

BAYERS ROAD SHOPPING CENTRE TENANTS ASSOCIATION

Bayers Road Shopping Centre
Halifax, N.S.

GOTTINGEN CENTRE ASSOCIATION

2169 Gottingen St.

Phone 429-6269

Halifax, Nova Scotia

April 23, 1969

His Worship the Mayor and Members
of City Council,
City Hall,
Halifax, N.S.

RE: Ordinance 121, Store Hours

The majority of the merchants of the Bayers Road Shopping Centre are in favour of the store hours remaining as they now stand.

We do not feel that a few large out-of-town department stores should dictate store hours when the majority of the Independent Merchants of the city are in favour of the store hours as they now stand.

Karl Saunders - President
BAYERS ROAD SHOPPING CENTRE TENANTS ASSOCIATION



The 'MIRACLE MILE' of Values



GOTTINGEN SHOPPING CENTRE ASSOCIATION

2169 Gottingen St.

Phone 429-6240

Halifax, Nova Scotia

April 22, 1969

Mayor Allen O'Brien, and
Members of City Council,
City Hall,
Halifax, Nova Scotia.

Re: Ordinance #121: Store Hours

Gentlemen:

First, may I suggest that in the matter of store hours, it is quite impossible to reach any compromise with which all will be happy.

I have been in the retail business in Halifax for over forty (40) years - when we worked Monday till 10:00 P.M. - Friday till 11:00 P.M. and Saturday till 12:00 Mid-night, because your wife shopped on Saturday night after supper.

I have seen store hours debated so hotly by the Retail Committee of the Board of Trade, that it was decided no further discussions could be allowed, and that separate committees should be established to express the viewpoints of the different factions.

I acted as Chairman of the group which assisted City staff in preparing the present Early Closing By-law, patterned on the Hamilton legislation, which has been challenged and upheld in the courts.

I would like to point out that at the time when we sought such legislation for Halifax over 90% of the stores in the City, including those in the Halifax Shopping Centre signed a petition favoring the present hours. The dissenters were mainly large department stores and the landlords of the Halifax Shopping Centre - not the Tenants Association.

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Now with Scotia Square imminent, I feel sure, even the department stores must be wondering if extended hours would really be an advantage, since nobody can predict with any degree of certainty, whether night shoppers will be back downtown in volume or whether Simpsons - Bayers Road and the Halifax Shopping Centre will retain the major part of the night business.

The operators of Scotia Square and the landlord of the Halifax Shopping Centre will both, I am sure, make strong representations for controls to be removed - for these people take their percentage "off the top" - so long as a store takes in dollars. It could not matter less to them whether one part of the operation is profitable or not - and bear in mind that shopping centre leases compel the tenant to observe the hours set by the management.

We are well aware that "K"-Mart will continue to operate as before - but would like to point out that even in Dartmouth, where no controls presently exist - most business firms do not consider it wise or necessary to try matching this phase of competition because they know it can only result in higher costs.

In other parts of Canada, legislation is already in effect, or being enacted to stabilize shopping hours - even in the city of Montreal - with a much larger population - two nights have proven sufficient. I hope we will not be intimidated as the Prince Edward Island government was - when the "big stick" was held over their heads - and they retracted their bill.

Most of us do not want an Americanization of our shopping habits - with their complete disregard for National Holidays and local customs. Where no controls are in effect, these stores have remained open on Victoria Day, Dominion Day, Labor Day, Thanksgiving and Remembrance Day - and would surely remain open eventually on Sundays.

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Hundreds of people are employed in this area in the retail business - and open nights directly affect their family lives - in addition, extra nights inevitably result in higher merchandising costs - which in the end must result in higher prices to the consumer - just as increased advertising-transportation and other expenses add to consumer's burden - which, God knows, is already too heavy.

There is no pressure from the public for additional night opening - and we submit that the present hours are sensible and realistic. They provide a fine standard of service to the public - they offer good working conditions to those who serve - they enable Halifax merchants to operate efficiently and you probably find, even among those who clamor for longer hours, that they are doing a greater volume than ever before in their retail lives.

We sincerely hope you will continue the present arrangements.

Respectfully submitted, I remain,

Yours truly,

William D. Beck

WDB/MF

William D. Beck
President Gottingen
Street Merchants Assoc.

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A BRIEF REGARDING ANY PROPOSED CHANGES IN THE
EARLY CLOSING BY-LAWS OF THE CITY OF
HALIFAX, NOVA SCOTIA

FROM THE HALIFAX DEANERY CHAPTER OF THE ANGLICAN CHURCH OF CANADA
Rev. W.G. Meadus - Rural Dean Rev. H.S. Corbin - Secretary

It has recently been brought to our attention that attempts will soon be made to have the present City By-Laws dropped regarding the hours a retail outlet may remain open, and that a 'laissez-faire' arrangement be substituted in its place which would allow stores to be open whenever their owners wished. This is, no doubt, an attempt to establish 'every night' shopping in the City of Halifax.

