#2321-23 Gottingen Street

Motion passed.

Possible Acquisition - #2327 Maitland Street

MOVED by Alderman Ivany, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, the sum of \$6,000.00 be paid to Peter Doucette of 2309 Brunswick Street, as settlement in full for all claims arising from the acquisition by the City of his property at 2327 Maitland Street, located within the Uniacke Square Redevelopment Area. Motion passed.

Compensation - Franklin Service Company Limited - Expropriation Water Street Land

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MOVED by Alderman H. W. Butler, seconded by Alderman Abbott, that, as recommended by the Finance and Executive Committee:

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- (a) the sum of \$150,000.00 be advanced to the Franklin Service Company Limited under the authority of Section 422A of the City Charter, 1963, as settlement in part for property on Upper Water Street expropriated by the City on December 29, 1966;
- (b) such advance be made after the City has taken possession of the property; and
- (c) funds for this purpose be provided from the capital account for the new Court House.

Alderman Black asked if the City is making arrangements with the tenants to vacate.

The City Solicitor advised that the City will be taking over the property at the end of this month.

The motion was then put and passed.

Betterment Charge - #3890 Kencrest Avenue

MOVED by Alderman Moir, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee, legislation be sought in 1968 to waive the interest on a charge of \$1,266.98 for local improvements outstanding since 1960 against the property at 3890 Kencrest Avenue (120 Lynch Street). Motion passed.

Architect's Agreement - Central Fire Station Headquarters

MOVED by Alderman Fitzgerald, seconded by Alderman H. W. Butler that, as recommended by the Finance and Executive Committee, His Worship the Mayor and the City Clerk be authorized to sign the architect's agreement for the new Central Fire Department Headquarters between the City and Robert J. Flinn and Associates.

Motion passed with Aldermen Ahern and Connolly voting against.

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After further discussion, it was MOVED by Alderman Connolly, seconded by Alderman A. M. Butler that a report be prepared by the City Manager on the prospective disposition of the Oxford Street Fire Station. Motion passed.

The City Manager advised that the Fire Chief had prepared a report some time ago dealing with the re-organization of the Fire Department and the future use of some of the existing Fire Stations.

It was agreed that a copy of this report should be re-distributed to all members of Council.

Sale of Land to Dalhousie University - University Avenue

MOVED by Alderman Abbott, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee, a strip of City-owned land five feet wide and 230 feet long on the north side of University Avenue, between Henry and Seymour Streets, be sold to Dalhousie University at a total price of \$1,725.00. Motion passed.

His Worship the Mayor advised, at this time, that the Dalhousie Students Council presented a picture to the City last Monday of the Dalhousie University Building originally on the present site of City Hall which will hang in the Mayor's Office. At the time of the presentation, His Worship the Mayor stated that Dr. Kerr of Dalhousie University expressed his good wishes to the City of Halifax.

Agreement - Local 571 American Federation of Musicians Re:  
Band Concerts

MOVED by Alderman H. W. Butler, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, an agreement be entered into with Local 571 of the

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American Federation of Musicians covering a series of Band Concerts in the Public Gardens during the summer of 1967 and that the Mayor and City Clerk be authorized to execute same on behalf of the City. Motion passed.

Legislation to Clear Title of Lands - Central Redevelopment Area

MOVED by Alderman H. W. Butler, seconded by Alderman LeBlanc that, as recommended by the Finance and Executive Committee, legislation be sought at the 1967 Session of the Legislature confirming title to the City of Halifax of all lands in the Central Redevelopment Area. Motion passed.

Legislation Re: Tax on Betting

The Committee directed the City Manager to present at this meeting, draft legislation giving the City the right to levy a tax on betting.

The following legislation was submitted:

An Act Relating to the City of Halifax

BE IT ENACTED by the Governor and Assembly as follows:

1. In this Act

(a) "bet" means a bet made, accepted or recorded at a racetrack in the City through the agency of a pari-mutual system;

(b) "City" means the City of Halifax;

(c) "collector" means the collector for the City;

(d) "Council" means the Council of the City;

(e) "operator" means the person who is the proprietor of a pari-mutual system, whether in the capacity of owner, lessee, sub-lessee, mortgagee in possession, or any other capacity;

(f) "ordinance" means a by-law or ordinance made by the Council.



