

Record

SPECIAL CITY COUNCIL
MINUTES

Council Chamber,
City Hall,
Halifax, N. S.,
January 3, 1966,
2:30 p.m.

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

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

There were present Mayor Charles A. Vaughan, Chairman; Aldermen Black, Abbott, Moir, Matheson, A. M. Butler, Meagher, LeBlanc, Trainor, Connolly, Doyle, Richard, O'Brien and H. W. Butler.

Also present were Messrs. P. F. C. Byars, R. H. Stoddard, and W. J. Clancey.

The meeting was called specially to consider -

- (1) Letter - Premier Robert L. Stanfield Re: Bridges;
- (2) Urwick Currie Report.

At the request of Alderman LeBlanc, it was agreed to add to the Order of Business an item pertaining to the Basinview Home.

LETTER - PREMIER ROBERT L. STANFIELD RE: BRIDGES

Office of the Mayor,
City Hall,
Halifax, N. S.,
December 31, 1965.

To the Members of City Council:

Dear Aldermen:

Enclosed is a letter from the Premier, dated December 30, 1965, received by me today, respecting a North West Arm Crossing.

I thought we should take advantage of the meeting for Monday as a City Council meeting. Council can then resolve itself into a Committee of the Whole to discuss the matters, but it will

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also be possible to take any action we may wish on this date without deferring the matters for consideration at a subsequent Council meeting.

Yours very truly,

CHARLES A. VAUGHAN,
MAYOR.

THE PREMIER
Halifax, Nova Scotia,
December 30, 1965.

Your Worship:

I wish to acknowledge receipt of your letter of December 21st enclosing two resolutions approved by the City Council respecting bridges in the Halifax area.

It is pleasing that the Council has formally recognized and accepted the decision of the Bridge Commission on the site for the second harbour crossing and the City has formally approved the City's share of the cost of the Narrows structure and approaches.

In these resolutions the City Council has requested simultaneous construction of a bridge crossing the North West Arm. I believe this is also the wish of the Council of the Municipality of the County of Halifax. The provincial government is anxious to cooperate with the municipal governments in bringing improved transportation facilities to this area.

Consequently, although the consultants retained by the City and by the Province to study the western approaches to the City did not recommend an Arm bridge until 1973, the Province is quite prepared to ask the Halifax-Dartmouth Bridge Commission to consider the feasibility of the construction of an Arm Bridge simultaneously with the Narrows bridge.

It is possible there might be some economy in simultaneous construction, but there may also be serious financial problems involved in simultaneous construction. It appears that an Arm bridge would operate at a deficit for a number of years at least. This deficit would have to be met by the harbour crossings. There is, of course, a limit as to what would be available from this source to meet possible deficits on the proposed crossing of the Arm. Unfortunately construction costs and the cost of financing have risen very appreciably.

It seems prudent therefore to request the Halifax-Dartmouth Bridge Commission to update its study and to report its findings and recommendations before the Province could undertake to underwrite its share of possible deficits incurred by the Bridge Commission.

One of the resolutions adopted by the Halifax City Council requests the Province to instruct the Halifax-Dartmouth

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Bridge Commission to proceed with the construction of an Arm Bridge at a specific location. The provincial government has no particular view as to the location of an Arm bridge excepting insofar as the choice of a site might affect the cost of the project and consequently our financial position, but we do not believe that the Halifax-Dartmouth Bridge Commission should be instructed by the Province as to the site. The cost of the bridge and connecting roads on the one hand and the revenues to be derived from the operation of the bridge on the other hand may well vary considerably with the site chosen. Indeed, the indications are that the site mentioned in the resolution of the City Council and the connecting roads would cost substantially more than another site reported upon in Mr. Pratley's report of 1963.