At our last regular meeting on March 11th. 1969, a motion was passed unanimously which stated that we were against any such changes in the present by-laws which did not take into account the welfare of the individual, either as a store owner, a staff person, or as a consumer. Included in the motion was the statement that notice of our stand on this matter would be sent to the Halifax City Council.

We would like to outline some of the reasons why we feel as we do. These reasons are as follows:

1. To allow stores to remain open every night would seem to indicate that, to some people, the highest goal and purpose of human beings is to be a shopper or consumer. We firmly believe that there is a higher and more important purpose in life for people than simply to go shopping.
2. Allowing retail stores to remain open whenever their owners wished would impose a severe strain on the small businessman in the City of Halifax. Granted, he would only have to be open whenever he wished, but the people who seem to be behind this move apparently are the out-of-province owners of the larger department stores, and because of the nature of their operation, they can profitably follow the 'open every night' policy while the smaller businessman would be at a definite disadvantage, financially and staff-wise, in trying to meet this kind of competition.
3. The larger stores operate on a modified self-service basis, requiring a relatively small number of lower paid clerks with a minimum of executive supervision. This would enable them to continue to operate

at a profit even if the store hour regulations were to be done away with. However, the smaller businesses, which stress customer service, would have to ensure that each and every department be fully staffed with well trained and highly paid sales people at all times. This means that if the store opening regulations were changed or done away with, these smaller stores would have to either work their present staff for longer hours, or hire more staff and spend money on training them and paying them higher than average salaries, or hire less competent people for less money, who would generally be less interested and generally less productive.

4. If the regular staff were required to work longer hours in this time of shorter working weeks, think of what this would do to a man and his family if he were required, say, to work 72 hours per week. How long would such a family unit be a positive contributor to society if this were the case? Do people really matter in our society, or does nothing else matter so long as big business can operate the way it likes and make a profit from the consumer?
5. If further staff were to be hired by these small businesses, there would be the increase of salaries to be paid as a consideration as well as the volume of business required to finance these operating costs. One clothing store in the Halifax Shopping Centre has estimated that if they were obliged to remain open six nights a week, they would immediately be faced with an extra expense of at least \$10,000 a year in salaries alone. To meet this expense and to maintain a reasonable profit margin, they estimate that they would have to do an extra \$100,000. in volume of business over and above what they are already doing. If they couldn't increase this volume, they would then be forced to increase their mark-up on their present volume. The increase in volume would seem to be impossible to reach so an increase in mark-up would appear to be the likely alternative. This would only serve as a greater hardship on the general public who are already demanding that governments take steps to keep costs from escalating.
6. The above mentioned store in the shopping centre is a tenant whose landlord holds a lease which states that the landlord sets the opening and closing hours of all stores in the centre. When this particular lease was signed, the City By-laws limited night shopping to one

night per week. If the By-laws were done away with, then this small business, plus others like it, which is operating under such a leasing contract, would be at the mercy of their landlord as to when they would be open. And in the above case, the landlord receives 6% of the gross income of the store, so it would be to the landlord's advantage to have the store open all the time regardless of how much business is carried on!

It is for these above reasons that we, the Halifax Deanery Chapter of the Anglican Church of Canada, are against any changes in the Early Closing By-laws of the City of Halifax which do not take into consideration the welfare of the individual, be he a store owner, a sales clerk, or a consumer. We trust that the Halifax City Council, in their good judgement, will see to it that the welfare and the rights of the individuals in this city are protected.

Respectfully submitted,

THE HALIFAX DEANERY CHAPTER OF
The ANGLICAN CHURCH OF CANADA.

Rev. W.G. Meadus - Rural Dean
St. Peter's Church, Birch Cove

Rev. H.S. Corbin - Secretary

All Saint's Church, Bedford

CITY COUNCIL
MINUTES
ORDER OF BUSINESS

CITY COUNCIL

APRIL 30, 1969

8:00 p.m.

1. Lord's Prayer
2. Roll Call
3. Minutes: April 16 and 23, 1969
4. Approval of Order of Business, Additions & Deletions
5. Deferred Items:
 - (a) Motion - Alderman Sullivan Re: Facilities for Handicapped Persons in New Housing and other Buildings (Report from Building Inspector)
 - (b) Rezoning - R-2 Residential Zone to C-2 General Business Zone - Lots #13 and #15, Catamaran Road
 - (c) Extension to a Non-conforming Building and Modification of Front and Side Yard Requirements - #40 Withrod Dr.
 - (d) Preservation - Waterfront Historic Buildings
6. Motions of Reconsideration: NONE
7. Motions of Rescission:
 - (a) Motion - Alderman LeBlanc - Rescission - Council Resolution April 2, 1969 Re: Transit
8. Public Hearings and Hearings:
 - (a) Public Hearing RE: Amendments to Zoning By-law #24 (Annexed Areas)
 - (b) Public Hearing RE: Amendments to Part V Zoning By-law
9. Petitions and Delegations.
10. Report - Finance and Executive Committee:
 - (a) Proposal - Northern & Central Gas Corporation Limited Re: Gas Franchise
 - (b) Settlement of Compensation to Mr. Percy Paris - 179-81 Creighton St.
 - (c) Appointment of Delegates to Mayors' Conference
 - (d) Confirmatory Deed - Civic No. 5740 Spring Garden Road
 - (e) Funds - Special Election - 316 C. City Charter - \$9,000.00
 - (f) Appointment of Returning Officer
 - (g) Resolution - City of London Re: Railway Grade Crossing Fund
 - (h) Staff Establishment - Long Range Planning Division
 - (i) Possible Expropriation Settlement - #5224 Gerrish Street
 - (j) Possible Expropriation Settlement - #223 Brunswick Street
11. Report - Committee on Works:
 - (a) Drainage Facilities - Saint Stephen's School Grounds
 - (b) Application - Use of Ferry Landings (Quinpool Road Landing and Fleming Park Landing)
 - (c) Claim - Fire Damage, "West House" - #2319-2323 Brunswick Street
 - (d) Account - Private Work - #5251 South Street

