

MOTIONS

Motion - Alderman Connolly - Suggested Amendments to Provincial
Legislation Respecting Liquor Outlets

MOVED by Alderman Connolly, seconded by
Deputy Mayor Moir that:

WHEREAS the issuing of Occupancy Permits in respect of
Liquor Outlets has been a source of difficulty for
Municipalities and of irritation to its citizens;

AND WHEREAS a Building Inspector has no discretion in
the matter of issuing of Occupancy Permits for Liquor
Outlets in a Municipality;

AND WHEREAS it appears to the City Council of the City of
Halifax that the method of notification of a public hearing
by the Nova Scotia Liquor License Board has proven
inadequate in the past,

IT IS THEREFORE RECOMMENDED to the Nova Scotia Liquor
License Board that the Regulations respecting applications
for Liquor Outlet licenses be amended to provide:

- (1) That the Municipality in which a proposed Liquor
Outlet is to be located shall be notified in writing
of the time and place of the Public Hearing; and
- (2) That the citizens in the neighbourhood of the
proposed Liquor Outlet affected by such proposed operation
shall receive notice in writing of such public hearing
by the Board; and
- (3) That the Municipality in which the proposed liquor outlet
is to be located approve the location of the outlet
before the Nova Scotia Liquor License Board grants a
liquor license.

The City Manager said he could see no
objections to such a motion although he certainly hoped that
the Liquor Board would be responsible for notifying the public
of any Public Hearings. He also questioned whether it was the
City's job to prepare legislation.

Alderman Connolly said the motion was in the
form of a resolution to be submitted to the Province, rather than
having the intention that the City would prepare actual legislation.

The motion was put and passed.

MISCELLANEOUS BUSINESS

Tenders - Fairview Jr. High School

This matter was deferred for discussion at
the adjourned meeting of Council to be held on May 31, 1972.

Resignation - J.E. Tipler, Chairman & Member - Halifax Industrial Commission

The resignation of Mr. J.E. Tipler as Chairman of the Halifax Industrial Commission was tendered.

MOVED by Alderman Connolly, seconded by Alderman Stapells, that the resignation of Mr. J.E. Tipler as Chairman of the Halifax Industrial Commission, be accepted. Motion passed.

Council requested that His Worship the Mayor send a letter to Mr. Tipler thanking him for his services as Chairman of the Halifax Industrial Commission.

Award of Tender - Lacrosse Box

This item was deferred for discussion to the adjourned Council to be held on May 31, 1972.

Resignation - J. Gerald Spears - Chairman Athletic Commission

The resignation of Mr. J. Gerald Spears as Chairman of the Athletic Commission was tendered.

MOVED by Alderman MacKeen, seconded by Alderman Connolly, that the resignation of Mr. J. Gerald Spears as Chairman of the Athletic Commission be accepted.

Alderman MacKeen referred to the long hours which Mr. Spears had spent in carrying out his duties as Chairman of the Commission, and the excellent job he had done.

The Motion was put and passed.

Alderman MacKeen also requested that a new Chairman be appointed as quickly as possible.

Encroachment - Restaurant - Herring Choker - Cogswell St. Interchange

This item was deleted from the agenda.

Award of Tender for Property and Fleet Insurance

MOVED by Alderman Bell, seconded by Alderman Hogan that the staff report of May 26, 1972 respecting Property Insurance Spec. 72-40 and Fleet Insurance Spec. 72-41, be accepted and approval given to the following:

1. That the City of Halifax obtain nil deductible property insurance at a yearly cost of \$22,731.00 and that Bell Grant administer this policy with all board tenderers participating equally.
2. That vehicle insurance be continued with the present insurance company, Sun Alliance at a cost of \$37,702.00 with board tenderers participating.

Motion passed.

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May 29, 1972

Borrowing Resolution - Additional Funds - New Police Headquarters

A staff report dated May 29, 1972 was submitted concerning the subject matter.

MOVED by Alderman MacKeen, seconded by Deputy Mayor Moir that Council formally resolve that an additional amount of \$250,000 is to be borrowed for the New Police Headquarters project and that the approval of the Minister of Municipal Affairs be requested for this amount. Motion passed with Alderman Connolly against.

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

MOVED by Deputy Mayor Moir, seconded by Alderman Wentzell that the formal resolution, as submitted, be approved. Motion passed.

Appointment - Voting Delegates - Union Nova Scotia Municipalities - Sydney, Nova Scotia.