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2. Every person who bets or records a bet shall pay to the collector at the time of placing or recording the bet a tax at the rate of ten per cent of the bet.

3 (1) After the coming into force of this Act, no operator of a pari-mutual system in the City shall accept or record a bet unless he has been granted a registration certificate under the authority of this Act and his certificate is in force at the time of accepting or recording the bet.

(2) Such registration certificate shall be issued by the collector and shall be kept at the race track in a prominent position and shall not be transferable.

(3) Subject to the approval of the Council, the collector may cancel or suspend a registration certificate in the case of a person who has been found guilty of an offence under this Act, or has failed to post the security required under this Act, and may refuse to issue a registration certificate to any person who has been found guilty of an offence under this Act, or has failed to post the security required under this Act.

4. Every person who accepts or records a bet shall be deemed to be an agent of the collector and as such shall levy and collect the tax imposed by this Act upon the person placing or recording the bet.

5. The tax imposed under this Act shall be collected at the time of placing or recording the bet and be remitted to the collector at the times and manner prescribed by ordinance.

6. Every person who accepts or records bets shall make returns to the collector and shall keep such records in the form prescribed by ordinance, and any failure to do so shall constitute an offence against this Act.

7. Every person who collects any tax under this Act shall be deemed to hold the same in trust for the collector and for the payment over of the same in the manner and at the time prescribed by ordinance.

8. The amount of any taxes that are due and payable under this Act, may be recovered by action in any Court as a debt due the City, in an action brought by the City Solicitor and the Court may make an order as to the cost of such action in favour of the City.

9. Where the person accepting or recording bets has failed to collect or to remit tax in accordance with the provisions of this Act, the collector may require him to deposit with the City Clerk a bond by way of cash or other security satisfactory

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to the Council. The amount of the bond shall be determined by the Clerk but shall not be greater than an amount equal to six times the sum or the estimated sum of tax that would normally be collected by the person each month under this Act.

10. Every person contravening any provision of this Act or of the ordinance shall be guilty of an offence against this Act, and every violation in connection with a separate bet shall be considered a separate offence.

11. A person guilty of an offence against this Act shall be liable on summary conviction, to a fine of not less than ten dollars and not more than five hundred dollars, and in default of payment to imprisonment for a term not exceeding one month, and in addition shall be ordered by the magistrate or justice to pay the amount of the tax that is owing including any arrears, penalties or interest, on or before such date as shall be fixed by the magistrate or justice.

12. Fines, taxes, arrears, penalties or interest paid or collected under this Act shall be paid to the collector.

13. In any prosecution for failure to pay the tax or to collect the tax or remit the tax, the onus of proving that the tax was paid, collected or remitted, as the case may be, to the collector, shall be upon the defendant.

14. (1) For the purposes of carrying into effect the provisions of this Act according to their true intent and of supplying any deficiency therein, the Council may make ordinances:

(a) prescribing the forms and records to be used for the purposes of this Act and ordinances;

(b) prescribing the form and manner of records to be kept by persons accepting or recording bets;

(c) prescribing the method of collection and remittance of the tax and any other condition or requirements affecting such collection and remittance;

(d) defining any expression used in this Act and not defined herein;

(e) fixing the date for the coming into force of this Act.

(2) Such ordinances shall have the same force and effect as if enacted by this Act when given the approval of the Minister of Municipal Affairs.

15. The proceeds of any tax levied under this Act shall be used for the general purposes of the City.

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16. This Act shall come into force on and not before a date to be fixed by ordinance.

MOVED by Alderman H. W. Butler, seconded by Alderman Abbott that the draft legislation submitted, be approved.

Motion passed.

Widow's Pension - Mrs. Hilda Mitchell

The report reads as follows:

It is recommended that the application made on behalf of Mrs. Hilda Mitchell, widow of former Superintendent of Detectives, Roy L. Mitchell, for a widow's pension be approved under the authority of Section 310H of the City Charter, 1931.

Alderman A. M. Butler stated that this recommendation went through the Finance and Executive Committee by a very narrow margin and he was concerned about a number of other cases of a similar type which are involved in any decision of this nature. He further stated that the granting of pensions to all such cases could cost the City more than \$225,000.00 over a period of time. He felt it would be his duty to notify all other persons in a similar situation of the decision of Council in this matter.

