

Council,
May 30, 1968

Dedication Service - Halifax Rifles

Alderman Meagher, at this time, asked any Aldermen who are not attending the Mayors' Conference in Edmonton to attend the Dedication Service on the Commons on Sunday, June 2, 1968 at 2:30 when His Honour the Lieutenant-Governor of Nova Scotia will unveil a Sherman Tank which is being given to the City of Halifax by the Halifax Rifles Association.

ADDED ITEMS

Letter - Minister of Public Health Re: Collection of Hospital Accounts by Halifax Mental Hospital

The following letter was submitted from the Minister of Public Health for the Province of Nova Scotia:

May 22, 1968

Mr. R. H. Stoddard,
City Clerk,
City of Halifax,
Halifax, N. S.

Dear Sir:

I have for acknowledgment your letter of May 3rd in which you enclosed extract of minutes of a meeting of City Council held on April 25, 1968, relating to collection of accounts by the Halifax Mental Hospital.

Would you please advise Council that the arrangement under which the City is permitted to collect \$1.00 per day in respect of patients from other municipalities was designed to enable municipal mental hospitals to recover some funds to apply against capital costs. I do not have any statistics on what this might have meant to the Halifax hospital but believe that a fairly substantial revenue ought to have been obtainable in this way. I appreciate that there may be some difficulty in making collections under this policy but that does not seem to me sufficient reason why advantage should not be taken of this revenue opportunity.

Since the requested legislation involves the placing of a tax on all the municipalities in the province, it would not seem proper that it should be enacted on the request of one

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municipality. I believe, therefore, that any municipality making this suggestion ought first to make its proposal to the Union of Nova Scotia Municipalities and when it has secured the opinion of that body then to renew its request to the provincial authority so that a decision may be made in the light of the acceptance or otherwise of the proposal by the municipal bodies who will be affected by it.

Yours very truly,

(Signed) Richard A. Donahoe

After a short discussion, it was MOVED by Alderman LeBlanc, seconded by Alderman A. M. Butler that the letter be referred to the Public Health and Welfare Committee and that the Committee decide whether or not to proceed through the Union of Nova Scotia Municipalities. Motion passed.

Expropriation of Properties - Cogswell St/Harbour Drive Interchange

A report was submitted from Staff relating to the expropriation of the properties owned by William Collings and Sons Limited, Barrington and Upper Water Streets, and Mahar's Transfer Express Limited, 2111 Upper Water Street, required in connection with the Cogswell Street/Harbour Drive Interchange.

MOVED by Alderman Black, seconded by Alderman Abbott that the following properties be expropriated and vacant possession be obtained of Mahar's property and part of the William Collings property, No. 49 (2100 Upper Water Street) by June 17, 1968.

1. William Collings and Sons Ltd., Barrington and Upper Water Streets
(Assessment Nos. 45, 46, 47, 49, 50, 51, 52, 53, 54)
2. Mahar's Transfer Express Limited
2111 Upper Water Street
(Assessment No. 35) Motion passed.

A formal Expropriation Resolution was submitted, giving effect to the foregoing motion of City Council.

MOVED by Alderman Black, seconded by Alderman Abbott

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that the Expropriation Resolution and Plan, as submitted, be approved. Motion passed unanimously.

The report pointed out that possession of the balance of the William Collings property is to be obtained by August 1, 1968 as presently resolved by City Council on December 28, 1967.

Order - Board of Commissioners of Public Utilities Re:
Annexation of Districts Nos. 1, 3, 4, 5 and 12

The Order from the Board of Commissioners of Public Utilities relating to the Annexation of Districts Nos. 1, 3 and 4 was submitted for the information of City Council, and copies were distributed to all Aldermen.

Notice of Intention

The following report was submitted from the City

Manager:

"Mr. John H. Dickey, Q.C., on behalf of Provinces and Central Properties Limited, has served the City with Notice that he intends to proceed in the Supreme Court of Nova Scotia for an Order to enforce the decision of His Honor Judge Nathan Green whereby the City is to return the \$70,000.00 performance deposit to the Company.

The City did not recognize the authority of Judge Green to act as sole arbitrator in this matter, or that the City had received proper notification of the arbitration proceedings.

Authority is therefore requested for the City Solicitor to defend the action now to be instituted by Provinces and Central Properties Limited."

MOVED by Alderman Black, seconded by Alderman Moir that the City Solicitor be authorized to defend the action, now to be instituted by Provinces and Central Properties Limited, on behalf of the City of Halifax. Motion passed.

Designated Areas

His Worship the Mayor referred to the remarks made by the Prime Minister today that he has decided to ask the

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Atlantic Development Board to consider proposals from new and expanding industries in the cities of Halifax, Dartmouth, Fredericton and Saint John for aid which is equivalent to that available to other areas under the Area Development Agency. His Worship the Mayor advised that it is something that the Mayors of the above cities have been pressing for. He felt that further clarification of the remarks should be sought in an attempt to find out the aid which might be available and which is considered equivalent.