MOVED by Deputy Mayor Moir, seconded by Alderman Stapells that His Worship the Mayor, Alderman Bell, Alderman Wentzell, and any two additional aldermen who may attend, be appointed as voting delegates for the City of Halifax. Motion passed.

Appointment - Public Service Commission

MOVED by Alderman Meagher, seconded by Alderman Stanbury that Mr. G.B. Robertson be reappointed to the Halifax Public Service Commission for a three year term to expire April 30, 1975. Motion passed.

Appointments - Halifax Transit Corporation

This matter was deferred to the adjourned meeting of Council to be held on May 31, 1972.

QUESTIONS

Question - Alderman Bell re: Condition of Baseball Diamonds

Alderman Bell said that City trucks had left large ruts in the baseball diamonds which made them unusable and he asked when they would be repairing the damage or at least supply the soil for the people in the area to do the work.

The City Manager asked that the Alderman supply him with a list of the specific diamonds which had been damaged by City trucks and he would see that the work was carried out.

Question - Alderman Connolly re: Answers to questions asked of various City Departments.

Alderman Connolly said that over the past few months he had asked a number of reports from various City departments on different matters and he had received no replies; he asked what course of action should be followed in order to receive answers to his questions. He said they had been direct requests to the departments concerned.

The City Manager said that if these requests involved any amount of research there might be a time factor involved in getting the answers, and he asked that the Alderman supply him with a list of the unanswered questions and said he would follow the matter up.

Alderman Connolly also asked if Clean-Up Week was still scheduled for next week and was advised that a confirmation ad had appeared in today's paper.

Question - Alderman Meagher re: General condition of the Commons

Alderman Meagher said he did not think the Commons was looking up to standard this year and asked if the necessary work had been done on it this spring. One thing he said he noticed was that the playing fields were not being changed from year to year as had always been done in the past.

Question - Deputy Mayor Moir re: Directions from Council for Voting on Resolutions of the Union of Nova Scotia Municipalities

The Deputy Mayor asked if the voting delegates for Halifax were looking for any directions from the Council as a whole with regard to voting on the various resolutions of the Union of Nova Scotia Municipalities.

He asked the City Manager to indicate at Wednesday's adjourned Council meeting if there were any matters on which he would like direction from the Council.

Question - Alderman Stapells re: Existing legislation governing the operation of motor boats on small lakes throughout the area

Alderman Stapells asked if the City Solicitor could report on what legislation existed governing the size and speed of boats which could operate on small lakes such as Williams Lake,

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May 29, 1972

Chocolate Lake, etc. as he had received many complaints of children being exposed to danger from such boats.

The Acting City Solicitor said that provision had been put in the Charter in 1970 for an Ordinance to regulate the use of lakes with regard to motor boats, such as size and hours they could operate, but such an Ordinance had not yet been passed. She said it would be necessary to know these details as to size of boats, hours, etc. before such an Ordinance could be drafted.

Alderman Stapells said he would get together with City Solicitor on this matter.

Question - Alderman Stapells re: Availability of Fire Fighting Equipment at fire in Purcell Cove area.

Alderman Stapells said he had received a number of phone calls concerning the fire in the Purcell's Cove area, as evidently when the fire truck arrived at the scene, the fire fighting equipment had broken down and it was a full half-hour before another truck arrived and that in the meantime the fire had spread considerably. He said he would like to know when the fire call was received and when the truck arrived on the scene.

He also said that after the first truck had broken down a group of about fifty volunteers had been formed and they had asked the Fire Department for some back-up equipment so as to form a bucket brigade until the proper equipment was available, but the man phoning the Fire Station had had the phone hung up in his ear.

Alderman Stapells asked to know why the equipment had broken down, and the reason a back-up tank truck had not been available for the volunteers.

Question - Alderman Wentzell re: Special meeting re City Field

Alderman Wentzell said that some time ago discussion had taken place regarding a special meeting with City Works. He said he had received a number of complaints from people going to the City Field and waiting for an answer to a problem without receiving any satisfaction.

Question - Alderman Wentzell re: Responsibility for damage to Drinking Wells due salt run-off from roads

Alderman Wentzell asked who was responsible for the damage caused to wells contaminated by salt running off from the roads, and referred to one specific instance where the people concerned had been carrying water from a neighbour's well for some time now.

The City Manager said he would take the matter under advisement.

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Question: Alderman Connolly re: Parking Ban during General Clean-up Week

Alderman Connolly asked if staff had arrived at any decision regarding a parking ban during Clean-Up Week.

The City Manager said he assumed it would be in force for the week but said he had not been back long enough to check the matter out, but would do so.