Alderman Black concurred with Alderman A. M. Butler.

After discussion, Mr. R. L. Rooney, Solicitor for the applicant was permitted to address the Council.

Mr. Rooney felt that Council would not set a precedent by approving the application of Mrs. Hilda Mitchell, but that each request should be considered on its own merit. He urged Council to consider all aspects of this matter, not excepting the fact of the long and dedicated service given to the City by Mr. Roy Mitchell.

After further discussion, it was MOVED by Alderman A. M. Butler, seconded by Alderman Meagher that the matter be referred back to the Finance and Executive Committee for the reason that the recommendation is unacceptable in its present form and that City Council would like to have a full list of all those persons entitled to compensation, together with the total anticipated cost.

The motion was put and passed, seven voting for the same and six against it as follows:

For:	Aldermen Black, Moir, Ivany, A. M. Butler, Meagher, LeBlanc and Connolly	7
Against:	Aldermen Abbott, Ahern, Doyle, Sullivan, Fitzgerald and H. W. Butler	6

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REPORT - COMMITTEE ON WORKS

No report was submitted at this time.

REPORT - SAFETY COMMITTEE

Council considered the report of the meeting of the Safety Committee held on February 7, 1967 with respect to the following matters:

Designation of Truck Routes - Legislation

The report read as follows:

It is recommended that proposed legislation to permit the City of Halifax to establish truck routes be deferred pending further Staff consideration of the suggestions made at the hearing and that discussions be held with representatives of the Motor Transport Association and other interested bodies.

After discussion, it was MOVED by Alderman Black, seconded by Alderman Fitzgerald that, permissive legislation be sought to permit designation of truck routes in the City of Halifax and that the legislation make provision for a Public Hearing before any truck route is designated.

The motion was put and passed, seven voting for the same and six against it as follows:

For:	Aldermen Abbott, Moir, A.M. Butler, Connolly, Sullivan, Fitzgerald, Black.	- 7 -
Against:	Alderman Ivany, Meagher, LeBlanc, Ahern, Doyle, H. W. Butler.	- 6 -

Tenders - Uniform Clothing - Fire Department

MOVED by Alderman Fitzgerald, seconded by Alderman Sullivan that, as recommended by the Safety Committee, the following tenders for the supply of Uniform Clothing for the Halifax Fire Department be approved:

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Blue Uniforms	\$68.85	G. B. Isnor Ltd.
Shirts	\$ 3.99	Morris Goldberg
Ties	\$ .65	To be equally divided between G.B. Isnor Ltd. and J. & M. Murphy Ltd.
Overcoats	\$45.05	Alex B. Chambers
Burbureys	\$38.60	G. B. Isnor Ltd.
All-Weather Coats	\$20.00	Morris Goldberg

Motion passed.

Tenders - Uniform Clothing - Police Department

MOVED by Alderman H. W. Butler, seconded by Alderman Abbott that, as recommended by the Safety Committee, the following tenders for the supply of Uniform Clothing for the Halifax Police Department be approved:

Blue Uniforms	\$59.95	Alex B. Chambers
Shirts	\$ 4.00	G. B. Isnor Ltd.
Ties	\$ 1.05	Morris Goldberg
Frock Coats	\$58.20	G. B. Isnor Ltd.
Hats	\$ 6.05	Stokes Cap & Regalia
Trousers	\$16.70	G. B. Isnor Ltd.
Gray Uniforms	\$67.95	G. B. Isnor Ltd.
Gloves	\$ 2.99	Morris Goldberg
Socks	\$ 1.24	Morris Goldberg
Officer Uniforms	\$64.10	G. B. Isnor Ltd.

Motion passed.

Tenders - Footwear - Police Department

MOVED by Alderman Ivany, seconded by Alderman Moir that, as recommended by the Safety Committee, the following tenders for the supply of Footwear for the Halifax Police Department be approved:

Boots	\$10.58	Karps Shoe Factory Outlet
Overshoes	\$ 4.17	Schooner Outfitting Co. Ltd.

Motion passed.

Collective Bargaining - Police Association

The following report was submitted:

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A letter was submitted to the Safety Committee from the Solicitor for the Halifax Police Association requesting Council to grant the Halifax Police Association the right to bargain collectively with the City of Halifax for all policemen up to and including the rank of Sergeant-Detective, for all police employed by the Forum Commission, for all Bailiffs employed by the City and for the Dogcatcher. The letter also requested that the present power to bargain with the City of Halifax with regard to wages be extended to include the power to bargain for wages, salaries and all other terms and conditions of employment.

