

Fire Chief

**SPECIAL CITY COUNCIL
M I N U T E S**

Special Council,
January 7, 1970

Council Chamber,
City Hall,
Halifax, N. S.,
January 7, 1970,
7:10 p.m.

A Special meeting of 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 were: His Worship the Mayor, Chairman; and Aldermen MacKeen, Connolly, Hogan, Ivany, LeBlanc, McGuire, Meagher, Sullivan and Allen.

Also Present: City Manager, City Solicitor, City Clerk and other staff members.

The City Clerk advised that the meeting was called especially to consider the Appointment of Director of Works and Engineering.

Council agreed to add "Tenders - Plumbing and Heating - Maintenance - City Owned Housing".

The Agenda was approved as amended.

APPOINTMENT - DIRECTOR OF WORKS AND ENGINEERING

The following report was submitted:

"Subject to the approval of City Council the position of Director of Engineering and Works has been tentatively offered to Mr. Michael J. E. Sheflin.

A native of Stellarton the recommended applicant is a graduate of Saint Francis Xavier University and received his Engineering Degree from Nova Scotia Technical College with supplementary training in Municipal Administration and Public Relations.

Special Council,
January 7, 1970

Mr. Sheflin, the major part of whose professional experience is in a municipal setting, and who has a special interest in the development of Works Operations is expected to be available to take up his duties in early February.

The recommended salary range is \$15,000 - \$18,000 and formal approval is now requested to effect the appointment."

MOVED by Alderman Allen, seconded by Alderman McGuire that Mr. Michael J. E. Sheflin be appointed as Director of Works and Engineering at a salary range of \$15,000 - \$18,000. Motion passed with Alderman MacKeen voting against.

TENDER - PLUMBING AND HEATING - MAINTENANCE
CITY OWNED HOUSING

MOVED by Alderman Allen, seconded by Alderman MacGuire that as recommended by the Finance and Executive Committee the following tender be accepted:

Plumbing and Heating - Apollo Plumbing and Heating (Jointly)
1661 Argyle Street

(A) Skilled Labor including Overhead and transportation Per Hour	\$5.50
(B) Unskilled Labor Including Overhead and transportation Per Hour	\$2.75
(TOTAL A & B) Skilled Man and Helper	\$8.25
Materials Wholesale Plus or Minus	+15%
Overtime per Hour	\$7.50

-F.W. McNally (Jointly)
2394 Agricola Street

(A) Skilled Labor including Overhead and Transportation Per Hour	\$5.60
(B) Unskilled Labor Including Overhead and Transportation Per Hour	\$3.00
(TOTAL A & B) Skilled Man and Helper	\$8.60
Materials Wholesale Plus or Minus	+15%
Overtime Per Hour	\$8.40

Motion passed with Aldermen MacKeen, Connolly and Ivany voting against.

CITY COUNCIL
MINUTES

Special Council,
January 7, 1970

7:15 p.m. meeting adjourned.

HEADLINES

Appointment - Director of Works and Engineering 1
Tender - Plumbing and Heating - Maintenance on the above date
City Owned Housing 2

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

ALLAN O'BRIEN
MAYOR AND CHAIRMAN

Present: His Worship the Mayor, Chairman, Aldermen
R. H. STODDARD,
CITY CLERK

Also Present: City Manager, City Solicitor, City Clerk and other Staff members.

Minutes of the meeting of City Council held on December 25, 1969 were approved as read by Alderman Conolly, seconded by Alderman Allen.

APPROVAL OF ORDER OF BUSINESS AND AMENDMENTS TO ORDERS

Council agreed to adopt the following Order to the Order of Business:

as requested by the City Clerk:

20(a) Appointment of ...
as requested by Alderman ...

20(b) Social Planning Report of the last Conference of the Whole Council

20(c) Amendments to Administrative Order No. 6
as requested by Alderman Conolly:

20(d) Report on Pollution

CITY COUNCIL
MINUTES

Council,
January 15, 1970

Motion passed by Alderman Abbott, ...
Hogan that the order of Business ...
Motion passed ...
Council Chamber,
City Hall,
Halifax, N. S.,
January 15, 1970,
8:00 p.m.

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

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

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

Also Present: City Manager, City Solicitor, City Clerk and other Staff members.

MINUTES

Minutes of the meeting of City Council held on December 29, 1969 were approved on motion of Alderman McGuire, seconded by Alderman Allen.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS & DELETIONS

Council agreed to add the following items to the Order of Business:

as requested by the City Clerk:

- 20(a) Appointment to Housing Authority

as requested by Alderman McGuire:

- 20(b) Social Planning Report of the last Committee of the Whole Council
- 20(c) Amendments to Administrative Order No. 8

as requested by Alderman Connolly:

- 20(d) Report on Pollution

Council,
January 15, 1970

Sale of MOVED by Alderman Abbott, seconded by Alderman Hogan that the Order of Business, as amended, be approved. Motion 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 or Hearings were scheduled for this time.

PETITIONS & DELEGATIONS

No Petitions were submitted or Delegations heard at this time.

REPORT - FINANCE & EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on January 7, 1970 with respect to the following matters:

National Park - Ship Harbour

MOVED by Alderman Abbott, seconded by Alderman Ivany that, as recommended by the Finance and Executive Committee, the City of Halifax indicate to the appropriate authorities its support of the establishment of a National Park in the Ship Harbour area and that a copy of the resolution be forwarded to the Visitors and Convention Committee and to the Halifax-Dartmouth and County Regional Planning Commission. Motion passed.