Question: Alderman Connolly re: Special Leave - Director of Recreation

Alderman Connolly said that it had come to his attention that the Director of Recreation was on special leave.

The City Manager replied that the Director of Recreation had been away for three days or so on an emergency visit of some sort.

Alderman Connolly asked that the City Manager notify him of what the situation was.

NOTICE OF MOTION

There were no Notices of Motion presented at the meeting.

ADDED ITEMS

Expropriation of Land for New Police Headquarters - 1961 Gottingen St.

A staff report dated May 26, 1972 was submitted concerning the subject matter. The report outlined difficulties encountered with concluding this matter, and stated:

"In view of the fact that a contract has been awarded by the City for construction of the new Police Headquarters with the contractor now active on the site, it is imperative that the City get possession of the Irving Oil Company lands immediately. On the strength of the Council authorization of June 17, 1971, a plan and description of the lands were prepared for expropriation purposes. To complete the expropriation, it would be necessary only for the City to tender to the company one-half of the recommended compensation and file the plan and description in the Registry of Deeds, in accordance with the requirements of the Expropriation Procedure Act."

MOVED by Deputy Mayor Moir, seconded by Alderman MacKeen that final approval be granted:

1. for the expropriation of the lands of the Irving

Oil Company Limited situated at the southeast corner of Cogswell and Gottingen Streets;

2. for the tendering to the owner's representatives of the amount of \$120,000, being one-half of the recommended compensation;
3. for the filing of the plan and description of the lands in the Registry of Deeds, all in accordance with the requirements of the Expropriation Procedure Act.

Alderman Connolly asked what the figure was for which the City had originally sold the land to the Irving Oil Company, and on being advised that the City Manager did not have the exact figure at his finger tips, he asked to be advised at a future time.

The motion was put and passed with Aldermen Connolly and Meagher against.

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

MOVED by Alderman MacKeen, seconded by Alderman Bell that the formal resolution as submitted be approved. Motion passed with Aldermen Connolly and Bell against.

Petition - Clearview Subdivision Playgrounds

This matter was deferred for discussion until the adjourned Council to be held on May 31, 1972.

10:25 P.M. - Meeting adjourned until 8 P.M. Wednesday, May 31, 1972.

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Local Improvement Tax (L.I.T.) ...
required for the year 1972.

BACKGROUND:

WALTER R. FITZGERALD
MAYOR AND CHAIRMAN

(A) 1971 Local Improvement Tax

R.H. STODDARD
CITY CLERK

Under section 383 of the City
Charter, Council has
passed a motion that
(of local improvement tax)
should be averaged over the
city.

Committee of the Whole
May 17, 1972

TO: His Worship the Mayor and Members
of the Finance and Executive Committee

FROM: C. McC. Henderson, City Manager

DATE: May 16, 1972

SUBJECT: Local Improvement Tax Rates

RECOMMENDATION:

It is recommended that the proposed 1972 rates as shown in Appendix "A" be approved.

ACTION REQUESTED:

Approve all 1972 rates for Local Improvement Taxes as found under Appendix "A" attached.

PROBLEM:

Local Improvement Tax (L.I.T.) rates are now required for the year 1972.

BACKGROUND:

(A) 1971 Local Improvement Tax Rates:

1. Apportionment of cost -

Under section 385 of the 1963 City Charter, Council on July 7, 1970 passed a motion that "... The Costs (of local improvement projects) should be averaged throughout the City".

2. Uniformity of Tax -

Council, by passing a motion on July 7, 1970 had elected to use section 385 of the City Charter which allows Council to, "... Fix a uniform rate based on estimated average costs throughout the City for any type of work, improvement, or service undertaken as a Local Improvement project".

3. Approved 1971 Cost Sharing Formulas -

Council, by passing various motions during late 1970 and early 1971, established certain cost sharing formulas between the City and the abutting property owners as shown in appendix "B" attached.

- (B) 1. Council has approved various projects for Capital spending during the 1972 year. On awarding a contract to the successful bidder, work will start subject to notification to the abutting property owners.

2. According to section 388 (b) part (IV) of the City Charter, before a Local Improvement Tax is imposed upon any real property, the Council shall "... cause a notice to be mailed to the owner of each property stating the amount levied against the owners property".

3. Rates are now required for improvement projects which will start in the near future.

The following information has been used while arriving at the proposed 1972 L.I. Tax rates as found in Appendix "A".