For the information of Council, it is noted that the request with respect to employees of the Forum Commission is to be made by the Solicitor for the Halifax Police Association to the Forum Commission, the City not having the right to approve inclusion of employees of that Commission. The matter of the inclusion of the Bailiffs and the Dogcatcher was referred to the City Solicitor for an opinion.

It is recommended that the Halifax Police Association be granted the right to bargain collectively, for salary only, with the City of Halifax for Constables and Corporals in the Halifax Police Department.

The City Clerk advised that communications had been received from the Solicitor for the Halifax Police Association requesting deferment of this item until the next regular meeting of Council. He also advised that a communication had been received, signed by the five Corporals in the Halifax Police Department, indicating that they did not wish the Halifax Police Association to bargain collectively for them.

MOVED by Alderman Black, seconded by Alderman Fitzgerald that, this matter be deferred until March 2, 1967. Motion passed.

Request - City Fire Fighters Benevolent & Protective Association - Establishment of Rates - Outside Work

The following report was submitted:

At the meeting of the Safety Committee held on January 17, 1967, a letter was submitted from the Fire Fighters Benevolent and Protective Association requesting that the rate of pay for persons and organizations hiring firemen, other than the City of Halifax, be established. The request was denied at this time.

Subsequently, Mr. Celestine Kelly requested permission to address the Committee and explained that the rates presently in effect are less than the regular and overtime rates of pay for Firemen. He felt that the rates should be in line with the rates paid to Policemen which were set by the Committee.

It is recommended that the rates of pay for firemen working for persons and organizations, other than the City of Halifax, be set at time and one-half of their regular rate of pay.

MOVED by Alderman Meagher, seconded by Alderman A. M. Butler that, as recommended by the Safety Committee, the rates of pay for firemen working for persons and organizations, other than the City of Halifax, be set at time and one-half of their regular rate of pay. Motion passed.

REPORT - PUBLIC HEALTH AND WELFARE COMMITTEE

No report was submitted at this time.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS  
AND COMMISSIONS

Centennial Swimming Pool

His Worship the Mayor advised Council that he had received a letter from the Federal Government today, approving the transfer of the Centennial grant from the Aquarium to the Centennial Swimming Pool in the amount of \$184,000.00.

The following letter was submitted from the Recreation and Playgrounds Commission:

At a meeting held of the Recreation and Playgrounds Commission held on February 6, 1967, the initial plans and concepts for the Centennial Swimming Pool were viewed.

A motion to this effect was tabled by Alderman N. P. Meagher and seconded by Mr. J. F. Healy, "that this Commission approves in principle, the siting and initial plans with regard to the layout and the initial visual concept of the Centennial Swimming pool, and sends these plans to



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His Worship the Mayor, and Members of City Council  
for their approval".

The layout and site plans were displayed by the  
Architect together with the initial visual concept of the  
Swimming Pool.

After a brief discussion it was MOVED by Alderman  
H. W. Butler, seconded by Alderman Moir that, the initial site  
and layout of the Centennial Swimming Pool, as submitted, be  
approved. Motion passed.

Halifax Forum Commission - Financial Statements

The Report and Financial Statements for the year ended  
December 31st, 1966 was tabled at this time.

REPORT - TOWN PLANNING BOARD

No report was submitted at this time.

MOTIONS

No motions were submitted at this time.

MISCELLANEOUS BUSINESS

Lord's Day Permit

An application for a permit to operate a grocery store  
on the Lord's Day was submitted from E. Margaret MacDonald.

MOVED by Alderman Ivany, seconded by Alderman Moir  
that, E. Margaret MacDonald be granted a permit to operate a  
grocery store at 1826 Robie Street on the Lord's Day between  
the hours of 9:00 a.m. and 11:00 p.m. Motion passed.

1967 Legislation

The following proposed legislation was submitted.