12. Report - Safety Committee:
 (a) Fire Protection Agreements - Department of National Defence
 (b) Request - Thirty-eight (38) Bicycles - Children's Aid Society
13. Report - Public Health & Welfare Committee:
 (a) Manual of Policy and Procedure - Halifax Social Services Department
14. Report - Committee of the Whole Council, Boards and Commissions:
 (a) Amendments to Ordinance #130 - Electric Wiring and use of Electrical Energy - SECOND READING
15. Report - Town Planning Board:
 (a) Modification of Lot Frontage and Lot Area Requirements - #30 Convoy Avenue
 (b) Rezoning - R-1 Residential Zone to R-4 Residential Zone - Civic Nos. 59 to 61 Melville Cove, Purcell's Cove Road
 (c) Modification of Front Yard and Lot Area Requirements - #12 Skeena Street
 (d) Modification of Front Yard Requirement - Peacock Lot - MacIntosh Street
 (e) Extension to a Non-conforming Building and Modification of Lot Frontage Requirements - #5278 Tobin Street
 (f) Modification of Front Yard Requirement - Lots #626A and #626B Simcoe Place
16. Motions:
 (a) Motion - Alderman Meagher - Amendments to Ordinance #105 (FIRST READING)
 (b) Motion - Alderman Connolly - Prohibition of Trucks over 1/2-Ton - Hood Street
 (c) Motion - Alderman Ivany - Council Adjournment, 11:00 p.m.
17. Miscellaneous Business:
 (a) Accounts Over \$5000
 (b) Lord's Day Permits
 (c) Report - Transit Committee
 (d) Tenders - Bond Issue
 (e) Bond Resolution.
 (f) Tenders - Two and One-half Ton Stake Body Dump Truck - Recreation and Playgrounds Commission
 (g) Tenders - Playgrounds Equipment - Recreation and Playgrounds Commission
 (h) Tenders - Asphalt Paving
18. QUESTIONS.
19. Notice of Motion.
20. Added Items.

CITY COUNCIL,
MINUTES

Council Chamber,
City Hall,
Halifax, N.S.
April 30, 1969
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 City Council attending, led by the City Clerk, joined in reciting the Lord's Prayer.

Present: His Worship the Mayor, Chairman; and Aldermen Hogan, Ivany, LeBlanc, Allen, Abbott, McGuire, and Connolly.

Also present, City Manager, City Solicitor, City Clerk, City Engineer, and other staff members.

MINUTES

Alderman Allen requested that Page 356 of the April 16 Council minutes be amended to record his opposing the motion that Natal Day be held on a Wednesday. The Minutes of the meetings held on April 16th, 1969, as amended, and April 23, 1969 were then approved on motion of Alderman Abbott, seconded by Alderman Hogan.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS & DELETIONS

It was agreed to add the following items to the agenda:

- 20 (a) - Barrington Street Housing Project.
- 20 (b) - Tenders - Curb, Gutter and Sodding.

and to delete:

- 11 (b) - Application - Use of Ferry Landings (Quinpool Road Landing and Fleming Park Landing)

At the request of Alderman Hogan, it was agreed to add the following item to the agenda:

- 20 (c) - Housing Development - Fairview for Senior Citizens.

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At the request of Alderman McGuire it was agreed to add the following item to the agenda:

20 (d) - Renovations to Council Chamber.

At the request of Alderman Allen, it was agreed to add the following item to the agenda:

20 (e) - Appointment to Forum Commission.

8:05 p.m. - Alderman Sullivan arrived.

At the request of Alderman Sullivan, it was agreed to add the following two items to the agenda:

20 (f) - Appointment to Halifax Athletic Commission.

20 (g) - Basinview Home.

It was then agreed by Council to move up items 7(a) and 17(c) on the agenda for discussion next.

MOTIONS OF RESCISSION

Motion - Alderman LeBlanc - Rescission - Council Resolution April 2, 1969 Re: Transit.

Alderman LeBlanc said that his Notice of Motion to Rescind was given prior to several very important meetings which had been held on the transit matter, and although as a result of those meetings he now was agreeable to the formation of a Commission, he still wanted to move a new motion based on the information which had come to light since April 2.