- (a) The average direct construction costs for the year 1971 were calculated where samples were available. The average percent increase was determined at 22%. Figures which were available in the November 1971 Engineering News Record show the average increase in twenty North American Cities to be 13.8%.

After conducting the above data comparisons, staff cannot recommend an escalator within the guide-lines of 4-8% as set by Council for 1971 on July 7, 1970, as the City would not recover the percentage agreed upon during the above meeting.

A 15% figure has been used in the calculating of the 1972 rates.

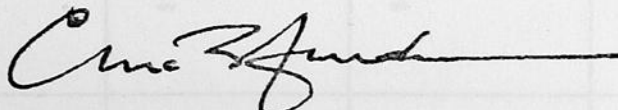
(b) Additional Costs -

As indicated in section 380 of the City Charter "... The cost of a Local Improvement Project shall include not only the cost of the actual work (direct construction cost) involved, but also any expenses of Engineering, Surveying and other expenses incidental to the entering on, carrying out and completing the work and raising the money to pay the cost thereof, including discount and interest. Twenty percent has been allowed for these overhead costs and no change is proposed.

CONCLUSION:

Rates Requiring Immediate Consideration -

According to the various types of Local Improvement Projects scheduled for construction, rates as outlined under Appendix "A" attached - Items 1, 2, 3, 4, 5, 6, 7, 9, 10 Residential Areas, and Items 1, 2, & 3 Commercial Areas are required at this time.



C. McC. Henderson,
City Manager

JRE/jc

Attachment

APPENDIX "A"

LOCAL IMPROVEMENT TAX RATE SCHEDULE

FOR

RESIDENTIAL AREA

PART	ITEM	1971 APPROVED RATE BY CITY COUNCIL	ACTUAL COST 1971 - (PER LIN. FOOT)	ESTIMATED COST 1972 - (PER LIN. FOOT)	APPROVED COST SHARING FORMULA (PER LIN.FT.)	PROPOSED 1972 ABUTTERS RATE (PER LIN. FT.)	REMARKS
1.	New Sidewalk (concrete)	\$5.11	\$10.21	\$11.75	City Initiated: - City Share @ 50% - Other share @ 50%	\$5.88	Recommend increase in 1972 rate from \$5.11 to \$5.88
2.	New Curb and Gutter (concrete) (One side)	\$5.73	\$ 8.12	\$ 9.35	Petitioned or City Initiated (with S.S. & C.B.) - City share @ 33.1/3 - abutter (one side) @ 33 1/3 - abutter (other side) @33 1/3	\$6.23	Recommend increase in 1972 rate from \$5.73 to \$6.23.
3.	New Pavement (Asphalt)	\$7.28	\$26.59	\$30.57	Petitioned or City Initiated - City share 33 1/3 - Abutter (one side) @ 33 1/3 - Abutter (other side) 33 1/3	\$10.19	Recommend increase in 1972 rate from \$7.28 to \$10.19
4.	New Sidewalk (Asphalt)	\$1.63	\$3.42	\$ 3.96	City Initiated on Arterial, Major & Collector Streets. - City share @ 50% - Abutter share @ 50%	\$ 1.98	Recommend increase in 1972 rate from \$1.63 to \$1.98
5.	New curb (asphalt)	\$1.58	\$ 2.44	\$ 2.81	City Initiated on Arterial, Major & Collector Streets - City share @50% - Abutters share @50%	\$1.41	Recommend decrease in 1972 rate from \$1.58 to \$1.41.

LOCAL IMPROVEMENT TAX RATE SCHEDULE

FOR

RESIDENTIAL AREA

PART	ITEM	1971 APPROVED RATE BY CITY COUNCIL	ACTUAL COST 1971 - (PER LIN. FOOT)	ESTIMATED COST 1971 - (PER LIN. FOOT)	APPROVED COST SHARING FORMULA (PER LIN. FT.)	PROPOSED 1972 ABUTTERS RATE (PER LIN. FT.)	REMARKS
6.	New Siding	\$1.00	\$ 0.92	\$1.07	Petitioned or City Initiated - Abutters share 100%	\$1.07	Recommend increase in 1972 rate from \$1.00 to \$1.07
7.	New Tree Planting	\$8.63	\$16.20	\$18.64	Petitioned or City Initiated City Share 50% Abutter Share 50%	\$9.32	Recommend increase in 1972 rate from \$8.63 to \$9.32
8.	New Chip Sealing	No rate Approved	\$0.40	\$ 0.46	No formula approved to date.	NIL	
9.	Renewal concrete sidewalk (one side)	Initiator @\$4.70 Other @\$1.57	\$ 8.36	\$ 9.62	Initiator @ 75% Other @25%	\$7.21 \$2.41	Recommend increase in 1972 rates from \$4.71 to \$7.21 for initiator and \$1.57 to \$2.41 for other.
10.	Renewal curb & gutter (concrete) (one side)	Initiator @\$6.09 Other @\$2.03	\$10.82	\$12.44	Initiator @ 75% Other @25%	\$9.33 \$3.11	Recommend increase in 1972 rates from \$6.09 to \$9.33 for Initiator and \$2.03 to \$3.11 for other.