It was MOVED by Alderman Black, seconded by Alderman Meagher that City Council pass a resolution authorizing His Worship the Mayor to write a letter to Mr. Ian MacKeigan, Chairman of the Atlantic Development Board quoting the remarks of Prime Minister Trudeau and asking for confirmation in writing from the Board forthwith that they accept the suggestion of the Prime Minister and that a copy of the letter be forwarded to the Prime Minister.

Alderman Matheson was not in agreement with the motion and felt that nothing should be done until after the election on June 25, 1968.

It was then MOVED by Alderman Matheson, seconded by Alderman A. M. Butler that any action to be taken on the remarks made by Prime Minister Trudeau should be deferred until after June 25, 1968.

The Motion to defer was put and lost, five voting for the same and seven against it as follows:

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For: Aldermen Matheson, A. M. Butler, Meagher,
Ahern and Doyle 5

Against: Aldermen Abbott, Moir, Ivany, LeBlanc,
Sullivan, H. W. Butler and Black 7

After further discussion, Alderman Black, with the approval of Alderman Meagher amended his motion to include a phrase that such letter should not be sent for a period of ten days.

The motion was put and passed with Alderman Matheson voting against.

Congratulations to Mr. George West

Alderman LeBlanc, at this time, on behalf of all members of Council congratulated Mr. George West and his Bride on the occasion of their marriage.

9:50 p.m. Meeting adjourned.

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ALLAN O'BRIEN
MAYOR AND CHAIRMAN

W. J. CLANCEY
DEPUTY CITY CLERK

APPENDIX "A"

VERBATIM REPORT - ALDERMAN A. M. BUTLER'S REMARKS DURING CONSIDERATION
OF THE MATTER OF APPOINTMENT OF INDEPENDENT AUDITORS
CITY COUNCIL - MAY 30, 1968

Alderman

A. M. Butler: "The first question I would like to ask is: 'Is that another one of those open ended contracts where the appointment is made and no professional fee is mentioned?; because there is no reference to that in the minutes of the Finance Committee.'"

Mayor O'Brien: "Mr. Ward?"

S. A. Ward: "When the audit bill was submitted for the year 1967, I was told by the Auditors at that time that assuming no great change in the City's work load, that we could expect the same sort of a bill for the year 1968."

Alderman

A. M. Butler: "How much was that?"

S. A. Ward: "\$9,000.00!"

Alderman

A. M. Butler: "Well, I submit to Mr. Murphy in a legal matter that there should be some consideration -- this is a Contract. There should be some consideration expressed in terms of \$9,000.00, if you like -- in terms of something. It shouldn't be open-ended."

Alderman

G. S. Black: "Is the Alderman asking whether we should maybe call for tenders for this ? "

Alderman

A. M. Butler: "No, No! not at the moment! I am not asking at all for that."

Mayor O'Brien: "Alderman, do you know if we ever have had a price in the motion, or Contract?"

Alderman

A. M. Butler: "No! It's quite the custom -- for example, the Bank of Nova Scotia will allot, we'll say, the sum of "X" dollars for the services of the Auditors. Other corporations will do the same."

Alderman

G. R. Matheson: "So do we in our budget."

Mayor O'Brien: "But, is that allotment a figure that they are sure will cover and they hope will be more than is required; or is --?"

Alderman

A. M. Butler: "Yes, unless something extraordinary happens; and then they go to their principals and they say that this has happened and -- we will have to pursue our services to a greater degree and that will naturally increase our fee."

Mayor O'Brien: "What about other municipalities, or governments -- Do you know what they do?"

Alderman

A. M. Butler: "My experience tells me that they do this - that an audit fee is quoted ahead of time; and, of course, as I say, that is with the proviso that unless something extraordinary happens, it will remain in effect."

Mayor O'Brien: "Do auditors quote hourly fees or per day fees or that sort of thing?"

Alderman

A. M. Butler: "Do Auditors quote hourly fees? Yes!"

Mayor O'Brien: "You mean, there is some basis on which the bill is made up in the end; eh?"

Alderman

A. M. Butler: "I will answer you this way that, over a year ago, when this matter was pursued with a firm of Auditors here, the sub-committee was given a definite fee."

Mayor O'Brien: "Would you care to move an amendment in order that Council could make a decision on this matter?"

Alderman

A. M. Butler: "No, Sir, I am going to vote against it. I am going to give my reasons now. I have made some charges, which you call serious,

and perhaps that maybe the word and I propose to deal with them.

"First of all, I want to note this fact that the news media, following last Finance Committee meeting, stated in a way that was unfair to the Staff:

'Mr. Ward said negligence was on the part of City Staff and the auditors shouldn't be criticized.'

'Now, City Staff are a sensitive group, as I well know because I used to be a Member of the City Staff. The word "negligence" is a dangerous word for anyone to use -- very dangerous!'

Mayor O'Brien: "Was that a quotation, an accurate quotation?"

Alderman

A. M. Butler: "Yes, that is in the minutes."

Alderman

G. R. Matheson: "No, they left out the word "if", 'if there was negligence' -- a very small word, but very important."

Alderman

A. M. Butler: "Well, I'll read you the minutes."

Alderman

G. R. Matheson: "We were there."

Alderman

A. M. Butler: "I don't care if you were there or not."

Alderman A. M. Butler then quoted from the minutes of the meeting of the Finance and Executive Committee of May 23, 1968, as follows:

"The City Manager outlined an occurrence when the Auditors corrected two items on the City's Financial Statements."