Council,
January 15, 1970

Sale of City-owned Front Land - Isleville Street

MOVED by Alderman Abbott, seconded by Alderman McGuire that, as recommended by the Finance and Executive Committee, Lot "A", being a parcel of land on Isleville Street measuring approximately 184 square feet, be sold to Mr. George C. Piercey, acting as Trustee, for the sum of \$730.00; subject to his assumption of legal and other costs entailed in completing the transfer. Motion passed.

Purchase - Data Processing Equipment

MOVED by Alderman Abbott, seconded by Alderman Allen that, as recommended by the Finance and Executive Committee, City Council approve the purchase of the following necessary pieces of data processing equipment:

1. Data-bank Safe
2. Imprinter-Detacher

and that funds for the equipment be included in the 1970 operating budget. Motion passed.

Possible Acquisition - 267 Brunswick Street

MOVED by Alderman Hogan, seconded by Alderman Abbott that, as recommended by the Finance and Executive Committee, the property of Jean M. Dockrill, Claire A. Dockrill, Margaret H. Ryan and May L. Finlay, known as Civic No. 267 Brunswick Street, located within the boundaries of Uniacke Square, be purchased for the sum of \$2,600 as settlement in full for all claims and that a resolution be prepared to withdraw funds in the amount of \$2,600 from the Sale of Land Account; the amount of \$2,600 being subject, at the settlement date, to an adjustment for property taxes

Council,
January 15, 1970

and any other costs owing to the City. Motion passed.

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

MOVED by Alderman Hogan, seconded by Alderman Abbott that the formal Resolution, as submitted, be approved. Motion passed.

Possible Acquisition - 304-6 Upper Water Street and 320 Upper Water Street

MOVED by Alderman McGuire, seconded by Alderman MacKeen that, as recommended by the Finance and Executive Committee, the properties of Mr. Max Pascal, known as Civic Nos. 304-6 and 320 Upper Water Street, be purchased by the City and that five per cent interest be paid to Mr. Pascal commencing as of January 1, 1969 on 320 Upper Water Street, the total sum being \$17,900 inclusive of all costs and interest, as settlement in full, and that a resolution be prepared to withdraw funds in the amount of \$17,900 from the Sale of Land Account; the properties being required immediately for the temporary widening of Cornwallis Street and for the future expansion of Harbour Drive. Motion passed.

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

MOVED by Alderman McGuire, seconded by Alderman MacKeen that the formal Resolution, as submitted, be approved. Motion passed.

Legislation - Interim Tax Billing

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

Council,
January 15, 1970

Committee, Legislation be sought at the next sitting of the Legislature to allow the City to issue interim tax bills at any time after the first of January and that approval be given to a provision for periodic tax payments at any time it is deemed expedient. Motion passed.

Interest on Past Due Real Estate and Business Taxes

MOVED by Alderman McGuire, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, the City of Halifax charge interest on past due real estate and business taxes at 3½% above the prime bank rate; the prime bank rate presently being 8.5%. Motion passed with Aldermen MacKeen, Connolly and Ivany voting against.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on January 7, 1970 with respect to the following matter:

Extension - Filling Station - 6385 Lady Hammond Road

MOVED by Alderman Hogan, seconded by Alderman Ivany that, as recommended by the Committee on Works, the proposal of Gulf Oil Canada Limited, to extend their Filling Station facilities at 6385 Lady Hammond Road, by the addition of two vehicle service bays and the enlargement of the existing sales room area, be approved. Motion passed with Alderman Allen abstaining.

REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee from its meeting held on January 7, 1970 with respect to the following matter:

Council,
January 15, 1970

Tenders - Renovations to Rockingham Fire Station

MOVED by Alderman Hogan, seconded by Alderman Abbott that, as recommended by the Safety Committee, the tender of Standard Construction Co. in the amount of \$16,796.00, being the lowest tender meeting specifications, be approved.
Motion passed.

REPORT - TOWN PLANNING BOARD

Council considered the report of the Town Planning Board from its meeting held on January 7, 1970 with respect to the following matters:

Rezoning - 6243-49 Shirley Street - From R-2 Residential Zone to C-2 General Business Zone - Date for Hearing

MOVED by Alderman Ivany, seconded by Alderman Meagher that, as recommended by the Town Planning Board:

1. Approval be granted to the application for rezoning of the property at 6243-6249 Shirley Street from R-2 Residential to C-2 General Business, to permit the extension of the existing bakery, on the condition that the extension not be closer than six feet to the east lot line of the property at 6253 Shirley Street;
2. A date be set for a public hearing;
3. The area outlined on the plan attached to the staff report be designated as the area within which persons will be notified of the public hearing.

Motion passed.

Appointment - Sub-Committee - Draft Ministerial Order - Reconstitution of Regional Planning Commission as District Planning Commission

MOVED by Alderman McGuire, seconded by Alderman Allen that, as recommended by the Town Planning Board:

1. a Committee be set up from members of Council to draft a written statement of the principles involved, and a point by point criticism of the individual

Council,
January 15, 1970

sections of the draft Ministerial Order, which will be brought back to the Committee of the Whole in order to obtain a clear-cut statement of the City of Halifax's position in this matter;

2. the Committee be composed of His Worship the Mayor and Aldermen LeBlanc and Allen and that it should meet as soon as possible.

Motion passed.