APPENDIX "A"

LOCAL IMPROVEMENT TAX RATE SCHEDULE

FOR

COMMERCIAL AREA

PART	ITEM	1971 APPROVED RATE BY CITY COUNCIL	ACTUAL COST 1971 - (PER LIN. FOOT)	ESTIMATED COST 1971 - (PER LIN. FOOT)	APPROVED COST SHARING FORMULA (PER LIN. FT.)	PROPOSED 1972 ABUTTERS RATE (PER LIN. FT.)	REMARKS
1.	Renewal Sidewalk (concrete)	Initiator @\$12.65 Other @ \$ 4.22	\$16.87	\$19.40	Initiators share @ 75% Other share @ 25%	\$14.55 \$ 4.85	Recommend increase in 1972 rates from \$12.65 to \$14.55 For Initiator an \$4.22 to \$4.85 for other.
2.	Renewal Curb & gutter (concrete) concrete removal one side	Initiator @\$7.74 Other @ \$2.58	\$10.82	\$12.44	Initiators share @75% Other Share @25%	\$9.33 \$3.11	Recommend increase in 1972 rates from \$7.74 to \$9.33 for initiator and \$2.58 to \$3.11 for other.
3.	Renewal curb & gutter (concrete) Granite Removal one side	Initiator @\$10.05 Other @\$3.35	\$13.40	\$15.42	Initiators share @ 75% Other share @25%	\$11.56 \$ 3.86	Recommend increase in 1972 rates from \$10.05 to \$11.56 for Initiator and \$3.35 to \$3.86 for other.

APPENDIX "B"

The following are formulas and rates approved on August 3, 1971 by City Council for the 1971 construction year:

Residential Areas -

1. New Concrete Sidewalks

City Initiated on Arterial, Major & Collector Streets.

City Share = 50% - 5.11 per lineal foot of lot frontage.
Abutters share = 50% - 5.11 per lineal foot of lot frontage.

2. New Concrete Curb & Gutter (both sides of Street)

Catchbasins and Storm Sewer included:

City's Share = 33 1/3% - \$5.73 per lineal foot of lot frontage.
Abutter's share = 33 1/3 - \$5.73 per lineal foot of lot frontage.
(one side)
Abutter's share = 33 1/3 - \$5.73 per lineal foot of lot frontage.
(other side)

3. New Asphalt Street Paving (both sides)

Petitioned or City Initiated

City's share = 33 1/3% - \$7.28 per lineal foot of lot frontage.
Abutter's share = 33 1/3% - \$7.28 per lineal foot of lot frontage.
(one side)
Abutter's share = 33 1/3% - \$7.28 per lineal foot of lot frontage.
(other side)

4. New Asphalt Sidewalk

City Initiated on Arterial, Major & Collector Streets.
City's Share = 50% - \$1.63 per lineal foot of lot frontage.
Abutters Share = 50% - \$1.63 per lineal foot of lot frontage.

5. New Asphalt Curb (One Side)

City Initiated on Arterial, Major & Collector Streets.
City Share - 50% - \$1.58 per lineal foot of lot frontage.
Abutter's share = 50% - \$1.58 per lineal foot of lot frontage.

6. New Sodding

Petitioned or City Initiated
Abutter's Share = 100% - \$1.00 per lineal foot of lot frontage.

The following are formulas and rates approved on September 16, 1971, by Council for the 1971 construction year:

Residential Areas

7. New Tree Planting

Petitioned or City initiated.
City share = 50% - \$8.63 per tree
Abutter's share = 50% - \$8.63 per tree

9. Concrete Sidewalk Renewal

Petitioned or City Initiated
Initiators share = 75% - \$4.70 per lineal foot of lot frontage.
Other share = 25% - \$1.57 per lineal foot of lot frontage.

10. Concrete Curb and Gutter Renewal (one Side)

Initiators share = 75% - \$6.09 per lineal foot of lot frontage.
Other Share = 25% - \$2.03 per lineal foot of lot frontage.