Alderman

A. M. Butler: "They corrected two items on the City's Financial Statements. What were they paid for doing? -- to do that very thing! If the Balance Sheet items were wrong, it was up to them to correct them, Now, where are the laudatory remarks on that. But -- here is what I am coming to --."

Alderman A. M. Butler then quoted from the same minutes as follows:

"He said that this was not an error on the part of the Auditors but rather negligence on the part of City Staff."

Alderman

G. R. Matheson: "The minutes are wrong!"

Alderman

A. M. Butler: "Oh, of course, they've got it wrong. The Press is

always wrong. You know, when it is agreeable to you, it could

be wrong. Nevertheless, that is the way the families of City Staff live; and I want to take Mr. Ward to task for that."

Alderman

G. S. Black: "Could the newspaper be wrong?"

Alderman

A. M. Butler: "You just keep your ears open, will you! and I don't

want to be interrupted either. If you have any remarks to be made

to me, except at a point of Order, use your pencil and talk to me after."

Alderman

G. R. Matheson: "That's a point of Order -- the minutes are wrong."

Alderman

A. M. Butler: "Well, than if the minutes are wrong, let us stop right

now and correct them."

Mayor O'Brien:

"Perhaps, we should ask Mr. Ward, if the reading of the minutes just made, is an accurate reflection on what he said at the Committee."

S. A. Ward:

"I can't remember my exact words, Your Worship, but what I was saying in fact is that, Staff made an error and the Auditors found it."

Alderman

A. M. Butler: "Did you use the word 'negligence'?"

S. A. Ward:

"I may have done -- I probably did. They were negligent in not doing the right thing."

Alderman

A. M. Butler: "Oh, that's not negligence."

Alderman

L. E. Moir: "What is negligence?"

57,229.00 which was ploughed off to surplus. That is an inaccuracy.

Mayor O'Brien: "Well, the tape could be checked if anybody is interested in the precise words."

Alderman

A. M. Butler: "Well, I am taking the point of view that Mr. Ward is the head of Staff and is responsible for anything that happens within the ambit of Staff's activities, and must accept the responsibility for it. He is entitled to all the credit that comes when Staff does a good job. He must shoulder the blame. However, I want to say now that in the 1966 financial statement of the City of Halifax, duly audited, there are inadequacies and inaccuracies. One of the inadequacies is that there is not published in the report I received, a copy of the questionnaire which is obligatory on the part of all Auditors to be attached to all financial statements, and in time of the questionnaire to be completed and attached to each copy of the Auditor's report. In that respect --"

Alderman

G. R. Matheson: "May I ask the Alderman a question?"

Alderman

A. M. Butler: "Yes!"

Alderman

G. R. Matheson: "Is that required by regulation of the Chartered Accountants' Association or is there some law that applies?"

Alderman

A. M. Butler: "This is required by regulations of Department of Municipal Affairs. I will refer to that later, because a very important point comes up there."

"Now, the first inaccuracy comes about in the matter referred to by Mr. Ward a moment ago; but I will enlarge on it. On Page 16 of the report, under the Joint Expenditures, an amount is shown for Joint Expenditures (that's mainly the City Prison) of \$206,891.00 -- the correct amount is \$199,011.00, a difference of

\$7,880.00 which was ploughed off to Surplus. That is an inaccuracy. That is the balance sheet I got. That is the matter which on due investigation by Auditors, should have been found.

"Now, the next item refers -- I revert to the questionnaires -- No. 33 question:

'Were the unrepresented debenture interest coupons, and unrepresented serial debentures, reconciled to the respective liability accounts?

That is to say, that the coupons overdue but in the hands of the Public (the holder) and any serial debentures in the hands of the holders, that haven't been presented by December 31, 1966, would amount to nothing or would amount to a sum of money. Now, in 1965, this is duly shown on the Cash side, the Bank side, the asset and the liability side, the amount for this outstanding liability. That is not shown in the 1966 report and the amount is \$22,998.00. In other words, the City of Halifax, at that date had a liability to the holders of these items, these coupons and perhaps, some serial debentures, due and past due of \$23,000.00. That's not shown in the balance sheet of the City of Halifax, Therefore, in my judgement, the balance sheet of the City of Halifax is wrong, because in the statements required by the Department of Municipal Affairs, there is a line for this very thing. There is a line for it and that is Standard Municipal Accounting Practice throughout Canada.

"Now, another item which is not of too much significance, but, it's an error -- the City of Halifax subsequent to the closing of the regular tax roll, would collect certain special taxes, involving which would be fire protection rates. These fire protection rates were not paid over to their trustee funds, were not paid over to the Public Service Commission, but retained by the City of Halifax and they went into their surplus. Now, Mr. Ward says there's nothing seriously wrong. Well, that's like the matron who went to see her

Doctor, and was told she was only slightly pregnant. Mr. Mayor, the statement of the City of Halifax is wrong. That was my statement some days ago; it is my statement tonight. I therefore decline to vote for the resolution."

Mayor O'Brien: "Are you ready for the question? All those in favor say 'Aye'."