Land - Convent of the Sacred Heart - Release of Covenants

Notwithstanding the provisions of Chapter 61 of the Acts of 1886, an Act to allow the City of Halifax to convey certain lands to the "Ladies of the Sacred Heart at Halifax", the City may release the "Ladies of the Sacred Heart at Halifax" from the conditions contained in the deed dated June 2, 1886, made pursuant to such Act, and upon such release the lands may be conveyed free and clear of all encumbrances and conditions by the "Ladies of the Sacred Heart at Halifax".

MOVED by Alderman H. W. Butler, seconded by Alderman Fitzgerald that, the legislation, as submitted, be approved.  
Motion passed.

Title of Lands - Central Redevelopment Area

The rights and interests of all persons in the lands described in the Schedule hereto are extinguished and the said lands are vested in the City of Halifax free and clear of all encumbrances, and the rights of any persons so affected, if any, shall be limited to a right of action for damages.

SCHEDULE

All those certain lots, pieces or parcels of land situate, lying and being in the eastern part of the City of Halifax, as shown bordered in red on a Plan entitled "Expropriation Plan of Certain Lands Required by the City of Halifax for Redevelopment Purposes", dated July 13, 1966, and bearing Number TT-6-16656, and described in the Resolution of the City Council of the City of Halifax, as registered in the Registry of Deeds at Halifax on October 12, 1966.

MOVED by Alderman H. W. Butler, seconded by Alderman Fitzgerald that, the legislation, as submitted, be approved.  
Motion passed.

Annual Report - Vocational High School (Distributed)

The Annual Report of the Halifax County Vocational High School for the Year 1965-1966 was tabled for the information of the members of Council.

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Report - Natal Day Committee Re: Change in Date for  
Celebration of Natal Day

A recommendation was submitted from the Natal Day Committee for June 28th, 1967 to be celebrated as Halifax Natal Day.

A letter was read from the Retail Committee of the Board of Trade suggesting Natal Day as July 24, 1967.

A letter was submitted from the Retail Grocers Association suggesting Natal Day as July 1st, 1967.

Alderman LeBlanc stated that the Natal Day Committee had met on January 31, 1967 at which time representatives of shopping centres and retail stores were present, and the Motion to hold Natal Day on June 28th was moved by Mr. Saul Offman, representing the Spring Garden Road Merchants Association, and seconded by Mr. Robert Strand, representing the Gottingen Street Merchants Association, and was passed unanimously.

Alderman Ahern suggested holding Natal Day on Saturday, July 1st in conjunction with Canada's birthday.

His Worship the Mayor suggested Saturday, June 24th, 1967.

Alderman Moir said that Centennial Celebrations in Halifax were mainly being held between June 21st and June 30th and for a greater part of that time the Provincial Examinations were being held. He thought it was a shame that the high school students writing these examinations would have to forgo the Centennial Celebrations, or else take part in them and their examinations would suffer.

After some discussion, it was agreed that this matter should again be considered by the Natal Day Committee in an attempt to resolve the problem and set a date for Natal Day 1967.

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His Worship the Mayor advised that Council have previously given approval to June 21, 1967 as the date for Natal Day and any change would require a Notice of Motion to rescind this decision.

Delegates to Annual Convention - Canadian Federation of Mayors and Municipalities

His Worship the Mayor informed Council that eight double rooms had been assigned for Council delegates to the Annual Convention in Montreal July 23 to 27, 1967. He suggested that those wishing to attend would have to share these rooms in order to accommodate all delegates.

The following members expressed a desire to attend the Convention: Aldermen Ivany, A. M. Butler, Meagher, LeBlanc, Ahern, Connolly, Doyle, Sullivan, Fitzgerald, H. W. Butler and Abbott.

QUESTIONS

Question - Alderman Fitzgerald - Submission - Mental Health Clinic for Children

Alderman Fitzgerald referred to a submission from the Mental Health Clinic for Children to the Province of Nova Scotia with respect to the re-organization of the Clinic to more adequately serve the Metropolitan area, and asked if His Worship the Mayor had received a copy and if not, he would be glad to make one available to him.

His Worship the Mayor replied that he was not aware of the submission and would be glad to receive a copy.

Question - Alderman Sullivan - Grants in Lieu of Taxes, National Harbours Board

Alderman Sullivan asked for information on the National Harbours Board grants.