MISCELLANEOUS BUSINESS

Accounts Over \$5,000.00

No Accounts Over \$5,000.00 were submitted for approval at this time.

Amendments to Administrative Order No. 5 - Second Reading

MOVED by Alderman Abbott, seconded by Alderman

Ivany that the following amendments to Administrative Order No. 5 be read and passed a Second Time:

BE IT ENACTED by the Mayor and City Council of the City of Halifax, that Sections 2, 3 and 4 of Administrative Order Number 5, Respecting the Remuneration to be paid to the Mayor, Deputy Mayor and Aldermen, are hereby repealed and the following substituted therefor:

2 The remuneration to be paid to the Mayor of the City of Halifax commencing the 1st day of January, 1969, shall be at the rate of Eighteen Thousand Dollars (\$18,000.00) per annum.

3 The remuneration to be paid to the Deputy Mayor of the City of Halifax commencing the 1st day of January, 1969, shall in addition to the remuneration which he receives as an alderman of the City of Halifax, be at the rate of One Thousand Dollars (\$1,000.00) per annum.

4 The remuneration to be paid to each Alderman of the City of Halifax commencing the 1st day of January 1969, shall be at the rate of Five Thousand Dollars (\$5,000.00) per annum.

Motion passed.

Council,
January 15, 1970

Vacancy - Office of the City Manager

His Worship the Mayor advised that he received the resignation of the City Manager in writing about a week ago.

The City Manager submitted a report to members of Council entitled "Comments concerning resignation of City Manager".

MOVED by Alderman Meagher, seconded by Alderman Allen that, as previously agreed by Council informally:

1. the City of Halifax advertise immediately for applications for the position of City Manager;
2. advertisements be placed in publications in Canada and the United States with an indicated closing date of February 16, 1970;
3. applications will be received at the Mayor's Office and a selection will be made by City Council with some professional advice;
4. the City Manager be instructed to include sufficient funds in the budget to defray the expenses connected with the recruitment of a City Manager for the City of Halifax.

Motion passed.

Tenders - Renovations City Hall Offices

A tabulation of tenders was submitted for renovations to the basement and first floors of City Hall.

MOVED by Alderman Abbott, seconded by Alderman McGuire that the tender of Pelton and Company in the amount of \$10,931.84, being the lowest tender received, be accepted for the completion of renovations to certain sections of City Hall by February 28, 1970. Motion passed.

Tenders - Truck Chassis - Garbage Unit

A tabulation of tenders was submitted for a Truck Chassis - Garbage Unit to accommodate the Garbage Packer Body awarded to Trainor GMC Limited by City Council on December 29, 1969.

Council,
January 15, 1970

Legislation - MOVED by Alderman Ivany, seconded by Alderman MacKeen that the tender of Trainor GMC Limited, in the amount of \$12,900.00, being the lowest tender meeting specifications, be accepted for the supply of One (1) 1970 Truck Chassis with Tilt Cab. Motion passed.

Proposed Residential Complex and Parking Garage - Grafton Street

A report was submitted from Staff relating to the above matter.

Purcell MOVED by Alderman Ivany, seconded by Alderman Allen that the three month period for negotiations, referred to in a resolution of Council approved on October 15, 1969, be extended by one month, i.e. to noon, Atlantic Standard Time, Monday, February 16, 1970. Motion passed.

Refund - Gasoline Tax - N. S. L. & Power Co. Ltd. - \$14,785.52

processed MOVED by Alderman Connolly, seconded by Alderman Ivany that a rebate, in the amount of \$14,785.52, to Nova Scotia Light and Power Company Limited for the period October 1, 1969 to December 31, 1969, in accordance with the provisions of Section 15, Chapter 8 of the Acts of Nova Scotia 1965, as it relates to the "Gasoline and Diesel Oil Tax Act" be approved. Motion passed.

Legislation - Ordinance Respecting Lakes

MOVED by Alderman Allen, seconded by Alderman Abbott that City Council authorize the Legal Department of the City to prepare the legislation necessary to amend the City Charter to empower the Council to pass an Ordinance regulating the use of lakes by power boat operators, etc. Motion passed.

Council,
January 15, 1970

Legislation - Special & Private Special Constables

A report was submitted from Staff relating to the above matter.

MOVED by Alderman Abbott, seconded by Alderman Connolly that legislation be prepared to amend the City Charter, namely Sections 451(b) and 456(1) and (2), to cover appointments as Private Special Constables. Motion passed.

QUESTIONS

Question Alderman Meagher Re: Rezoning Application - 156
Purcell's Cove Road

Alderman Meagher asked if Staff would have a report prepared for the next regular Committee of the Whole meeting relating to an application from Mr. Murray Filmore for the rezoning of 156 Purcell's Cove Road. He said that Mr. Filmore had contacted him to ask if this matter could be processed quickly.

Staff indicated that they would report on the status of the application at the next meeting of the Committee of the Whole Council.

Question Alderman Connolly Re: Assistance to Woman who Fell
on Sidewalk

Alderman Connolly referred to a woman who fell outside the Library and who broke her glasses, lost her glove and tore her dress and stockings and he asked that since the City Solicitor has advised that she has no claim against the City, if she could receive some sort of assistance from the Social Planning Department to help cover the cost of the damage.

Council,
January 15, 1970

Question Alderman Ivany Re: Housing on Romans Avenue

Alderman Ivany asked if he could receive clarification of the number and type of units that are to be constructed on Romans Avenue. He said that there appears to be some conflict between two different proposals submitted and he wished to be brought up to date on the matter.