MOVED by Alderman LeBlanc, seconded by Alderman Meagher, that the Resolution passed by Council on April 2, 1969 Re: Transit, be rescinded.

Council then agreed to hear from Mr. A.R. Harrington, President and General Manager of the Nova Scotia Light and Power Company Limited.

Alderman Ivany questioned Mr. Harrington about the Company's involvement in the operation of a new transit

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system, especially with regard to formation of a subsidiary.

Mr. Harrington said the subsidiary arrangement had been offered to the City April of 1968, at which time the Company had thought this might be the best solution to the problem. Several factors, he said, made the proposition attractive at that time, one being that the Company could have done a lot of the work involving new routes, etc. and thus saved the City some money in hiring consultants. Also, he added, at that time, the financial market for corporate bonds was different than it was today with its high interest rates, etc. Therefore, he stated, taking these factors into consideration, plus the urgency for action to be taken if there was to be any transit in operation at all, the Company felt the quickest way for the City to get things moving was to form a Commission. He said the Company was not withdrawing its offer of a subsidiary, but it was now recommending the formation of a Commission as the better solution, but this, he said, did not alter the fact that the Company was prepared to extend every cooperation. In this connection he said the Company would be pleased if the City decided to put one or two of the Company's senior executives on the Board of Directors of the Commission.

Alderman Ivany asked Mr. Harrington if from the point of view of the tax-payer, he could state whether the Commission or Subsidiary would prove less of a burden. Mr. Harrington said he would not quibble over the amount of a \$14,000 difference which the Consultants had quoted in favour of the subsidiary, and furthermore, he added, there was another consideration in favour of the Commission. Transit, he said,

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unlike water and electricity which everyone used, could not support itself from the fare box, but it could be valuable as a planning tool in developing areas throughout the City, and it was for this reason he felt it necessary that the Municipality take on the ownership and policy making of transit.

Alderman Sullivan questioned Mr. Harrington about the possibility of the Company assisting in backing bonds for the operation of a Commission, in view of the fact that in its many years of operating the system, the Company must have made some money on it.

Mr. Harrington said he would have to be frank in his answer, and referred to his letters indicating that the Company would not accept any financial loss after December 31, 1968. On the question of profits from the operation, he said if one took the aggregate figure since 1928, one would find that there had not been any. He then said that the City could probably gain some assistance in financing from the suppliers of new vehicles through a leasing arrangement, and he stated it was in the purchase of new equipment where most of the capital would be required. This he said would allow some easement on the City's financial burden for the first five years of the transit's operation, at which time possibly the financial market might be more favourable. His estimate of capital which the City would require through 1969, 1970 was in the order of two to three million dollars, this being for the purchase of new vehicles. The operating deficit for the old part of the City he set at around \$300,000 annually, with an additional \$100,000 to

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\$150,000 deficit for service in the annexation areas.

With regard to the annexation areas, Mr. Harrington said the figure, of course, was dependent on what service was provided, and he admitted that he had nothing on which to base his estimate, the Company not having serviced those areas. Also, he said, the City might want to use transit in those areas as an aid to development, which make it more difficult to assess costs.

Alderman Sullivan asked if the City Manager could inform Council what the figures quoted by Mr. Harrington in operating deficit would mean on the tax rate, and Mr. Ward replied it would be an increase of six to seven cents, which as well as operating deficit, included the cost of carrying the capital investment.

Alderman Ivany asked Mr. Harrington's views with regard to Federal Government participation in municipal transit.

Mr. Harrington said that in the United States the Federal Government was beginning to view transit as something which warranted its assistance, since it was a means of relieving vehicular congestion and thus cutting down on costs for new highways. In this regard, he said, the chances of a private company receiving Government aid were almost nil, whereas a Commission should fare quite well. Mr. Harrington also thought a Commission would enjoy more flexibility in gaining concessions from the Traffic Department, which would allow them a better opportunity to effect improvements in the service. Mr. Harrington felt that the real measure of how successful the City would be during the first five years of

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operation would depend on whether it could bear the pressure of doing the right thing, even though it might be unpopular with the public.

Alderman Sullivan asked Mr. Harrington if, in his opinion, the City of Halifax ever stood a chance of making a profit on a transit system.

Mr. Harrington replied that at one time he would have answered yes to that question, but looking back over the past twenty-five years of the Company's operation of transit, he was at this point very skeptical. He said there had been quite a few occasions when it was predicted that the circumstances involved would automatically create more transit patronage, but in reality such had not been the case.

With regard to Alderman LeBlanc's statement that although he agreed now with the idea of forming a Commission, he felt the motion needed to be brought up to date, in view of information which had come to light since April 2, Alderman Allen said that he had heard nothing this evening which would suggest that he should support the motion of rescission, and that he therefore would vote against it. In fact, he said, everything he had heard this evening, only stressed more the need or urgency in getting on with the job, and he felt the motion of April 2nd would do just that. However, he added, if the motion to rescind was passed, he was prepared to support any subsequent motion involving formation of a Commission.