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His Worship the Mayor replied that Mr. Pickersgill, Minister of Transport, made an announcement which has this effect:

1965 we received	\$361,000.00	which is	50%.
1966 " "	\$451,250.00	" "	62½%.
1967 we receive	\$507,500.00	" "	75%.
1968 " "	\$631,750.00	" "	87½%.
1969 " "	\$722,000.00	" "	100%.

Question - Alderman Doyle - Traffic Lights - Duffus & Gottingen Streets

Alderman Connolly, on behalf of Alderman Doyle, referred to the traffic lights at the intersection of Duffus and Gottingen Streets where large trucks travel Devonshire Avenue. He suggested that the amber light operate after 10:00 p.m. to obviate the noise caused by changing gears when driving through this residential area.

Letter of Thanks to Mr. John E. Lloyd

His Worship the Mayor stated that, it was his opinion, a tribute should be paid to former Mayor John E. Lloyd who had worked so hard to obtain assistance for the City in the payment of National Harbours Board Grants.

MOVED by Alderman A. M. Butler, seconded by Alderman Ahern that, a letter be forwarded to Mr. Lloyd thanking him for his continued efforts in the matter of the Grants from the National Harbours Board. Motion passed.

Notice of Motion - Alderman Black - Recission of Resolution respecting Natal Day 1967

Alderman Black gave notice that, at the next regular meeting of Council, he will move that the resolution passed by Council which designates June 21, 1967 as Halifax Natal Day, be rescinded.

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Appointment - Port Commission

His Worship the Mayor nominated Alderman A. M. Butler as a member of the Port Commission replacing Mr. T. L. Trainor for a term expiring December 31, 1968.

MOVED by Alderman LeBlanc, seconded by Alderman Black that, the nomination be approved. Motion passed.

Appointment - Tourist & Convention Committee

His Worship the Mayor nominated Mr. Ernest A. Locke as a member of the Tourist & Convention Committee.

MOVED by Alderman Connolly, seconded by Alderman Sullivan that, the nomination be approved. Motion passed.

Laundry - Lane Memorial Hospital

Alderman A. M. Butler referred to the fact that even though new laundry facilities might be desired for the proposed Lane Memorial Hospital he advised that the members of the Board felt that good use could be made of the present facility serving the Mental Hospital.

MOVED by Alderman A. M. Butler, seconded by Alderman Moir that the existing laundry serving the Mental Hospital, Civic Hospital and the Halifax Health Centre, be continued and that no action be taken at this time to build a new laundry for the Mental Hospital. Motion passed.

Grants in Lieu of Taxes from Province of Nova Scotia

His Worship the Mayor referred to the Throne Speech presented upon the opening of the present session of the Legislature in which the Provincial Government advised that it will pay grants in lieu of taxes for Provincially owned properties, but that such grants should be shared, by means of a formula, with the County of Halifax and the City of Dartmouth.

Council,  
February 16, 1967

MOVED by Alderman Black, seconded by Alderman Fitzgerald that, the City Council of the City of Halifax thank the Provincial Government for recognizing that it will pay grants in lieu of taxes on Provincially-owned properties in Municipalities and stating that the City of Halifax takes the view that whatever percentage of taxation is to be paid, that it should be paid to the Municipalities in accordance with the assessed value of Provincially-owned properties in such Municipality. Motion passed unanimously.

#### Beautification of City

Alderman Ivany stated that the big drive coast to coast across Canada for Centennial Year is beautification of towns and cities, and he said he felt more effort should be made to beautify the City especially the Cenotaph, and the walls around the Grand Parade.

His Worship the Mayor suggested Alderman Ivany raise this matter in the Committee on Works.

Alderman Ahern said he would like to see plaques of the various regiments placed around the Parade walls.

#### Request - Union Representatives on Retirement Committee for Amendment to Section 4(4) of Superannuation Plan

His Worship the Mayor advised that he had received a letter from Mr. Celestine Kelly asking for permission to address Council with respect to Section 4, subsection 4, of the Halifax Pension Plan dealing with the right of Union representative members on the Retirement Committee to vote on matters dealing with Early Retirement and Service Extensions.

Mr. Kelly was granted permission to address Council.

He stated that, in his opinion, the recommendation to

Council,  
February 16, 1967

the last meeting of City Council from the Finance and Executive Committee in relation to this matter was not correct procedure, and he felt that the recommendation should have been placed before Council from the Retirement Committee, when the recommendation was in favour of an amendment to the plan. He explained the situation from his own point of view and urged Council to make the amendment requested to give Union representative members on the Retirement Committee, the same power as is held by other members of the Committee.