The following are formulas and rates approved on September 16, 1971, by Council for the 1971 Construction year.:

Commercial Areas

1. Concrete Sidewalk Renewal - Commercial Area

Petitioned or City Initiated
Initiators share 75% - \$12.65 per lineal foot of lot frontage.
Other share 25% - \$4.22 per lineal foot of lot frontage.

2. Concrete Curb and Gutter Renewal - Commercial Area
(concrete removal)

Initiators share 75% - \$7.74 per lineal foot of lot frontage.
Other share 25% - \$2.58 per lineal foot of lot frontage.

(granite removal)

Initiators share = 75% - \$10.05 per lineal foot of lot frontage.
Other share = 25% - \$ 3.35 per lineal foot of lot frontage.

No rates or formulas were approved for #8 of Residential Areas (Chip Sealing) and #11 of Residential Areas (Asphalt Paving Renewal) for the 1971 year.

CITY COUNCIL
ADJOURNED MEETING
MINUTES

Council Chamber,
City Hall,
Halifax, N. S.,
May 31, 1972,
8:10 p.m.

A meeting of City Council was held on the above date, adjourned from the meeting held on Monday, May 29, 1972.

Present: His Worship the Mayor, Chairman, Aldermen Bell, Hogan, MacKeen, Meagher, Moir, Stanbury, Stapells and Wentzell.

Also Present: City Manager, City Clerk, Solicitor, Director of Engineering and Works and other Staff members.

At this time it was MOVED by Alderman Moir, seconded by Alderman MacKeen that the Rules of Order of Council be waived to permit certain items to be added to the Order of Business. Motion passed.

Council then agreed to add the following items:

- 1(i) Tender 72-22 - Two Garbage Packer Units
- 1(j) Tender 72-18 - ½-ton Trucks
- 1(k) 3585 Acadia Street - Amendments to Part V of the Zoning By-law
- 1(l) Appointment - Traffic Authority
- 1(m) Annual Report - Public Service Commission

Tenders - Fairview Junior High School

A report was submitted from Staff relating to the above matter and recommending the acceptance of the low bidder.

MOVED by Alderman Hogan, seconded by Alderman Bell that, subject to the approval of the Liaison Committee for DREE, Council approve the award of a contract for the Fairview Junior High School to Fundy Construction Co. Ltd. in the amount of \$1,454,750.00.

Alderman Hogan made mention of the fact that the low bidder was approximately \$45,000 less than the estimated cost of \$1,500,000.00 and he felt that Staff should take note of the architect for this project.

The motion was then put and passed with Alderman Moir abstaining.

Award of Tender - Lacrosse Box

A report was submitted from Staff relating to the above matter and recommending that Staff be authorized to negotiate with the low bidder with the purpose of arriving at a revised figure of \$26,400 or lower and that the capital budget be adjusted as proposed. The report also recommended that if negotiations are successful that

the contract be awarded to Blunden Construction Ltd. in the revised amount.

MOVED by Alderman Meagher, seconded by Alderman Stanbury that the matter be deferred for one year.

The motion being debateable as to time only and since it was felt by some members of Council that the matter should at least be discussed, it was MOVED in Amendment by Alderman Moir, seconded by Alderman Stapells that the deferral period should be to the next meeting of the Committee of the Whole Council.

The Amendment was put and passed with Aldermen Meagher and Stanbury voting against.

The Motion, as amended, was then put and passed with Aldermen Meagher and Stanbury voting against.

Appointment - Halifax Athletic Commission

MOVED by Alderman MacKeen, seconded by Alderman Stanbury that Mr. Angus L. Macdonald, Q.C. be appointed to the Halifax Athletic Commission to fill the vacancy created by the resignation of Mr. Gerald Spears. Motion passed.

Appointments - Halifax Transit Corporation

His Worship the Mayor recommended the re-appointment of Mr. Edwin C. Harris, C.A. and Mr. Ronald G. Smith to the Halifax Transit Corporation.

MOVED by Alderman Wentzell, seconded by Alderman Moir that Mr. Edwin C. Harris, C.A. and Mr. Ronald G. Smith be re-appointed to the Halifax Transit Corporation for a three year term beginning June 1, 1972. Motion passed.

His Worship the Mayor said that there is an Aldermanic appointment to be made but that he would prefer to leave this until the return to Council of Alderman Sullivan.