Question Alderman Allen Re: Meeting of Steering Committee

Alderman Allen asked if His Worship the Mayor has been able to have a meeting of the Steering Committee called soon.

His Worship the Mayor advised that he has been in contact with the Chairman of the Steering Committee and another member and has advised of the resolution of Council so that a meeting will be called at the earliest possible time.

NOTICES OF MOTION

Notice of Motion - Alderman MacKeen Re: Government of the City

Alderman MacKeen gave notice that, at the next regular meeting of City Council, he will move the following resolution:

WHEREAS annexation which increased the area and population of the City of Halifax has been an accomplished fact for more than one year;

AND WHEREAS it is in the interest of all citizens of the City of Halifax that the Government of the City of Halifax should operate in such a manner as to ensure progress, effective representation and administration plus communication between all levels of the City Government and the Public;

BE IT RESOLVED that a Committee giving equal representation to City Council, the employees of the City of Halifax and taxpayers other than Members of Council and City Employees be appointed to review and, as it deems desirable recommend procedures of City Government and administration to ensure the City of Halifax obtains the most effective, economical and democratic Government and administration.

Council,
January 15, 1970

Notice of Motion - Alderman McGuire - Amendments to Ordinance
No. 119 Respecting the Levying and Collection of Poll Tax

Alderman McGuire gave notice that, at the next regular meeting of City Council, to be held on Thursday, January 29, 1970, he will introduce an amendment to Ordinance Number 119, Respecting the Levying and Collection of Poll Tax. The purpose of the amendment is to change the rate of interest chargeable on poll tax unpaid on and after the 30th day of September, from the present rate of seven percent (7%) per annum to twelve percent (12%) per annum.

Notice of Motion - Alderman McGuire - Introduction of
Ordinance No. 141 Respecting Tax Relief for Widows

Alderman McGuire gave notice that, at the next regular meeting of City Council, to be held on Thursday, January 29, 1970, he will introduce Ordinance Number 141, Respecting Tax Relief for Widows. The purpose of this ordinance will be to assist those widows whose income is below an amount to be specified in the Ordinance, and who will not or do not take advantage of the Deferred Payment of Taxes Ordinance.

ADDED ITEMS

Appointment to Housing Authority

MOVED by Alderman Meagher, seconded by Alderman Abbott that Mrs. Sydney Johnson, 1762 Preston Street, Halifax, as nominated by His Worship the Mayor, be appointed to the Housing Authority of Halifax for a three-year term commencing January 1, 1970. Motion passed.

Council,
January 15, 1970

Social Planning Report of the Last Committee of the Whole
Council

Alderman McGuire referred to the above report and it was MOVED by Alderman McGuire, seconded by Alderman Ivany that the Director of Social Planning be asked to implement or develop a plan to co-ordinate the activities of private and public social agencies and welfare departments. Motion passed.

Amendments to Administrative Order No. 8

MOVED by Alderman McGuire, seconded by Alderman Abbott that an amendment to Administrative Order No. 8, Respecting Real Property of a Character or Nature Other than Residential or Business, be prepared to include Universities, to permit them to be taxed at a residential rate. Motion passed.

Report on Pollution

Alderman Connolly submitted and read the following report on Pollution:

On March 26, 1969, Council approved the engagement of the services of Atlantic Industrial Research Institute to conduct an Air Pollution Study of the City, under the direction of Doctor T. J. Gray.

On December 10, 1969, Council received the preliminary report of the Study as prepared by Doctor Ligia Majid, an associate of Doctor Gray, who is conducting the Study. The report:

- (a) described air pollution in basic terms;
- (b) indicated the purpose and scope of the Study;
- (c) indicated the technical studies which were to be undertaken;
- (d) described the Study area as to geographical location, topography, population, and land use;

Council,
January 15, 1970

(e) explained the climatology as applied to the Study area;

(f) identified the nature and the sources of local pollution and listed the main offenders.

The report also described the methods that were to be used for determining the amount of Dustfall, Sulphur Dioxide, Suspended Particulate Matter and Smoke in the atmosphere at a number of strategically located monitoring stations in the City.

On Tuesday, January 13, 1970, in my capacity as the Alderman to whom Pollution was assigned as a special area of interest, in company with Doctor T. J. Gray, Director of the Atlantic Industrial Research Institute, two members of his staff, City Information Officer, W. J. Clancey and members of the news media, I inspected the installation of one of the monitoring stations located on the roof of the Nova Scotia Technical College.

Doctor Gray and his assistant, Doctor Majid, explained the technical aspects of the monitoring equipment and said that data gathered from this particular station and eleven others located at various points in the City would be collected on a monthly basis over a period of several years. The data will be analyzed and reports of the findings submitted to City Council periodically.

During a two-hour discussion following the inspection, Doctor Gray stated that in his opinion and on the basis of intelligence available to him at this time, the amount of atmospheric pollution in the City of Halifax is minimal, and Halifax does not have a serious pollution problem. However, he said that while he did not anticipate that the result of the study would indicate otherwise, he would withhold any official opinion until after its completion.

In any event, the Study would give a precise assessment of the problem and also would indicate danger areas and the type of controls which should be applied to obviate future problems.