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

For	- Aldermen Abbott, Connolly, Ivany, LeBlanc, Meagher, and Sullivan	6
Against	- Aldermen Allen, Hogan, and McGuire.	3

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MOVED by Alderman LeBlanc, seconded by Alderman

Ivany,

THAT a public Transit Commission be appointed as soon as possible;

THAT the appointees to the Commission include at least one senior representative of the Nova Scotia Light and Power Company Limited, who would take office after negotiations with the Nova Scotia Light and Power Company Limited have been completed; and

THAT Council recommend to the Commission that it purchase from the Nova Scotia Light and Power Company Limited, such personnel services, equipment and supporting services which it deems appropriate in the development of the new City-wide transit service.

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

For	- Aldermen Abbott, Allen, Connolly, Ivany, LeBlanc, McGuire, Meagher, and Sullivan...	8
Against	- Alderman Hogan	1

REPORT - TRANSIT COMMITTEE

Purchase of New Equipment:

The recommendation of the Transit Committee read as follows:

" 1. Council approve, in principle, the order placed by the Nova Scotia Light and Power Company Limited for twenty 45-passenger buses for delivery by early October, at the following cost:

Price for one 45-passenger bus ...	\$34,200.00
Plus extras	300.00
	<u>\$34,500.00</u>
Plus Sales Tax 7%	2,415.00
Delivery	375.00
Total Price	<u>\$745,800.00 (approx.)</u>

and that confirmation in substance be delayed until the outcome of the negotiations with the Company over certain conditions of the purchase, is placed before Council;

" 2. Council approve the order of fourteen 53-passenger buses in the month of June for December delivery, at an approximate cost of \$38,500 per bus for a total cost of \$539,000 (approx.).

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"3. A new transit service in the City of Halifax
be inaugurated on January 1, 1970."

Alderman Meagher asked for the City Manager's
opinion of the best means of financing the cost of new
equipment.

The City Manager felt that if the Commission
had its deficit guaranteed by the City, it should be able to
raise the money required for new equipment at the same rate
as the City could obtain, and if it could fund money at
8½% it would save \$29,000 per year on the purchase of these
twenty buses as opposed to a leasing arrangement. He
therefore recommended purchase of equipment over leasing,
if the Commission could raise money at as good a rate of
interest as the City.

Alderman Meagher then asked if the City's
guarantee would have any affect on its own borrowing position
and perhaps upset the Budget, and the City Manager said he
did not think so.

Alderman LeBlanc asked if Mr. Harrington
would give his opinion about the twenty buses to be purchased,
and whether, in fact, this number was absolutely essential
at the moment.

The question was answered by both Mr. Harrington
and Mr. Hipwell, the City's Consultant, who agreed that twenty
was the absolute minimum just to maintain service in the old
part of the City as at present. Mr. Hipwell said the further
14 buses recommended for purchase at this time, would allow
the Commission to initiate new routes early in the new year,
possibly extending into the annexed areas.

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With regard to the vote taken on the motion put by Alderman LeBlanc, seconded by Alderman Ivany, Alderman Hogan stated he had not clearly understood at the time, what was being voted on. The Council agreed to take a second vote on the motion, which was then passed unanimously.

Alderman Ivany asked if the 7% Sales Tax would apply in this case.

The City Solicitor said he had checked the matter of the sales tax, and could confirm if the buses were purchased by the City there would be no Sales Tax, and he believed the Act also extended this exemption to an agent of the City, such as the Commission would be. In this case, he said, the Commission and not the Company, should purchase the buses.

MOVED by Alderman Abbott, seconded by Alderman LeBlanc, that recommendations 1, 2, and 3 of the Transit Committee with regard to the purchase of new equipment, be approved.

Alderman Meagher suggested that the 7% sales tax figure be removed from the recommendation, in view of what the City Solicitor had said in this regard.

The City Solicitor quoted the part of Section 1 of the recommendation stating that "confirmation in substance be delayed until the outcome of the negotiations with the Company over certain conditions of purchase, is placed before Council", so that for the moment all that was required was a confirmation to place the order, and the details, which would include the proper way of purchase so as to avoid a

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sales tax would be worked out in negotiations between the City and the Company.

MOVED by Alderman Ivany, seconded by Alderman Meagher, that Item 3 of the recommendation be changed to read that a new transit service in the City of Halifax will be inaugurated on July 1, 1970.

Alderman Ivany said it was important to get off to a good start with the new system, and he felt the impact would be much better achieved in Spring when the weather was good, than in the middle of winter.

There followed considerable discussion on this question of a starting date for the new service. The Chairman said the whole matter had been thoroughly debated within the Transit Committee, and the January 1, 1970 date represented the decision reached after those discussions. He said the Consultants had already stated they did not think it would be possible to start a brand new service, with completely new routes, equipment, etc., all on the same day, but that there would have to be a phasing in of new routes. He therefore was fearful of setting a date of July 1, 1970 because he felt this might result in delays beyond that.