The motion was then put and passed with Alderman A. M. Butler voting 'against' same.

It was then MOVED by Alderman Black, seconded by Alderman Abbott, that a transcript of the remarks of Alderman A. M. Butler be forwarded to the auditors (H. R. Doane and Company) with the request that they explain, in writing, their reasons for not observing upon the errors alleged to have been made in the City's financial statements for the year 1966, and for having failed to take the necessary action to have such errors corrected. Motion passed.

ORDER OF BUSINESS

CITY COUNCIL

JUNE 13, 1968

8:00 p.m.

1. Lord's Prayer
2. Roll Call
3. Minutes: May 30, 1968
4. Approval of Order of Business, Additions & Deletions
5. Deferred Items:
 - (a) Boundaries - Museum of Science Lands
 - (b) Motion - Alderman Ahern Re: Changes Road Patterns Affecting Wanderers Grounds
6. Motions of Reconsideration: NONE
7. Motions of Rescission: NONE
8. Public Hearings & Hearings: NONE
9. Petitions & Delegations
10. Report - Finance and Executive Committee:
 - (a) Photographic Supplies for Assessing Annexed Areas - Supplementary Appropriation 316"C"
 - (b) Property Acquisition - #2552 Barrington Street
 - (c) Applications for Tag Days - Edward Cornwallis Chapter, I.O.D.E. and Roy Fraser Chapter, I.O.D.E.
 - (d) Property Acquisition - #2427 Brunswick Street
 - (e) Disposal of Records - Building Inspection
 - (f) Maitland Street Public Housing Project
 - (g) Lease of Land - Knox Presbyterian Church
 - (h) Internal Auditor's Approval for Payment of Accounts
 - (i) Compensation for Use of Private Cars on City Business
 - (j) Property Acquisition - Properties Nos. 144, 145 and 146, Africville
 - (k) Revision of Ordinance No.4
 - (l) Salary Adjustments - Non-Union Personnel
 - (m) Claim - Mrs. Winnie K. Smith
 - (n) Expropriation of Properties - Cogswell Street/Harbour Drive Interchange
 - (o) North-end Branch Library - Improvement of Access
 - (p) X-ray Equipment - Halifax Civic Hospital
 - (q) Appeal from decision of Judge - Lockwood vs City of Halifax
 - (r) Central Common Revitalization
 - (s) Cornwallis Park
 - (t) Recreation Staff Person - Halifax Neighbourhood Centre Youth Program

11. Report - Committee on Works:
 - (a) License - Telephone Booth Encroachment - Maritime Telephone & Telegraph Company Limited
 - (b) Tenders - Equipment - Works Department

12. Report - Safety Committee:
 - (a) Tenders - Surplus Fire Truck
 - (b) Tenders - Traffic Signal Equipment

13. Report - Public Health & Welfare Committee:
 - (a) Collection of Accounts - Halifax Mental Hospital and suggested Legislation - Refer to Union of Nova Scotia Municipalities' Conference

14. Report - Committee of the Whole Council, Boards & Commissions:
 - (a) Amendments - Ordinance #55 Re: Tag Days, etc., Second Reading
DEFER

15. Report - Town Planning Board:
 - (a) Rezoning - R-2 Zone and C-1 Zone to R-3 Zone - Southeast Corner Jubilee Road and Walnut Street
 - (b) Modification of Side Yard Requirements - #3718 Lynch Street
 - (c) Extension to a Non-conforming Building and Modification of Side Yard Requirements - #6046 Pepperell Street
 - (d) Modification of Front Yard Requirements - #6435 Vienna Street
 - (e) Alteration to a Subdivision - #5788-5806 North Street and #5733-5743 Willow Street
 - (f) Request - County of Halifax - Sewer and Water - Kline Heights
 - (g) Site for Police Boys' Club - Fort Needham Park - Letter from Halifax Relief Commission
 - (h) Extension to a Non-conforming Building - #3636 Acadia Street
 - (i) Building Permit - #2369-73 Creighton Street

16. Motions:
 - (a) Motion - Alderman LeBlanc Re: Taxi Ordinance #116 - First Reading
 - (b) Motion - Alderman Ivany Re: Expropriation Procedures

17. Miscellaneous Business:
 - (a) Accounts Over \$5000
 - (b) Lord's Day Permits
 - (c) Report - Housing Committee
 - (d) Trolley Coach Routes - Cogswell Street Interchange
 - (e) Revised One-way Street Pattern - Downtown
 - (f) Proposed Alignment - Harbour Drive - South of Duke Street
 - (g) Additional Costs for Sewer - Cogswell Street Interchange
 - (h) Report - Advisory Committee Preservation Historic Buildings

18. QUESTIONS

19. Notice of Motion

20. Added Items

Record

CITY COUNCIL
MINUTES

Council
June 13, 1968

Council Chamber,
City Hall,
Halifax, N. S.,
June 13, 1968
8:00 p.m.

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

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

There were present: His Worship the Mayor, Chairman; and Aldermen Abbott, Moir, Ivany, A. M. Butler, Ahern, Connolly, Sullivan, Fitzgerald and H. W. Butler.