We recognize that financial considerations are not the only considerations, but the choice of a more expensive site might very well affect the economic feasibility of an Arm bridge at the present time, unless, of course, the City of Halifax were prepared itself to take care of the estimated difference in cost. It is the view of the provincial government that the Halifax-Dartmouth Bridge Commission should be authorized to select the site, after full consultation with the cities, the county and the province. As I have indicated, however, the Province would wish to have an up-dated feasibility report before authorizing the Bridge Commission to proceed.

It is our hope also that while the Bridge Commission is up-dating its studies and preparing its recommendation the City and the Province can reach agreement regarding necessary improvements at the Arm Rotary. This we feel would be essential to any undertaking regarding an Arm bridge.

Yours sincerely,

(Signed) R. L. STANFIELD.

Alderman Black felt that Council might have some views to submit to the Halifax-Dartmouth Bridge Commission when the matter of the location and the erection of the Arm Bridge is considered. He had advised that he had looked at the Pratley Report of 1963, "Halifax Area Bridge Study", and it seemed to him on the question of costs, that there is very little difference between the two sites reported on in that report. He thought it would be worthwhile that the Commission and the Halifax members on it, consider when dealing with the matter of the things that are not considered in the Pratley Report, namely, the costs to the City which would have been

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incurred with respect to one crossing as opposed to the other, there might be some very great differences on the matter being considered. He said it was not an easy thing to decide on a site for a bridge of this type going through some choice residential accommodation in the area that is represented by the representatives of Ward #1 and or possibly Ward #2. If the costs are more or less comparable in 1966 as they were in 1963, then he thought the impact on the City of providing approaches is something to be considered. The other course is what plans the Provincial Department of Highways has with respect to roads on the other side leading to St. Margaret's Bay, Bicentennial Drive, etc. He thought that some members had an impression at one time, that there is a proposed highway link via the south end of Williams Lake connecting with the St. Margaret's Bay Road and eventually to the Bicentennial Highway. That would seem to indicate that the Bridge and location, he thought at Robie Street, would be preferable but, all these things would be of importance to the Commission deciding on the matter. He said he found it rather curious that the matter is left to the Commission in this case.

His Worship the Mayor stated that Mr. Pratley in 1965 reported to the Bridge Commission and indicated in favour of the one favoured by the City of Halifax. It was also supported in 1959 by the Whitman Benn Report. It has been endorsed by the Planners for the County in drawing up its Master Plan. He contended that the City's case could be well documented and supported. In looking to the future, the site selected by the City would lend itself better to tying into future links either across south harbour or utilizing the air rights over the C. N. R. for any future road expansion. He said the City has a great deal of information which

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would be taken to the Bridge Commission when the matter is considered.

Alderman Matheson stated that the Premier suggested that the Commission select the site after a feasibility study and he also made it clear that the Bridge Commission should consult with the two Cities, the County and the Province. He suggested that some action should be taken with respect to the letter.

His Worship the Mayor suggested that it might be well if the Council would authorize the City Manager to provide to the City nominees to the Commission, every assistance that can be given by the Technical Staff in addition to the reports presently on hand which would be helpful in putting forth the City's views.

It was then MOVED by Alderman Matheson, seconded by Alderman Black,

THAT Council express its willingness to consult with the members of the Halifax-Dartmouth Bridge Commission and the other authorities as to the location of the proposed Arm Bridge and that Council authorize the City Manager to provide the City representatives on the Halifax-Dartmouth Bridge Commission every assistance that can be given by the City's Technical Staff in addition to the reports presently on hand.

Motion passed.

PROPOSED VISIT TO HOMES OF SPECIAL CARE

Alderman LeBlanc stated that the planning with respect to the New Home for Special Care has reached a stage where he felt that a committee should be formed to visit similar institutions in other locations. The Commissioner of Health and Mr. Napier, the architect, have been checking such locations near the City of Halifax as possible.

He requested Council to authorize a delegation of the Board of Management of the Basinview Home to visit these

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institutions headed by His Worship the Mayor and that the necessary funds be provided for such a purpose. The period of time involved would be from January 22 to 24 inclusive. He suggested the visit would be in the vicinity of Boston, Ottawa or Montreal.