Petition - Clearview Subdivision Playgrounds

Alderman Wentzell said that he didn't expect Council to deal with the previous items quite so quickly and he asked that this matter be dealt with later in the meeting to permit some residents to arrive at the meeting, who wish to speak to the petition.

Council agreed to deal with the matter later on the Order of Business.

Resubdivision - Lands of Herman Newman - Frederick Avenue and Hillcrest Street

A Supplementary Staff Report was submitted relating to the above matter.

Adjourned Council,
May 31, 1972

The City Manager spoke to the matter and reported on meetings held by Staff with Mr. Newman. He said that Mr. Newman has agreed to deed Lot X to the City of Halifax at no cost to the City but is not prepared to expend monies on improvements to the land. He felt this is a reasonable compromise.

Council heard from Mr. Brian Flemming, Solicitor for the applicant, who reviewed briefly the history of the property and who said that his client has agreed to deed Lot X to the City of Halifax. He questioned whether the City wished the land to be deeded at this time or at a later date.

The City Manager said that the City wished the land deeded now.

After some discussion, it was MOVED by Alderman Moir, seconded by Alderman Meagher that the application for resubdivision of Lots 442 to 448 inclusive, in order that they be combined to create one Lot, Lot N, as shown on Plan No. P200/5070 of Case No. 2639, be approved, subject to:

1. the applicant deeding to the City of Halifax, at no cost to the City, that parcel of land as shown on the above plan as Lot X to be used for street purposes.

Alderman Meagher asked if it was possible for Mr. Newman to retain the use of the land until such time as the City required it for street purposes to obviate the possibility of the Lot being used as a dumping ground for garbage.

The City Manager said that as long as the City owned the land, he could see no reason why Mr. Newman could not make use of it until it is required for street purposes.

The motion was then put and passed.

At this time some discussion took place as to why the items listed under the Deferred Item portion of the Council Order of Business of May 29, 1972 were not to be discussed at this meeting.

Non Union Salary Proposals

A report was distributed relating to the above matter.

The City Manager briefly reviewed the report and referred to some of the discussions he had had with members of Council in private relating to the matter.

MOVED by Alderman MacKeen, seconded by Alderman Hogan that City Council approve revised salary schedules for 1972 for Non-Union personnel, attached to the Staff Report of May 31, 1972. Motion passed unanimously.
(Copy of Report attached to the Official Minutes of this meeting.)

Adjourned Council,
May 31, 1972

Job Evaluation

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

The City Manager briefly reviewed the report and explained the reasons why such an Evaluation is necessary.

MOVED by Alderman Hogan, seconded by Alderman Stanbury that the firm of Stevenson & Kellogg Ltd. be engaged to carry out a job evaluation at an estimated cost of \$8,000 to the City of Halifax and that Council urge affected Boards and Commissions to co-operate fully in this joint venture.

Alderman Meagher said that from experience he has found that although consultants are hired City Staff are called upon to do much of the work and he asked that a record be kept of all Staff time spent on this study.

The motion was then put and passed with Alderman Meagher voting against.

8:45 p.m. Alderman Connolly arrives.

Petition - Clearview Subdivision Playgrounds

Alderman Wentzell spoke to a petition from residents of the Clearview Subdivision in Spryfield, copies of which had been distributed to all members of Council, and reviewed the history of the development of this playground area.

MOVED by Alderman Wentzell, seconded by Alderman Stapells that Mr. Miller, spokesman for the residents be permitted to address Council. Motion passed.

Mr. Miller spoke to the petition and elaborated on the problems the residents have encountered with children walking over their properties to get to the playground. He drew a sketch of the area showing the present rights-of-way into the playground and showing the points of access that are being used by the children causing damage to gardens, flower beds, etc. He said that he understood the playground area was to be used as a tot lot originally but the younger children are unable to use the playground because of the dangers of flying bats and balls. He said that the grade of the playground is not satisfactory and one portion contains large boulders and there are a lot of broken bottles.

After some discussion, it was MOVED by Alderman Wentzell, seconded by Alderman Bell that the matter be considered at the next meeting of the Committee of the Whole Council and that Staff prepare a report for that meeting on the matter.

The City Manager said that he will attempt to have a report ready for that meeting but that there are

several questions to be answered and considerable Staff discussion is required.

The motion was then put and passed.

Tender 72-22 - Two Garbage Packers

A report was submitted from Staff relating to the above matter and recommending the acceptance of the tender of Mack Maritime Distributors Ltd in the amount of \$52,668.00.