Also present: City Manager, City Solicitor, City Clerk, City Engineer, Chief Planner and other Staff members.

MINUTES

MOVED by Alderman Abbott, seconded by Alderman Fitzgerald that the minutes of the meeting of City Council held on May 30, 1968 be approved. Motion passed.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS AND DELETIONS

The Order of Business, as prepared by the City Clerk, was submitted for approval.

The City Clerk asked that Item 17(f) entitled "Proposed Alignment, Harbour Drive - South of Duke Street" be deleted as the Staff report is not ready for presentation.

It was agreed to delete the item.

At the request of Alderman A. M. Butler, it was agreed to add item 20(a) entitled "Confidential City Documents".

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MOVED by Alderman Moir, seconded by Alderman Abbott that the Order of Business, as amended, be approved. Motion passed.

DEFERRED ITEMS

Boundaries - Museum of Science Lands

His Worship the Mayor said that this matter had been deferred at the last meeting pending possible discussion between the Architect who has been commissioned to design the Museum of Science building and the Halifax Visitors and Convention Bureau and he asked if any additional information had been received by Staff.

The City Engineer stated that he had contacted the Architect (Mr. Duffus) who is of the opinion that the Fire Alarm Building proposed to be used as the Visitors and Convention Bureau would not blend in with the architecture of the proposed Museum Building.

Mr. Duffus also said that the land at the northern end of the lot would be needed for future extensions to the Museum Building.

The Director of the Visitors and Convention Bureau reported that the Architect (Mr. Duffus) had attended the meeting of the Visitors and Convention Committee on May 22 at which time he had stated that the Fire Alarm Building would not blend in with the Architecture of the new building and it was agreed that Deputy Mayor Meagher and Alderman Ivany should discuss with Mr. Duffus the possibility of his firm preparing plans for the refurbishing of the Fire Alarm Building so that its appearance would complement the Museum

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of Science Building.

Alderman Ivany stated that Mr. Duffus had suggested that the building should be demolished.

His Worship the Mayor stated that the Architect could make such a suggestion but that the legal position seems to be that the City has a right to use a building on that Site as long as it may wish. He further stated that the Council has been advised by the City Solicitor that the City is committed to the northern boundary of land to be conveyed to the Province as originally set.

8:05 p.m. Aldermen Matheson and Meagher arrives.

Alderman Meagher contended that the Fire Alarm Building should be renovated and made to fit in with the site as it is the ideal location for the Visitors and Convention Bureau as it is close to hotels and businesses in the central part of the City. He further contended that the City should hold on to the site and if, in the future, the Province requires the land for an extension for their Museum of Science, he said that the City could consider selling it at a price which would allow the City to replace it in another location, but he said that the City could not afford to let it go for the amount of money being offered by the Province at this time.

MOVED by Alderman Fitzgerald, seconded by Alderman Meagher that, in accordance with the advice of the City Solicitor, the commitment made by City Council on July 14, 1966 with respect to the northern boundary of the City Field land to be conveyed to the Province of Nova Scotia as a site for the Museum of Science, shown on Plan No. TT6-16647, be confirmed; and

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that His Worship the Mayor and City Clerk be authorized to execute the necessary conveyance.

The motion was put and passed with Alderman Ivany voting against.

8:15 p.m. Alderman Black arrives.

Motion - Alderman Ahern Re: Changes Road Patterns Affecting Wanderers Grounds

At the meeting of City Council held on May 16, 1968, Alderman Ahern gave notice that he would move that City Council review the proposed changes in road patterns in the vicinity of the Wanderers Grounds and that Staff come prepared to answer questions with respect to the proposed changes in traffic patterns.

Alderman Ahern said that he had been advised by the City Manager that the street line of Jubilee Road will veer to the left as it crosses Summer Street going in a northeasterly direction and will not interfere with the Wanderers Grounds. He then referred to two photographs which he showed to the City Engineer asking if the City plans to veer to the left as he was advised by the City Manager.

The City Engineer said that the picture shown to him by Alderman Ahern shows the intersection of Jubilee Road and Summer Street as a "T" intersection.

He then explained that, in order not to interfere with the track at the Wanderers Grounds, the street was drawn in a curved line and would move away from the cemetery and cross over land belonging to the Lane Memorial Hospital. He said that the street had ~~been~~ veered away to an extent of 30 feet from the outside edge of the track, of which 20 feet belongs to

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the Wanderers Grounds and 10 feet belongs to the street line.

Alderman Ahern indicated that he was not satisfied with the explanation given by the City Engineer and said that he proposed to bring to City Council two experts along with a representative of the Provincial Government and he MOVED that the matter be deferred to the regular meeting of City Council scheduled to be held on July 14, 1968.

The motion was seconded by Alderman Meagher and passed.

MOTIONS OF RECONSIDERATION

No Motions of Reconsideration were heard at this time.

MOTIONS OF RESCISSION

No Motions of Rescission were heard at this time.

PUBLIC HEARINGS & HEARINGS

No Public Hearings and Hearings were scheduled to be heard at this time.