Alderman A. M. Butler suggested that the Board be called together to discuss the matter and make a recommendation to Council.

Alderman O'Brien stated that the architect would be travelling on the account for fees and that the Commissioner of Health's expenses could be covered in the current budget and that the Chairman of the Board should be authorized to go as well.

The City Manager felt that such expenses would be a charge against the overall cost of the project. He advocated that a delegation view such institutions elsewhere as the architect must produce the latest for the type of home to be operated.

It was then agreed that the Board of Management hold a meeting and bring in a recommendation to Council.

URWICK CURRIE REPORT

Alderman Richard referred to a newspaper story appearing in the Mail-Star of December 31, 1965, which read, "Council again votes confidence in Manager". He asked the City Clerk if a vote was taken and if so, what the count was.

The City Clerk advised that there was no such motion made in Council therefore, no vote.

2:55 p.m. Council adjourned to meet as a Committee of the Whole to consider the report.

Alderman Matheson addressed the Committee and stated that Council could decide (1) to put the report in the Archives; (2) continue to criticize it; (3) implement it the way it is proposed, or (4) partially implement it. He did not see any point

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in rehashing the events of the last two years or saying that the members of Council knew these things anyway or having second views as to what should have been done two years ago when the City Manager made similar proposals or trying to compare the relative advantages of his report and the Urwick Currie Report. He suggested that the consultants have done what they were asked to do but that the report could be more comprehensive as some members of Council felt. The report does document certain weaknesses and it provides the Council with a vehicle to implement a programme which should result in a more efficient administration of City Hall Government. He suggested that Council should proceed with the implementation of the recommendations. He said the report could be considered item by item and deal with them in detail which would probably take months to do. The report is divided into two parts - (1) the Governing Structure and (2) the Administration. He suggested that Council defer consideration of the Section dealing with the Governing Structure for the time being but proceed with the rest of the report dealing with (1) Accounting Procedures and Techniques; (2) Organizational Structure or the lack of it; (3) Controlled Reporting, and (4) Duplication of Records, etc.. If these matters are implemented, the consultants suggest that there would be a saving of many thousands of dollars.

It was then MOVED by Alderman Matheson, seconded by Alderman O'Brien,

- (1) THAT we accept as guide lines for an implementation programme to be developed and introduced under the guidance of the Implementation Committee, and with the concurrence of Council, the recommendations set forth on Pages 2 and 7 inclusive of the Summary of Recommendations appended to the Urwick, Currie Limited

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Report, under the headings: Executive Management, Assessor's Department, City Clerk's Department, Development Department, Finance and Accounting Department, Institutions, Internal Audit Division, Law Department, Personnel Office, Protections of Persons and Property, Public Health and Welfare Department, Public Works and Buildings Department;

- (2) THAT the Implementation Committee, in consultation with the City Manager and Department Heads, be authorized, subject to further direction of Council, to proceed with the implementation of these recommendations and to engage such professional and other assistance for this purpose as the Committee deems necessary;
- (3) THAT Council give further detailed study and consideration to the recommendations set forth on Page 1 and 2 of the Summary of Recommendations under the heading "The Governing Structure", and that a meeting be arranged with representatives of Urwick, Currie Limited for this purpose.

Alderman O'Brien referred to the priorities for consideration that are implied in the motion. He felt that further thought should be given them. He suggested that if there is anything in the report which might require legislation, it should be dealt with immediately because of the forthcoming session of the Legislature. He felt that Council should give Number One priority to the appointment of a Zoning Appeal Board and since most of the recommendations deal with financial controls, reporting and accounting assistance, etc., that Council should deal with the recommendation about a Commissioner of Finance. He suggested that a highly qualified Commissioner of Finance should be appointed to assist in the implementation both in the Finance Department and Departments where finance is concerned.