The report pointed out that Mack Maritime Distributors Ltd. was not the low bidder but that certain other considerations relating to Warranty and Delivery Dates make it preferable over the low bidder, being Haldart International Ltd.

Some discussion took place on the tenders and the details of the Warranty.

It was MOVED by Alderman Stapells, seconded by Alderman Connolly that the tender for Two Garbage Packers be awarded to Mack Maritime Distributors Ltd. in the amount of \$52,668.00.

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

For:	Aldermen Bell, Connolly, Hogan, Moir, Stanbury and Stapells	6
Against:	Aldermen MacKeen and Meagher	2

Alderman Wentzell was not present when the vote was taken.

Tender 72-18 - 5 Only One Half Ton Trucks

A report was submitted from Staff relating to the above matter and recommending that authority be granted to purchase the above-mentioned vehicles from Wood Motors at a cost of \$16,788.00.

Some discussion took place with respect to possible trade-in of old vehicles versus outright sale of the vehicles.

In reply to a question, the Director of Engineering and Works said that the purchase of the new vehicles will not increase the total number of vehicles owned by the City.

After further discussion, it was MOVED by Alderman Stapells, seconded by Alderman Bell that authority be granted to purchase 5 - One Half Ton Trucks from Wood Motors at a cost of \$16,788.00.

Motion passed with Alderman Meagher voting against.

3585 Acadia Street - Amendments to Part V of the Zoning
By-law

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

The report reads in part as follows:

"In conclusion, it is recommended that in order to preserve the R-2 Residential zones and provide minimal standards in regard to size, open space and parking for nursing homes and boarding homes providing special care, the present regulations in the Zoning By-law should be maintained. However, if City Council wish to approve the extension at 3585 Acadia Street the following amendment to the Zoning By-law will achieve that purpose.

1) Part V Section 8 be amended by adding the following new subsection (ii)

(ii) Notwithstanding subsection (i) of this section the building may be extended provided the gross floor area of the extension does not exceed 25 per cent of the gross floor area of the existing building.

2) Part V Section 8 subsection (iv) be amended as follows:

(iv) 75 square feet of landscaped open space shall be provided for each person occupying such home.

3) Existing subsections (ii), (iii), (iv), (v) and (vi) of Section 8 be renumbered (iii), (iv), (v), (vi) and (vii)."

Alderman Stapells ascertained from Staff that the City is tailoring the law to suit this specific application.

In reply to a question from Alderman Hogan, Staff advised that the dining room and lounge facilities are not being extended, the only addition proposed is two bedrooms on the second floor.

Considerable discussion ensued on the matter and on the principles involved if the Zoning By-law is amended.

Alderman Stanbury felt that all the talk of open space is not necessary since older people do not want to sit out but want a comfortable place to stay. She said that she understands most of the people living here are bedridden. She urged members of Council to approve the amendments to the Zoning By-law and let the extension proceed.

Alderman Meagher felt that if the By-law is amended, some form of public hearing should be held if

other similar applications are received, to hear the views of surrounding residents.

Against: It was pointed out by Staff that although it will be necessary to hold a public hearing to amend the By-law it would not be possible to hold public hearings into each application since approval or rejection would be somewhat discriminatory.

Alderman MacKeen spoke in favour of permitting the extension to be made since a very satisfactory operation is being carried on at this location and since all the Provincial Nursing Home Regulations are being met.

Wentzell Alderman Moir questioned the logic of reducing the open space requirement.

After further discussion, it was MOVED by Alderman MacKeen, seconded by Alderman Stanbury that a date for a public hearing be set to consider the proposed amendments to the Zoning By-law, as set out in the Staff Report of May 29, 1972, in order that the extension be permitted to the Nursing Home at 3585 Acadia Street.

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

For:	Aldermen MacKeen and Stanbury	2
Against:	Aldermen Bell, Connolly, Hogan, Meagher, Moir, Stapells and Wentzell	7

Appointment - Traffic Authority

MOVED by Alderman MacKeen, seconded by Alderman Meagher that Inspector Luke Flinn be appointed Traffic Authority for the City of Halifax.

Alderman Moir questioned whether Inspector Flinn's duties would permit him sufficient time to carry out the duties of Traffic Authority. He said that if the motion is defeated he would introduce another name.

MOVED by Alderman Hogan, seconded by Alderman Stapells that the matter be deferred and discussed further at the next meeting of the Committee of the Whole Council.

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

For:	Aldermen Hogan, Moir, Stapells and Wentzell	4
Against:	Aldermen Bell, Connolly, MacKeen, Meagher and Stanbury	5

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