PETITIONS & DELEGATIONS

No Petitions were submitted or delegations heard at this time.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee of its meeting held on June 11, 1968 with respect to the following matters:

Photographic Supplies for Assessing Annexed Areas -
Supplementary Appropriation 316C

MOVED by Alderman Connolly, seconded by Alderman Abbott, that, as recommended by the Finance and Executive Committee, a supplementary appropriation in the amount of \$2,600.00 be

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approved for the City Assessor's Department to cover the purchase of four cameras and 1,000 roll of film required to assist in the work of assessing properties in the areas to be annexed to the City; funds for this purpose to be provided under the authority of Section 316C of the City Charter.

Motion passed.

Property Acquisition - #2552 Barrington Street

MOVED by Alderman Meagher, seconded by Alderman Abbott that, as recommended by the Finance and Executive Committee, the sum of \$13,000.00 be paid to Mr. Joseph Bastarache, 2552 Barrington Street, Halifax as settlement in full for all claims in connection with the acquisition by the City of the property at 2552 Barrington Street, required for the further development of Uniacke Square. Motion passed.

Applications for Tag Days - Edward Cornwallis Chapter, I.O.D.E.
and Roy Fraser Chapter, I.O.D.E.

MOVED by Alderman Connolly, seconded by Alderman Moir that, as recommended by the Finance and Executive Committee, and in accordance with provisions of Ordinance No. 55, permission be granted to the following organizations to hold tag days on the dates indicated subject to the condition that the said organizations be advised that they must continue to meet with the Agency Review Committee of the Welfare Council to develop new standards for service clubs and other sources of funds rather than solicitations made under the provisions of Ordinance No. 55:

1. Honorable Edward Cornwallis Chapter, I.O.D.E.
June 22, 1968
2. Roy Fraser Chapter, I.O.D.E. - September 28, 1968

Motion passed.

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Property Acquisition - #2427 Brunswick Street

MOVED by Alderman Abbott, seconded by Alderman Moir that, as recommended by the Finance and Executive Committee, the sum of \$23,000.00 be paid to Mr. Wilfred T. Poirier, as settlement in full for all claims in connection with the acquisition by the City of his property at 2427 Brunswick Street located within the Uniacke Square Redevelopment Area. Motion passed.

Disposal of Records - Building Inspection

MOVED by Alderman Moir, seconded by Alderman Abbott that, as recommended by the Finance and Executive Committee, plans and specifications relating to building permits be retained for a minimum of seven years, after which, on approval of the City Solicitor, such material shall be destroyed. Motion passed.

Maitland Street Public Housing Project

MOVED by Alderman Ahern, seconded by Alderman Abbott that, as recommended by the Finance and Executive Committee, the draft agreement between the City, Province of Nova Scotia and the Federal Government relating to the construction and operation of 95 housing units on Maitland Street be approved and that His Worship the Mayor and City Clerk be authorized to execute same on behalf of the City. Motion passed.

Lease of Land - Knox Presbyterian Church

The report of the Committee reads as follows:

"The Committee considered a report from Staff respecting the lease of land at the corner of Devonshire Avenue and Roome Street to the Knox Presbyterian Church. A motion that 28,900 square feet of land at the corner of Devonshire Avenue and Roome Street as shown on Plan No. TT-6-16784 be leased to Knox

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Presbyterian Church at a rental based on the land value of \$1.25 per square foot and calculated at 7% per annum was defeated by His Worship the Mayor casting a tie breaking vote against same.

An amended motion providing for the leasing of the entire area to the Church at an annual rental of \$1,700.00 for a period of 60 years was also defeated by His Worship the Mayor casting a tie breaking vote against the amendment.

It was then agreed to refer the matter to Council without recommendation and the City Solicitor was directed to advise the Members of Council prior to Council of June 13, 1968 if the motion and the amended motion which had been defeated 'were out of order in any sense and whether they are within our powers under the Charter.' "

His Worship the Mayor said that since the meeting of the Finance and Executive Committee he had discussed this matter with the City Manager to see whether there was some way of safeguarding the City's interest and yet meet the requirements of the Church. One possibility would be that the Church be required to pay for the 15 feet beyond their building which is required as a set back and that the City retain the balance of the land (22 feet) for use of sidewalks, parking or recreation land.

The City Solicitor stated that although he did not have sufficient time to study the matter, the City may not be bound to apply market value when leasing land as it does when selling land and as a consequence, there maybe some latitude that Council can enjoy.

The Chief Planner displayed a plan of the area showing the location of the proposed Church, a proposed soccer pitch and the streets in the area.

MOVED by Alderman Moir, seconded by Alderman Fitzgerald that:

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(a) the land at the corner of Devonshire Avenue and Roome Street as shown on Plan No. TT-6-16784 up to an amount of 28,900 feet be leased to the Knox Presbyterian Church for a term of 60 years at a rental based on a land value of \$1.00 per square foot and calculated at 7%;

(b) if it is the desire of the Knox Presbyterian Church to lease an area less than 28,900 square feet that they be permitted to negotiate with City Staff in this matter, and;

(c) the whole matter be subject to the concurrence of the City Solicitor as to the legality of the transaction.

MOVED in amendment by Alderman Connolly, seconded by Alderman Ahern that the total area of 28,900 square feet be leased at the rental offered by the Knox Presbyterian Church, that is, \$1,700.00 per annum.