After considerable discussion, it was MOVED by Alderman Black, seconded by Alderman Abbott that the matter be referred to the Finance and Executive Committee for further consideration. Motion passed.

His Worship the Mayor informed the Council that Alderman Matheson would be absent for two or three days due to the passing of his father.

11:05 p.m. Meeting adjourned.

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CITY COUNCIL MINUTES  
SPECIAL MEETING

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February 16, 1967

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above date.

ALLAN O'BRIEN  
MAYOR AND CHAIRMAN

R. H. STODDARD,  
CITY CLERK

Present were present: Mayor Allan O'Brien, Chairman, Aldermen Black, Abbott, Meir, Ivany, A. M. Butlar, Mearns, LeBlanc, Ahern, Connolly, Sullivan, Fitzgerald and H. W. Butler.

Also present were: City Manager, City Solicitor, City Clerk, Director of Finance, Chief of Police, Fire Chief, various Members of the Boards and Commissions, and other Staff Members.

The meeting was called specially to consider the 1967 Current Budget of the various Boards and Commissions.

MORSE SANDITS LIMITED VS. THE CITY OF HALIFAX

The following report was submitted and received for information.

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

From: D. F. Murphy, City Solicitor

Date: February 20, 1967

Subject: Morse Sandits Limited vs The City of Halifax

On February 15th, 1967, Mr. Justice Gordon S. Cowan handed down his decision in the above noted matter.

It will be recalled the Plaintiffs were claiming \$88,409.00 damages from the City, arising out of the delay in construction of their proposed apartment building.

Dr. E. M. Doye

CITY COUNCIL MINUTES  
SPECIAL MEETING

Council Chamber,  
City Hall,  
Halifax, N.S.  
February 21, 1967  
8:00 p.m.

A special meeting of 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 Allan O'Brien, Chairman, Alderman Black, Abbott, Moir, Ivany, A. M. Butler, Meagher, LeBlanc, Ahern, Connolly, Sullivan, Fitzgerald and H. W. Butler.

Also present were: City Manager, City Solicitor, City Clerk, Director of Finance, Chief of Police, Fire Chief, various Members of the Boards and Commissions, and other Staff Members.

The meeting was called specially to consider the 1967 Current Budget of the various Boards and Commissions.

HORST BAUDITZ LIMITED VS. THE CITY OF HALIFAX

The following report was submitted and received for information.

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

From: D. F. Murphy, City Solicitor

Date: February 20, 1967

Subject: Horst Bauditz Limited vs The City of Halifax

On February 15th, 1967, Mr. Justice Gordon S. Cowan handed down his decision in the above noted matter.

It will be recalled the Plaintiffs were claiming \$88,400.00 damages from the City, arising out of the delay in construction of their proposed apartment building next

Special Council,  
February 21, 1967

to the Fleming Park site. The claim was for additional costs of construction, the inconvenience and additional work and design of the apartment building, that the Plaintiffs were forced to acquire additional properties arising out of the action of the City, as well as further losses for interest on money invested and for loss of anticipated profits.

The Plaintiffs claimed that the City had not the power to expropriate and that the City had acted in bad faith. They further claimed the City abused its discretionary power to expropriate and that the true purpose of the expropriation was to frustrate the apartment development rather than the extension of Fleming Park.

The Plaintiffs further claimed that the City acted unreasonably and contrary to the requirements of natural justice.

Mr. Justice Cowan, in his decision, refused to grant the injunction sought by the Plaintiffs, which would prevent the City from acquiring the properties owned by Horst Bauditz and Horst Bauditz Limited, being the lands zoned Commercial and authorized to be acquired by City Council in October of 1965.

Mr. Justice Cowan also found the City acted in good faith and in a reasonable manner and was not responsible for any losses or damage suffered by the Plaintiffs. Legal costs of the action were awarded to the City.

Mr. Colin MacKenzie, the Deputy City Solicitor, conducted the case for the City.

Respectfully submitted,

(Sgd) D. F. Murphy,  
City Solicitor.