On the basis of my observations of Doctor Gray and the members of his staff, I think that Council should be satisfied that the Study of the pollution problem is in the hands of such competent experts. It is observed, however, that the Study is confined to the City of Halifax whereas the problem covers the whole metropolitan area; and it is felt that perhaps tests should be conducted in the total area at a later date in order that an evaluation of all sources of air pollution can be made and the data made available.

8:35 p.m. Alderman LeBlanc arrives.

Council,
January 15, 1970

Alderman Connolly went on to explain in more detail his inspection of the monitoring station and his discussions with Doctor Gray and Doctor Majid. He also reported on discussions with representatives of the Nova Scotia Light and Power Company Limited.

Appointment of Acting Deputy Mayor

His Worship the Mayor stated that he will be out of town for the next few days and the Deputy Mayor is unfortunately sick in Hospital and he asked Council to appoint an Acting Deputy Mayor.

MOVED by Alderman McGuire, seconded by Alderman Ivany that Alderman Allen be appointed Acting Deputy Mayor for the time being. Motion passed.

8:45 p.m. Council adjourned.

HEADLINES

Minutes	4
Approval of Order of Business	4
National Park - Ship Harbour	5
Sale of City-owned Front Land - Isleville Street	6
Purchase - Data Processing Equipment	6
Possible Acquisition - 267 Brunswick Street	6
Possible Acquisition - 304-6 Upper Water Street and 320 Upper Water Street	7
Legislation - Interim Tax Billing	7
Interest on Past Due Real Estate and Business Taxes	8
Extension - Filling Station - 6385 Lady Hammond Road	8
Tenders - Renovations to Rockingham Fire Station	9
Rezoning - 6243-49 Shirley Street - From R-2 Residential Zone to C-2 General Business Zone - Date for Hearing	9
Appointment - Sub-Committee - Draft Ministerial Order - Reconstitution of Regional Planning Commission as District Planning Commission	9
Accounts Over \$5,000.00	10
Amendments to Administrative Order No. 5 - Second Reading	10
Vacancy - Office of the City Manager	11
Tenders - Renovations City Hall Offices	11
Tenders - Truck Chassis - Garbage Unit	11

HEADLINES (continued)

Proposed Residential Complex and Parking Garage - Grafton Street	12
Refund - Gasoline Tax - N. S. L. & Power Co. Ltd. - \$14,785.52	12
Legislation - Ordinance Respecting Lakes	12
Legislation - Special and Private Special Constables	13
Question Alderman Meagher Re: Rezoning Application - 156 Purcell's Cove Road	13
Question Alderman Connolly Re: Assistance to Woman who Fell on Sidewalk	13
Question Alderman Ivany Re: Housing on Romans Avenue	14
Question Alderman Allen Re: Meeting of Steering Committee	14
Notice of Motion - Alderman MacKeen Re: Government of the City	14
Notice of Motion - Alderman McGuire - Amendments to Ordinance No. 119 Respecting the Levying and Collection of Poll Tax	15
Notice of Motion - Alderman McGuire - Introduction of Ordinance No. 141 Respecting Tax Relief for Widows	15
Appointment to Housing Authority	15
Social Planning Report of the Last Committee of the Whole Council	16
Amendments to Administrative Order No. 8	16
Report on Pollution	16
Appointment of Acting Deputy Mayor	18

ALLAN O'BRIEN
MAYOR AND CHAIRMAN

R. H. STODDARD
CITY CLERK

COMMITTEE OF THE WHOLE
MINUTES

File Chief

Committee of the Whole,
January 20, 1970
Council Chamber,
City Hall,
Halifax, N.S.
January 20, 1970
8:15 P.M.

A meeting of the Committee of the Whole was held on the above-noted date.

Present: Acting Deputy Mayor Allen, Chairman; and Aldermen Hogan, Ivany, Meagher, Connolly, His Worship the Mayor, and LeBlanc.

Also present: City Manager, City Solicitor, and other staff members.

KLINE HEIGHTS URBAN RENEWAL SCHEME - FINAL REPORT - DECEMBER/69

The Chairman advised that the meeting had been called to consider the "Kline Heights, Halifax, N.S. - Urban Renewal Scheme - Final Report" which had been prepared by Project Planning Associates Limited under date of December, 1969.

Messrs. Martin Dake and Dennis Flood of Project Planning Associates Limited spoke first on the report, and were questioned from time to time by the Aldermen. Following their presentation, Mr. R. Rafuse was heard on behalf of the Kline Heights Advisory Committee, and he also had a number of questions to ask the representatives of Project Planning Associates Limited.

The Report was tabled by the Committee of the Whole, following which it was MOVED by Alderman LeBlanc, seconded by Alderman Meagher, that:

1. A committee composed of members of City Council meet immediately with the Kline Heights Advisory Committee in connection with those residents of the area who will be affected by the first phase of the renewal program, namely, the installation of sewer and water facilities, due to the fact that some advance publicity regarding the renewal scheme has caused them grave concern as to

Committee of the Whole,
January 20, 1970

the effect it will have on their homes, and

2. City staff give immediate consideration to the Final Report, and submit a recommendation as soon as possible as to how the City of Halifax can embark on the first objectives of the renewal program, namely, the installation of sewer and water facilities.

Motion passed.

The Chairman then nominated the following

Aldermen to serve on the Committee to meet with the Kline Heights Advisory Committee:

Aldermen LeBlanc, Meagher, Ivany, and Connolly

Alderman LeBlanc to act as Chairman.

10:30 p.m. - Meeting adjourned.