8:55 p.m. Alderman LeBlanc arrives.

In answer to a question from Alderman A. M. Butler, the City Solicitor stated that, in his opinion, it would not be improper for the City to place a value of \$1.00 per square foot on the land in question if it is valued at that figure for taxation purposes.

The amendment was then put and lost as follows:

FOR THE MOTION: Aldermen Meagher, LeBlanc, Ahern, Connolly, Sullivan and H. W. Butler. - 6

AGAINST IT: Aldermen Black, Abbott, Moir, Ivany, Matheson, A. M. Butler and Fitzgerald. - 7

Alderman Moir requested that the motion be divided seriatim.

After discussion, His Worship the Mayor ruled that the motion would be divided into two parts; the first dealing

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with the leasing of 28,900 square feet of land at Devonshire Avenue and Roome Street to the Knox Presbyterian Church, for a term of 60 years at a rental based on land valued at \$1.00 per square foot, calculated at 7% subject to confirmation from the City Solicitor that such a transaction is within the competence of Council to determine.

The second part would be that the Knox Presbyterian Church would be given an opportunity to lease a lesser amount of land resulting in a lesser rental following negotiations with the City Staff results of which would have to be reported to City Council for approval; and, also providing that the City Solicitor confirms that it is within the competence of Council to determine.

The first part of the motion was put and passed as follows:

FOR THE MOTION: Aldermen Abbott, Moir, Ivany, Matheson, A.M. Butler, LeBlanc, Sullivan, Fitzgerald and Black - 9

AGAINST IT: Aldermen Meagher, Ahern, Connolly and H. W. Butler - 4

The second part of the motion was put and lost as follows:

FOR THE MOTION: Aldermen Moir, Ivany, Meagher, LeBlanc, Fitzgerald and Black - 6

AGAINST IT: Aldermen Matheson, A. M. Butler, Ahern, Connolly, Sullivan, H. W. Butler and Abbott - 7

Internal Auditor's Approval for Payment of Accounts

MOVED by Alderman Abbott, seconded by Alderman Moir that, as recommended by the Finance and Executive Committee,

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(1) the signing of vouchers under \$1,000.00 be delegated as required by the Internal Auditor to the Clerks under his supervision;

(2) approval of all payments over \$1,000.00 require that personal approval of the Internal Auditor with random tests for approval extending to payment under \$1,000.00.

Alderman A. M. Butler stated that it should be clearly understood that Council, by approving a change in the procedures to be carried out in the Internal Auditor's Division, is not accepting responsibility for acts contrary to good order which maybe committed by any official.

His Worship the Mayor stated that the change had been made clear both by the City Manager and City Solicitor, the City Manager from the point of view of management and control and the City Solicitor from the point of view of the competence of Council to authorize the change.

The City Solicitor said that an Administrative Order which will incorporate the changes recommended by the Finance and Executive Committee, is being prepared and will be submitted to Council subsequently.

The motion was then put and passed.

Compensation for Use of Private Cars on City Business

MOVED by Alderman Connolly, seconded by Alderman Abbott that, as recommended by the Finance and Executive Committee:

(1) the staff of the City Assessor's Department be granted mileage allowance to cover the cost of operating their private motor cars while on City business;

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(2) in future the City Manager be authorized to vary the classifications receiving and the amounts paid for private vehicle allowance; and

(3) a supplementary appropriation in the amount of \$800.00 be provided in the Budget for the City Assessor's Department to cover the cost for the balance of 1968; funds for this purpose to be provided under the authority of Section 316C of the City Charter. Motion passed.

Property Acquisition - Properties Nos. 144, 145 and 146,
Africville

MOVED by Alderman Connolly, seconded by Alderman Matheson that, as recommended by the Finance and Executive Committee, properties No. 144, 145 and 146 City Plan P500/46, Africville be purchased for the total sum of \$12,500.00 and that payments be made as follows:

(a) \$9,000.00 to Mr. Kendrick Elcock (\$8,000. for property #144 plus \$1,000 for necessary household items) and,

(b) \$3,500.00 to Mr. Aubrey Howe, as settlement in full for building No. 145.

NOTE: No. 146 is a shared outbuilding.

Motion passed.

Revision of Ordinance No. 4

MOVED by Alderman Moir, seconded by Alderman Abbott that, as recommended by the Finance and Executive Committee,

(1) the resolution of City Council of December 17, 1964 respecting the transfer of the Fire Alarm Telegraph to the Fire Department be rescinded (Notice of Motion required to be given)

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(2) that the Electrical Maintenance and Fire Alarm Telegraph functions of the City Electrician's Department be formally designated as a division of the Works Department and that the City Electrician be responsible to the Director of Works and through him to the City Manager;

(3) that Ordinance No. 4 be amended by deleting from the third line of Section 5 the words "Council, the Mayor or Commissioner of Works and City Engineer" and substituting therefor the words "Director of Works". Motion passed.

Salary Adjustments - Non-Union Personnel

The following report was submitted:

"It is recommended that the list of proposed salary adjustments for non-union personnel in the Civic employ attached to the Staff report dated June 7, 1968, be approved."