LETTER TO PREMIER R. L. STANFIELD FROM MAYOR  
ALLAN O'BRIEN

His Worship the Mayor tabled a report he had written to Premier R. L. Stanfield regarding the implementation of paragraph 47 of the Speech from the Throne in connection with Grants in Lieu of Taxes on property owned by the Province and located within the City.

Special Council, Whole,  
February 21, 1967

His Worship the Mayor stated he would like to add this report for Council consideration at a later date, although he would welcome any advice and any help that Members of Council may wish to offer to cope with this situation which he felt was in the process of becoming inflamed.

DISASTER AT SEA - CAPE BONNIE FISHING VESSEL

MOVED by Alderman LeBlanc, seconded by Alderman Abbott that, Council go on record expressing its profound and deep sympathy to the relatives and friends of the crew members of the Cape Bonnie who lost their lives in the recent disaster at sea. Motion passed.

8:08 p.m. Council adjourned to meet as a Committee of the Whole.

1967 PROPOSED ANNUAL ESTIMATES OF THE  
VARIOUS BOARDS AND COMMISSIONS

HALIFAX MEMORIAL LIBRARY

Judge Nathan Green addressed the Committee in connection with the Memorial Library Budget and as a result of his submission the following amendments were made:

Deductions

Building Protection	\$1,600.00
9-400-1 Salaries	4,175.00

Increases

9-400-81 Plumbing & Heating	233.00
9-400-51 Electricity	2,600.00

MOVED by Alderman Moir, seconded by Alderman Fitzgerald that the budget as amended be approved. Motion passed.

BOARD OF SCHOOL COMMISSIONERS

His Worship the Mayor referred to a supplementary

Committee of the Whole,  
February 21, 1967

report in connection with increases in teachers' salaries dated February 21, 1967, No. 4. Supplement to the Budget, as follows:

To: His Worship the Mayor and  
Members of City Council

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

Date: 21st February, 1967

Subject: Supplement to the 1967 Current  
Budget - No. 4 School Board Expenditures

Information received from the Board of School Commissioners indicates the following addition to their 1967 budgeted expenditures:

Increase in teachers' salaries as a result of recent negotiations August 1 to December 31, 1967	\$303,722.00
Less: Portion of increase covered by the Foundation Grant	<u>109,056.00</u>
Net increase	194,666.00
Less: Provision made in budget Supplement No. 1	<u>100,000.00</u>
Increase required in budget	<u><u>\$ 94,666.00</u></u>

The City Clerk read a letter from Mr. D. F. Lugar also dated February 21, 1967, to which was attached a report submitted from Mr. David Chipman, Chairman of the Board of School Commissioners relating to negotiations carried on with the Teachers' Union.

His Worship the Mayor and City Council,  
City Hall,  
Halifax, Nova Scotia.

February 21, 1967

Gentlemen:

At their special meeting last evening, the Board approved a newly negotiated teachers' salary scale to be effective August 1, 1967.

This scale results in an additional request to the City for an amendment to the teachers' salary

Committee of the Whole,  
February 21, 1967

estimates as follows:

It is requested that the 1967 teachers' salary estimates be increased by \$303,722.00 and that the foundation grant revenue be increased by \$109,056.00.

In summary the net request for municipal tax levy would be \$194,666.00.

Please find enclosed a copy of salary report to the Board by their special committee, which sets forth on pages three and four the new scale and the cost of implementation.

Yours truly,

(Sgd) D. F. Lugar,  
Secretary-Treasurer.

DFL/co's  
enc.

Mr. Chipman addressed the Committee in connection with the contents of the report which was adopted by the Board.

He advised that to implement the new grant scale at August 1st, 1967 the gross cost would be \$218,671.00, the Foundation Grant amounts to \$106,566.00, leaving a net increase of \$112,105.00 as an expenditure to the City. The second column relates to the additional costs for the Halifax Teachers resulting from negotiations, leaving a net increase of \$82,561.00 which, when added to the \$112,105.00 totals \$194,666.00.

He advised that negotiations dealt with three matters:

- 1) A programme of accident insurance for teachers who have been injured while on duty, so that they can show it is medically necessary to stay off work. They would receive their salary up to a period of one year.
- 2) This item relates to sabattical leave. This involves sixteen regulations governing sabattical leave which will be available after the year 1968 to 1% of the teaching population of the City of Halifax. Procedure provides for dealing with applicants and deciding who would be suitable to receive sabattical leave. It was