Alderman Allan pointed out that effective January 1, 1970 all citizens of the City, which included the annexed areas, would be sharing in the cost of the deficit of the system, and they would at least expect some improvement in the service presently available to them.

Alderman Ivany said that some members of Council, including himself, had not had the benefit of discussion within the Transit Committee, but after hearing the statements by members of that Committee, he was agreeable

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to withdrawing his amendment to the motion, provided the concern he had expressed about the starting date will receive thorough consideration by the Transit Committee. Alderman Meagher also agreed to withdraw the amendment as seconder.

The motion was then put and passed unanimously.

Description - Board of Commissioners

It was agreed to defer a decision on this recommendation until a Special Council to be held prior to the next regular meeting of the Committee of the Whole, in order to allow the Aldermen an opportunity to study the recommendation.

Chart of Organization

It was agreed to also defer a decision on this recommendation until a Special Council to be held prior to the next regular meeting of the Committee of the Whole.

Position Description - General Manager

The recommendation of the Transit Committee read as follows:

"THAT approval be given to the following Position description - General Manager for the Transit Commission:

"Job Purpose

To direct all operations of the Transit Commission in providing public transportation in the City of Halifax and within designated boundary areas and to ensure the most effective application of transit in planning for economic development of the area within the limits of the policies of and under the direction of the Board of Commissioners.

"Detailed Duties

1. Develops and maintains a competent operating and administrative organization and staff.
2. Reviews and controls the activities of the commission through appointed supervisors or officers.
3. Ensures effective control and reporting of capital and operating expenditures and operating revenues. Takes action based on operating results to maintain an effective and efficient transit service within financial limitations imposed by the Commissioners.

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- "4. Reports on and is responsible for the operating performance of the Commission.
5. Represents the Commission as required on external boards or committees concerned with transportation, transit operations, and planning in the area.
6. Recommends policy to the Board. Communicates and interprets approved policy.
7. Directs the detailed planning of new services or innovations in service to the betterment of the transit operations and area development.
8. Responsible for the planning and development of programs designed to increase the usage of transit and the overall improvement of the transit image within the community.
9. Maintains proper climate between staff and fosters a climate of mutual cooperation in all his activities.
10. Conduct all discussions with unions having agreements with the Commission and normal day to day contact with the union officials.

"MINIMUM SPECIFICATIONS

"Education

University graduate or recognized professional qualifications in either engineering or accountancy.

"Experience

Demonstrated senior management capability. A minimum of three years experience in transit operations and a further five years of operational or supervisory experience in fields directly related to transit.

Experience in community planning or economic development is desirable. An understanding of municipal government departmental operations would be an asset.

"Personality Requirements

Capable of analytic, objective, and realistic assessment of alternatives. Aggressive and forward looking. Confident in own ability and able to delegate responsibility to subordinates."

Alderman LeBlanc asked if the Consultants had conferred with the Light and Power Company before drawing up the job specifications. Mr. Hipwell replied that they had not conferred in detail, whereupon Alderman LeBlanc said he felt to do so would be of help in determining the qualification required.

MOVED by Alderman Meagher, seconded by Alderman McGuire, that the recommendation of the Transit Committee with regard to a Position Description for a General Manager of

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the Transit Commission be approved, with the understanding that the Consultants will confer in detail with the Nova Scotia Light and Power Company Limited in this matter.

Mr. Hipwell was asked how the position would be advertised, and he replied first on a Canadian basis, but if the response was not satisfactory the search would extend to the United States.

Alderman Ivany asked if the advertisement would carry the salary scale.

Mr. Hipwell said the salary was not stated specifically in the advertisement, as it would depend on the experience of the applicant. He felt the person applying would be aware of the range for such a position, so that unless it was something above the ordinary there was no point in putting it in the ad. He said at the moment both St. Catherines and Kingston, Ontario were advertising for Managers for their Transit systems, and that these cities bore some comparison with Halifax, although Halifax was larger.

Alderman Ivany then asked if the hiring of a General Manager had been discussed with the City's own Personnel Manager, and Mr. Hipwell replied to date it had not been. He said all discussion on acquiring a Manager had been between members of his firm and Mr. Duncan, who they used from time to time on transit matters since he was considered the dean of transit in Canada, and with members of the Transit Committee.

The Chairman answered Alderman Ivany by stating that Kates, Peat, Marwick were professional recruitment people, hired for the purpose of setting up the new transit system,

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and that the City's Personnel Officer already had enough work to do. Furthermore, he added, the City Manager was in on all discussions in the Transit Committee.

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

Estimated Advance Expenditures:

The recommendation of the Transit Committee read as follows:

"It is recommended that a sum of \$33,000.00, made up as follows, be advanced for expenditures on behalf of the Transit Commission, to be repaid to the City when the Commission is placed in funds:

1. Recruitment of General Manager and period of indoctrination (4 months)	\$15,000
2. Temporary Office accommodation, secretarial assistance and office supplies	2,000
3. Promotional effort, advertising, new image development	12,000
4. Commissioners honorarium and expenses ...	1,000
5. Advance ordering of supplies, buttons, insignia, route maps	3,000
TOTAL	<u>\$33,000"</u>

Alderman Meagher asked how much of Item 1. in the recommendation was to cover the Consultant's fee for recruiting a Manager, and was told the fee would be about \$5,000, depending on the problems encountered in finding the right man. He then asked if this amount was included in the monies already approved for payment to the Consultants.