R.J. ALLEN
ACTING DEPUTY MAYOR

/ja

Fire Chief

CITY COUNCIL
MINUTES

AMENDED PAGE
Council,
January 15, 1970

and any other costs owing to the City. Motion passed.

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

MOVED by Alderman Hogan, seconded by Alderman Abbott that the formal Resolution, as submitted, be approved. Motion passed.

Possible Acquisition - 304-6 Upper Water Street and 320 Upper Water Street

MOVED by Alderman McGuire, seconded by Alderman MacKeen that, as recommended by the Finance and Executive Committee, the properties of Mr. Max Pascal, known as Civic Nos. 304-6 and 320 Upper Water Street, be purchased by the City and that five per cent interest be paid to Mr. Pascal commencing as of January 1, 1969 on 320 Upper Water Street, the total sum being \$17,900 inclusive of all costs and interest, as settlement in full, and that a resolution be prepared to withdraw funds in the amount of \$17,960 from the Sale of Land Account; the properties being required immediately for the temporary widening of Cornwallis Street and for the future expansion of Harbour Drive. Motion passed.

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

MOVED by Alderman McGuire, seconded by Alderman MacKeen that the formal Resolution, as submitted, be approved. Motion passed.

Legislation - Interim Tax Billing

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

CITY COUNCIL
MINUTES

*True Chief
G. H. Brundage*

Council,
January 29, 1970

Council Chamber,
City Hall,
Halifax, N.S.
January 29, 1970
8:00 P.M.

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

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

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

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

TRIBUTE TO THE LATE GEORGE J. POWER, EX SUPERVISOR OF
PARKS AND GROUNDS

Alderman Abbott rose to pay tribute to the late George J. Power, who had recently passed away. Mr. Power, like his father before him, had served the City for many years as Supervisor of Parks and Grounds, and the Halifax Public Gardens, under his care, was regarded as one of the best in the country.

MOVED by Alderman Abbott, seconded by Alderman Meagher, that a letter be sent to Mr. Power's immediate family expressing the sympathy of the Halifax City Council. Motion passed.

It was also agreed that the City Manager make arrangements to have a plaque placed in the Public Gardens, which would indicate the years both Mr. George J. Power and his father before him, served the City as custodians of City parks and grounds.

Council,
January 29, 1970

MINUTES

Minutes of the Council meetings held on January 7th and 15th, 1970 were approved on motion of Alderman LeBlanc, seconded by Alderman Allen.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS & DELETIONS

The City Clerk requested the addition of:

20 (a) - Amendment to Administrative Order No. 8.

Alderman Hogan requested the addition of:

20 (b) - Emergency Housing.

Alderman Ivany requested the addition of:

20 (c) - Reply to a question he had previously asked concerning Office Space in Scotia Square.

MOVED by Alderman Meagher, seconded by Alderman Hogan, that the agenda, as amended, be approved. Motion passed.

PETITIONS & DELEGATIONS

His Worship the Mayor asked that before moving to Items 9 (a) and 9 (b) on the agenda, copies of the following documents be tabled:

1. Letter dated January 20, 1970 from the Nova Scotia Association for the Advancement of Coloured People:

"2953 Winston Place
Halifax N.S.
January 20, 1970

"His Worship the Mayor Allan O'Brien & Members of Council,
City Hall,
Halifax, N.S.

"Your Worship and Members of Council:

"The Nova Scotia Association for the Advancement of Coloured People is hereby bringing to your attention an incident which took place at City Hall about two weeks previous to January 12, 1970. Mr. Aaron Carvery of Africville was taken into an office at City Hall in which were Messrs. Donald Murphy, City Solicitor, Sydney Langmaid, Supervisor of Real Estate, Harold Crowell, Social Planner, Harry Carter, Special Project Worker and two or

Council,
January 29, 1970

"three other men, where he was both pressured and coerced to sell his property in Africville by being shown a satchel full of money, allegedly \$14,000.00 in cash. We consider such behaviour to have been not only an insult to Mr. Carvery's dignity, but also a grossly immoral act, motivated by a total disrespect for this gentleman as a fellow human being, because of his age, and his station in life. Such blatant disregard for one's human dignity is of course unpardonable and even more so when initiated by supposedly trusted public servants.

"We of the Nova Scotia Association for the Advancement of Coloured People are therefore demanding an investigation of this incident, disciplinary action against the perpetrators of this evil act, a public apology to Mr. Carvery, and assurances that such behaviour will never again take place regardless of who the individuals involved may be.

"We further request that City Council adopt a motion expressing its disapproval of this conduct and dissociating itself both in principle and in fact from this disgraceful action on the part of staff.

"Yours truly,
(Sgd) H.A.J. Wedderburn
FOR THE EXECUTIVE
NOVA SCOTIA ASSOCIATION FOR THE
ADVANCEMENT OF COLOURED PEOPLE.

2. Report dated January 23, 1970 by City Manager, entitled "Africville Relocation - Mr. Aaron Carvery":

"To: His Worship the Mayor and Members of City Council
From: S.A. Ward, City Manager
Date: January 23, 1970
Subject: Africville Relocation - Mr. Aaron Carvery

"On December 4th of last year a meeting took place in City Hall for the purpose of obtaining possession of a house belonging to the City of Halifax.