The City Manager advised that, because of a typographical error, the list of salaries has to be amended to provide that the salary of the City Electrician is to remain at the 1967 level.

MOVED by Alderman A. M. Butler, seconded by Alderman Moir that the matter be deferred for consideration at the meeting of City Council scheduled for June 27, 1968 and, in the meantime, Members of Council hold a private conference to discuss the matter of salaries of non-union personnel.

Motion passed with Alderman Meagher voting against.

Claim - Mrs. Winnie K. Smith

MOVED by Alderman Moir, seconded by Alderman Abbott that, as recommended by the Finance and Executive Committee, the sum of \$400.00 be paid to Mrs. Winnie K. Smith as settlement in full of her breach of contract claim against

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the City respecting the operation of a grocery store at 690
Barrington Street. Motion passed.

Expropriation of Properties - Cogswell Street/Harbour
Drive Interchange

MOVED by Alderman Moir, seconded by Alderman Abbott
that, as recommended by the Finance and Executive Committee,
the following properties required in connection with the Cog-
swell Street/Harbour Drive Interchange be expropriated and
vacant possession obtained by July 2, 1968.

2023-2025 Barrington Street (No. 71) Owner ^{\$ 45,000.00}
Mr. Louis Newman - Amount of Compensation ~~\$41,700.00~~

2014-2018 Upper Water Street (No. 74) Owner ^{13,500.00}
John E. Ahern - Amount of Compensation - \$9,400.00

2089 Upper Water Street (No. 33) Part Only Required,
Owner Karlsen Shipping Company Limited - Amount
of Compensation - \$10,000.00

also, vacant possession of the property at Civic No. 2021
Barrington Street (No. 72) purchased by the City February 29,
1964 be obtained by July 2, 1968. Motion passed with Alderman
Ahern abstaining.

Formal expropriation plans and resolutions were sub-
mitted to give effect to the foregoing resolution of Council.

MOVED by Alderman Ivany, seconded by Alderman Moir that
the plans and resolutions be approved. Motion passed with
Alderman Ahern abstaining.

North End Branch Library - Improvement of Access

MOVED by Alderman Abbott, seconded by Alderman Meagher
that, as recommended by the Finance and Executive Committee,
construction of sidewalk facilities at the North End Branch
Library to improve access from the Maitland Street area be
approved in accordance with Drawing P551-57 at an estimated cost

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of \$3,000.00; funds to be provided from Capital Account 58-13.

Motion passed.

X-Ray Equipment - Halifax Civic Hospital

MOVED by Alderman Moir, seconded by Alderman Ahern that, as recommended by the Finance and Executive Committee, the City of Halifax lend to the Halifax Civic Hospital the sum of \$20,773.00 for the purchase of X-ray equipment, such loan to be repaid to the City over a term of years as funds become available to the Hospital. Motion passed.

Appeal from decision of Judge - Lockwood vs City of Halifax

MOVED by Alderman Connolly, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, the decision of the Judge in respect to the action taken by Mr. Bernard Lockwood against the City because of the installation of a sewer system diversion on Olivet Street be appealed and that Mr. Colin MacKenzie be retained to act on behalf of the City in the appeal case. Motion passed.

Central Common Revitalization

MOVED by Alderman Moir, seconded by Alderman Abbott that, as recommended by the Finance and Executive Committee, the improvements to the Central Common area as outlined in the Staff report dated June 10, 1968 respecting the revitalization of the Central Common area be approved and that the cost of the improvements be funded as follows:

1967 Capital Budget borrowing authorization for Canada Games	\$50,000.
1968 Capital Budget approval for tennis courts	50,000.
Receivable from Canada Games Society (tennis courts)	18,000.
Surplus funds available in account 57-16	87,000.
	\$205,000.

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and that the Minister of Municipal Affairs be requested to approve the use of funds in Capital Account 57-16 for this purpose. Motion passed.

Cornwallis Park

MOVED by Alderman Moir, seconded by Alderman H. W. Butler that, as recommended by the Finance and Executive Committee, plans for the development of the Cornwallis Park as shown on Plan No. P650/52 be approved and that the Minister of Municipal Affairs be requested to authorize the transfer of surplus Capital funds in the amount of \$3,000.00 from Capital Accounts 55-2 and 55-5 for this purpose.

MOVED in amendment by Alderman Ivany, seconded by Alderman A. M. Butler that the Minister of Municipal Affairs be requested to authorize the transfer of Capital surplus funds in the amount of \$3,000.00 from Capital Accounts No. 55-2 and 55-5 for the purpose of developing the Cornwallis Park but that the matter be referred to the Recreation and Playgrounds Commission for preparation of a plan of development of the land for recreation purposes. Amendment passed.

Recreation Staff Person - Halifax Neighbourhood Centre Youth Programme

MOVED by Alderman Ahern, seconded by Alderman Connolly that, as recommended by the Finance and Executive Committee, a supplementary appropriation in the amount of \$2,000.00 be provided for the Recreation and Playgrounds Commission to cover the salary requirement for the remainder of 1968 for a fulltime staff person to work in conjunction with the Halifax Neighbourhood Centre Youth Programme; funds for this purpose to be provided under the authority of Section 316C of the City Charter. Motion passed.