His Worship the Mayor said the fee for recruitment would be additional, because the original terms of reference with the Consultants did not call for them to handle this job.

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The City Manager advised that up to the present the sums of \$20,000 and \$80,000 had been approved for Consultant fees. Mr. Hipwell was asked how much higher this fee was likely to go, and he replied it would increase only if they were asked to do jobs that were not in the terms of reference which the \$100,000 covered, which was the case with the search for a General Manager. Mr. Hipwell said his firm was certainly concerned with satisfying the City, both with regards to fee and quality of their work, since to do so would mean the possibility of future work for it.

The City Manager advised that the Consultants were not hired at a flat fee. The City, he said, was paying for the actual time they spent on the job, up to a certain maximum.

Alderman LeBlanc questioned whether another Consultant might possibly take on the job of finding a General Manager for the Transit Commission, at less fee than Kates, Peat, and Marwick.

The City Manager agreed that different agencies charged different fees, and he was not prepared to say whether these differences reflected the quality of work done, but he felt there were distinct advantages in having the Consultants who were planning the system, also hire the General Manager who would run it.

MOVED by Alderman Meagher, seconded by Alderman McGuire, that the recommendation of the Transit Committee be approved. Motion passed.

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9:50 p.m. - Council adjourned for a short recess.

10:25 p.m. - Council reconvened, the same members being present.

COLLECTIVE BARGAINING AGREEMENT - LOCAL 143, CANADIAN UNION OF PUBLIC EMPLOYEES

The collective bargaining agreement between the City of Halifax and Local 143 - Canadian Union of Public Employees was submitted, covering salary increases and conditions of employment from January 1, 1969 to December 31, 1970.

MOVED by Alderman Connolly, seconded by Alderman LeBlanc, that the agreement be approved and that His Worship the Mayor and the City Clerk be authorized to execute the same on behalf of the City of Halifax. Motion passed.

MOVED by Alderman Connolly, seconded by Alderman Ivany, that the sum of \$38,500 be provided, under the authority of Section 316-C of the City Charter, to provide the necessary funds to carry out the terms of the above agreement. Motion passed.

DEFERRED ITEMS

It was agreed to further defer Items 5 (a), (b), and (c).

Preservation - Waterfront Historic Buildings

The following report was submitted by the City Manager:

"Decisions Required re Historic Buildings

"EITHER

1. Demolish Buildings.
2. Fill Harbour.

"OR

1. Retain Buildings.
2. Proceed with modified fill operation based

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"on demolition of two buildings and wharf.

- "3. Confirm or revise location and elevation of Court House and street fronting Court House, in order to permit both vehicular and pedestrian entrances and exits.
- "4. Provide a sum estimated at \$100,000 to permit necessary studies for ultimate solution of traffic and planning problems in the area -- this information will be required to permit developers to make meaningful proposals.
- "5. Need approval for FENCO to prepare a Tender Call and to do the site supervision of the actual job until completion (in much the same manner as FENCO was hired when they did the CVD site and Court House Site)."

His Worship the Mayor said there was also for consideration the recommendation of the Finance and Executive Committee from its April 9, 1969 meeting, based on Alderman McGuire's motion to prepare a Call for Proposals that would involve the participation of private enterprise.

Alderman McGuire then quoted a letter dated April 23, addressed to His Worship the Mayor from Mr. J. Nicol, Director of the Department of National and Historic Parks Branch of the Department of Indian Affairs and Northern Development. The letter was to the effect that Mr. Nicol was offering the assistance of the officials in his Department, to prepare and issue a Call for Proposals, as outlined in the recommendation which came out of the April 9th Finance and Executive Committee meeting.

His Worship the Mayor advised Council that Professor Peter B. Waite of Dalhousie University and also a member of the Historic Sites and Monuments Board, was present at tonight's meeting, and Professor Waite had told him that the Board would be meeting in two week's time and that this matter would be on their agenda.

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Alderman McGuire said that he and Alderman Ivany in discussing their motion from the April 9th Finance meeting, wished to amend it to the extent that any action would include consultation with the Department of Indian Affairs and Northern Development. The amendment to the motion was agreed to.

His Worship the Mayor then put the following question to the City Engineer: On the assumption that Council is serious about retaining the waterfront buildings in question, without creating an interference with the Court House site in relation to the grades given to the architect for that building, could Mr. Dodge suggest what could be done to bring this about, recognizing that there would be some compromises and costs involved.

The City Engineer said that in view of the grades already determined for the Court House Site and Harbour Drive, he could see no possible way at this time of making changes in that area, and his recommendation was that the buildings be demolished and the work on Harbour Drive proceeded with.