"In summary, this meeting was necessary for the following reasons:

1. Mr. Aaron Carvery's property was owned by the City of Halifax at that time by virtue of lawful expropriation on November 28th, 1969.
2. The Halifax-Dartmouth Bridge Commission was most insistent that the house owned by the City be removed to allow an approach road to the A. Murray MacKay Bridge to be completed in order to avoid imposition of contractor's penalties amounting to thousands of dollars a day.
3. City staff was attempting to have done voluntarily that act which could have been achieved by an order of the Court to give up possession.

Council,
January 29, 1970

"4. This transaction was of a different nature from the City's normal property acquisitions because it also involved the search for alternative housing, since Mr. Carvery was a resident of Africville and was entitled to certain considerations granted by City Council in its initial decision to relocate the residents of that area.

"Present at the meeting were the City Solicitor, Mr. D.F. Murphy, who acted as the City's chief spokesman; Mr. D.B. Hyndman, Director of Finance and City Treasurer who had withdrawn funds from the bank on the City's behalf; Mr. C.W. Smith, Internal Auditor, who was present to ensure the propriety of any transaction; Mr. H.D. Crowell, Social Planner, and Mr. Harry Carter, Special Projects Worker, Social Assistance Department, (himself a former Africville resident) who, in effect, were present on Mr. Carvery's behalf. Also present were two plainclothes Police officers who safeguarded the funds from the time of withdrawal. (A statement that Mr. S.J. Langmaid was also at this meeting is erroneous).

"It is correct that in the course of this meeting of staff with Mr. Carvery, the amount of approved compensation was available to Mr. Carvery in cash, and he was in fact shown the money. The meeting was not held as the NSAACP states, to "coerce" Mr. Carvery into selling his property for \$14,000 or any other amount: the City already owned the property because of the expropriation. The meeting was held for the sole purpose of seeking Mr. Carvery's agreement to vacate the Africville property.

"The meeting concerned itself primarily with rehousing Mr. Carvery so that he could move with reasonable peace of mind. Mr. Carvery, however, maintained his position that the City should pay him the agreed compensation and buy or otherwise make available a five- or six-room house, or pay him \$35,000. Various housing alternatives were discussed, but the meeting ended inconclusively.

"At the outset of the meeting, Mr. Carvery was told that he had a right to legal services of his choice at City expense. He was asked if he had obtained legal advice; his reply indicated that he did not, in his opinion, need it. Mr. Carvery's failure or reluctance to obtain legal advice, in the opinion of staff, may have accounted for his failure to understand his position regarding ownership and compensation.

"In viewing the history of negotiations with respect to this property, it is essential to keep in mind that the transaction was not a straightforward one wherein the City merely sought to acquire a property for some legitimate public use. It was part and parcel of the City's undertaking to relocate the people of Africville, who were entitled to full compensation for their interests in land and buildings and, among other things, to being rehoused through the City's efforts.

Council,
January 29, 1970

"Mr. Aaron Carvery's interest was the last for which compensation was to be paid and he was the last person for whom the City was obligated to find acceptable housing.

"Two factors made the relocation of Mr. Carvery different from any other:

1. Mr. Carvery's determination not to accept compensation commensurate with the realistic value of his property as established by numerous precedents, including identical interests in the same lands;
2. the fact that the lands which Mr. Carvery occupied ultimately were in the path of the approaches to the A. Murray MacKay Bridge.

"Negotiations with Mr. Carvery extended over a period of more than three years. His continued refusal to accept either the compensation or the alternative housing offered by the City brought the matter eventually to a point of crisis caused by the Halifax-Dartmouth Bridge Commission's need for the land. Inevitably, this brought about heavy pressure from the contractors for access to the land, the threat of substantial financial penalties and the prospect of a delay of unknown duration in the opening of the new bridge. The relocation of Mr. Aaron Carvery, therefore, took on a dimension which did not apply in any other Africville relocation case.

"Mr. Carvery was one of five heirs of the estate of William Carvery. Council had authorized acquisition of the estate of William Carvery lands for \$25,000. Four of the heirs, brother and sisters of Mr. Carvery, had accepted \$5,000.00 each for their interest, had given up possession of their properties and relocated elsewhere in the City.

"In view of the impasse, staff requested the long disbanded Africville Sub-Committee to reconvene to consider a settlement "which would be consistent with the spirit and intent of the total Africville relocation program". At a meeting on September 29, a settlement of \$14,387.76 was agreed upon to be recommended to Council. The subsequent staff report recommended as follows:

- '1. A total settlement of \$14,387.76 be offered to Aaron Carvey, to include compensation for his interest in the William Carvery Estate, his dwellings remaining on the property, his interest in the Estate of Maizie Carvery, furniture and moving allowance, and refund of an amount equal to property taxes paid by him subsequent to the (1953) death of William Carvery, Senior.
- '2. In the event that Aaron Carvery should be unwilling to accept the above offer of settlement, it is further recommended that the City proceed immediately with expropriation, ensuring that construction of the Narrows Bridge be delayed no further, but that City Staff make

Council,
January 29, 1970

'every effort to facilitate Mr. Carvery's relocation by offering suitable accommodations, presently being held in reserve for this purpose. However, Mr. Carvery should be assured a settlement from the City of an amount at least equal to the \$14,387.76 being offered, regardless of any decision reached in the law courts.

'3. City staff be directed to interpret to Mr. Carvery his right to legal counsel of his own choice, at the expense of the City, should he wish to have formal representation in opposing the terms of relocation offered to him.'

"City Council approved the recommendations on October 15 and they were communicated to Mr. Carvery by letter and by word of mouth. Mr. Carvery refused to accept either the compensation or any of the housing offered him by the City, and expropriation, therefore, had to be proceeded with. City Council gave its formal approval on November 26, and the actual expropriation took place on November 28. The City, thus, became the owner of the property in question, and Mr. Carvery was so informed. Mr. Carvery was guaranteed compensation of \$14,387.76 even should the courts establish a lesser valuation.

"Mr. Carvery refused to vacate the premises, and it became apparent that he would not do so until he was absolutely assured of both housing and compensation to his satisfaction. The City's alternatives at that point were limited to (a) continued negotiation with Mr. Carvery in the hope that he would accept the approved compensation and vacate on the assurance that the search for suitable accommodation would be continued until concluded to his satisfaction; (b) seeking an order of the Court requiring Mr. Carvery to give possession. As stated in a staff report to Council on November 26, such a step was to be taken only on a "last resort" basis. While preliminary preparations respecting an application for such an order were put in motion, staff chose for the moment to continue to negotiate for an amicable conclusion to the relocation.

"For the record, Mr. Aaron Carvery eventually accepted the amount of approved compensation of \$14,387.76. With the exception of an inoperable truck, all of Mr. Carvery's possessions at Africville (the contents of three buildings) were moved and placed in storage at City expense. The City bought, at a cost of \$13,000, a relatively new six-room dwelling in a very good residential area of the City. This house is leased to Mr. Carvery on the basis of the public housing formula, which in this case is \$20.00 monthly. The City has, in addition, invested hundreds of hours of staff time in an effort to relocate Mr. Carvery amicably and to his satisfaction.

"Complete details of the City's dealings with and on behalf of Mr. Carvery are available to members of Council from the City's files at any time."

Council,
January 29, 1970

3. Letter dated January 27, 1970 from D.F. Murphy, City Solicitor to His Worship the Mayor and Members of City Council

"January 27, 1970

"His Worship the Mayor Allan O'Brien and Members of City Council,
City Hall,
Halifax, N.S.

"Your Worship and Members of Council:

"It has been interpreted that the offering of a sum of money in arriving at a settlement of an expropriation claim with Aaron Carvery constituted an insult to his dignity and indicated a disrespect for him as a human being. No such insult and no such affront was intended. Quite the opposite situation, in fact, motivated the action. It was at least in part an acknowledgment of his tenacity, his ability to hold out against the machinery of government and the expropriation process that dictated the departure from normal practice in the settlement of an expropriation claim.

"If the meeting at City Hall itself, the conduct of the meeting in any way, the presence of those persons who by circumstance were compelled to be present, or if any other factor surrounding the meeting or the showing of the sum of money was construed by him or anyone on his behalf to be coercive in the derogatory sense, or insulting to him, I do sincerely apologize.

"I did not know Mr. Carvery prior to the meeting except as the remaining Africville resident in our relocation program. At the meeting I admired and respected him as a person and the manner in which he conducted himself; which admiration and respect continues today.

"Yours truly,

(Sgd) Donald F. Murphy
City Solicitor"

4. Letter dated January 27, 1970 from Harold Crowell, Social Planner to His Worship the Mayor and Members of City Council:

"January 27, 1970

"His Worship Mayor Allan O'Brien and Members of City Council,
Halifax, N.S.

"Your Worship and Members of Council:

"I would like to make the following statement in response to the letter that you have received from Mr. H.A.J. Wedderburn, dated January 20, 1970.

"I was present at the meeting referred to, along with Mr. Harry Carter, a member of my staff. I would like to make it clear that we attended this meeting in the capacity of Social Worker and Special Projects Worker for the Africville Follow-up

Council,
January 29, 1970

"Program and acted in support of the interests of Mr. Carvery. In my opinion, Mr. Carter and myself would have been remiss in our duties if we had not been present at any meeting where negotiations were taking place.

"I feel that the offering of cash to Mr. Carvery as a settlement for his property was an unintended mistake. It was a mistake because I realized that he was offended by the action and considered it an affront to his dignity. I certainly regret any offence Mr. Carvery may have suffered as a result of the meeting but I continue to feel that this was in no way intended.

"Yours truly,
(Sgd) Harold Crowell
Social Planner."

5. Telex message from the National Black Coalition
Received January 28, 1970

"Montreal, Que. January 27
His Worship Mayor Allen O'Brien and City Councillors
City Council, Halifax, N.S.

The National Black Coalition support the stand taken by the N.S.A.A.C.P. regarding the manner in which your employees treated Mr. Carvery STOP The statement by your Manager neither justifies nor vindicates this grossly immoral act and disregard for human dignity STOP Nothing short of a public apology to Mr. Carvery by those involved in this insult will be satisfactory.

"(Sgd) National Black Coalition"

6. His Worship Mayor Allen O'Brien's Statement to the NSAACP
Meeting on January 27, 1970:

"I am a member of NSAACP and proud of it. I am also a part of the City Government and no less proud of that.

"The issue about which Mr. Wedderburn came to see me seems to be one which could seriously divide our City Government, that is yours and mine, from our organization, the NSAACP.

"This need not be. We all make mistakes. My reaction was to call the cash incident with Mr. Carvery "a serious error of judgment". Your letter to the City is not without serious errors of judgment, and indeed fact.

"In the circumstances, I have today consulted Aldermen, staff, Mr. Wedderburn and Mr. Schiff.

"It is clear that we could have a real confrontation. You could tell us about our errors; we could tell you about yours. You