His Worship the Mayor said that when Council had discussed this matter in October, 1968, it had expressed its willingness to put up with a bottle-neck at the Morse's Teas Building for a number of years, as well as making arrangements with the Department of National Defence for a sewer easement through their property, in order that the waterfront buildings might be saved. At that time, he said, it was assumed these, plus extra costs involved, were the main problems, and he asked Mr. Dodge if the grade problem had been

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brought to light during those discussions.

110,000 sq. ft. Mr. Dodge showed on a map an area where staff had told Council they could ramp down two feet within fifty feet, and said they had still recommended at that time that 12 feet go from the fronts of the buildings. In reply to a question from the Chairman, Mr. Dodge confirmed it was his contention that the grade could not be further reduced in the A to B area he had indicated on the map.

sale of the land His Worship the Mayor asked Mr. Dodge that, without changing the grade at the Court House site and still retaining the historic buildings without taking the fronts off, what problem would exist other than a dip in the road and possible difficulty for the transit operation?

elevation, and Mr. Dodge said it would create a drainage problem which should not be built into any project, and that Staff simply could not recommend anything that would create such a problem. He said there were already many such problems in that area, without adding to them. He referred to the flooding conditions which existed at high tides, due to the fact that the buildings were very close to sea level at high tide.

of Harbour Drive. A discussion took place on the erection of a spray wall, but Mr. Dodge said it was irrelevant to the problems which existed with the historic buildings or the Court House.

there was nothing Alderman Abbott referred to one of the alternatives set forth in the City Manager's report that the buildings be demolished and the part of the harbour fronting the site filled in, and asked how much land would be created.

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The City Engineer said it would create a lot of about 110,000 sq. ft.

Alderman Abbott said that such a lot in that area would be worth from one-half to three-quarters of a million dollars, and said in view of the long discussions that had gone on without arriving at a solution, consideration should be given to moving the buildings to some other location, the costs for which could be borne in full, or part, by the sale of the land that would be created.

Mr. Dodge said such a scheme was possible, but that it would involve a very high cost. He said he had maintained all along that, in any event, if the buildings were to be renovated, they would have to be put at a new elevation, and he had seen nothing in any of the Consultant's reports about the cost involved.

Alderman Ivany asked if when Council had looked at the question previously, did Staff foresee the grade level difficulties, as he could not recall being faced with the fact that this was so important an issue.

Mr. Dodge said the grade situation was well explored at the time Council made its decision on the line of Harbour Drive.

Alderman Ivany asked the City Engineer if he could suggest any compromise between the present grade and what would be required to save the historic buildings, and Mr. Dodge said there was nothing that staff could honestly recommend, but if Council wanted, the grade could be moved but it would have to face the consequences of so doing. He said it would mean going back on the Interchange and taking

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down ramps and retaining wall.

Alderman Abbott said he did not feel Council could take such a responsibility upon itself, contrary to the advice from staff, and again brought forward his suggestion that the buildings be moved stone by stone to a different location. This, he said, would be better than changing the whole Interchange and still having a bottle-neck.

Alderman McGuire said he felt that Alderman Abbott's suggestion was possibly over-simplifying the problem. He referred to the latest letter from the Department in Ottawa, and said the importance they attached to the project was surely some indication of its value. He admitted it was not within his competence to deal with many of the technical problems which the City Engineer had pointed out, but in view of the generous offer of the Federal Department, he felt the matter should be pursued with them to the limit to see if they have any answer to Mr. Dodge's objections. Referring to his motion passed at the April 9th Finance and Executive meeting, Alderman McGuire said there had already been much interest displayed by commercial enterprise for participation in the project. He said in talking the matter over with Alderman Ivany, the latter had come up with a suggestion he wanted to make to Council.

Alderman Ivany said his suggestion was that a co-ordinating committee be formed, consisting of representation from (i) the Civic Advisory Committee on the Preservation of Historic Buildings, (ii) City Staff, (iii) Central Mortgage and Housing Corporation, (iv) Department of Indian Affairs and Northern Development. Such a Committee, he said, could sit

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down together and draw up the Call for Proposals in accordance with Alderman McGuire's motion.

The City Engineer questioned the point of putting a staff member on such a Committee, since he felt after an exhaustive study of the matter, staff had drawn the conclusion there was no practical means of saving the buildings because of the many problems caused in their retention.

Alderman LeBlanc asked if a delay in deciding to demolish the buildings, or finding some other solution, would have any serious affect on the Interchange.

Mr. Dodge said he did not think it would create a hold-up insofar as the Interchange was concerned, since the Morse's Teas building would remain.

The Chairman of the Civic Advisory Committee on the Preservation of Historic Buildings, spoke next.

Mr. Collins laid stress on the fact that the decision by Council in this matter could no longer be termed a local one because of the national significance of the buildings. For this reason, he said, it would be unfortunate if the Federal Department was not adequately consulted before any decision was taken to demolish them, if for no other reason than in view of the amount of money they had already invested in the project. He felt Alderman Ivany's suggestion that a Co-ordinating committee be formed was a step forward in achieving this consultation with all interested parties. Mr. Collins suggested that Professor Waite be allowed to address Council at this time.