He read the Section dealing with the Executive Management of the City and he suggested that Council should give prior consideration to two items (1) Administrative Assistant for the City Manager, and (2) the hiring of a training officer. He

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felt that if the Commissioner of Finance, Administrative Assistant to the City Manager and the Training Officer were appointed to the Staff at an early date, the Council would then be in a position to do a more effective implementation than if more money was spent on consultants assisting in the implementation who would not be around after their job had been completed.

His Worship the Mayor suggested that the first thing Council should take action on is to authorize the City Manager to proceed immediately to fill the vacant position listed in the report with qualified people and to expend whatever funds are necessary in this instance to secure either firms or otherwise to help him recruit such persons.

Alderman O'Brien suggested an early decision by Council with respect to the establishment of the Executive Committee or not. There is also the question of private meetings and he felt that an ordinance might be drafted which would outline the conditions under which private meetings would be recognized by the Council to be legitimate. He felt the Council should discuss in private the following matters:

- (1) Salaries;
- (2) Instructions to the City Solicitor with respect to negotiations;
- (3) Court cases;
- (4) Promotions, and
- (5) Personnel.

He also urged consideration of the unpublished portion of the report with representatives of the Company present to state publicly the methods by which they made the appraisals of City personnel.

Alderman Moir suggested that the motion be approved but that addendums be added to it which would be specific instructions for immediate implementation.

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Alderman A. M. Butler was of the opinion that too much authority would be delegated to the Implementation Committee as recited in the motion before Council. He advised that the City Charter fixes the mode and manner of accounting and that refers to all kinds of record keeping. He said he would not have a vote or any right to make a decision as it would be handed to the Implementation Committee. He suggested that such delegation of authority is wrong. He further suggested that the more vital points in the report be dealt with first. He was of the opinion that several meetings would have to be held before any message would be given to the Implementation Committee.

Alderman Black pointed out that there would be many occasions when the Implementation Committee would come to Council with certain recommendations and discussion would then take place. He also agreed that the necessary personnel has to be first acquired as a great part of the recommendation does involve matters that a strong Commissioner of Finance is going to be required to implement. He said he would go along with the motion before Council.

Alderman A. M. Butler then asked if any member of Council would be able to make suggestions that the Implementation Committee might accept.

Alderman Black replied that the Implementation Committee members would welcome suggestions from other members of Council and that the Committee would bring in recommendations which would be approved, disapproved or amended by Council.

Alderman Richard agreed with the motion before Council. He felt that the Implementation Committee would need some assistance in an advisory capacity and he suggested that some

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consideration be given to having the External Auditors present to give technical advice along with or in consultation with the Urwick Currie Representative who would be in attendance to make sure that Council gets the best possible system.

Alderman LeBlanc stated that Council might be premature in approving the motion before it until the unpublished section of the report is considered. He asked if Council should not first consider the competence of the Staff and the report of Urwick, Currie Limited. He said he would like to assess those persons on City Staff to whom the Council is going to entrust the implementation of the recommendations. He felt that this is of vital importance and that the unpublished section of the report should be considered in concert with the main report. He contended that Council would be shirking its duty if the main report only was implemented without first having a look at the facts or fiction as to what the unpublished document contains. He asked if there would be any sense in coming to some final conclusions and passing them over to an inadequate staff both from a quantity and quality point of view. He asked if this matter was of concern to any other Aldermen. He stated he did not want to hinder a good, sane objective approach to this particular matter but much of the trouble, furor and misunderstanding is as a result of a joint effort by Staff and by Council. He thought that a lot of Council's decisions and arguments came out of sheer frustration because of its inability to get information from Staff and that Staff was also frustrated by the varying and divergent views of the members of Council. He said he was being critical of Council as well as Staff. He felt that personnel is of prime importance and the Council is finding it distasteful to face some of the cold blunt

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facts that may or may not be in the unpublished report.

Alderman A. M. Butler was concerned with the fact that no provision for funds was made in the motion and suggested that the sum of \$10,000.00 be provided in connection with paragraph #2.

Alderman Black pointed out that the recommendations would have to come to Council for consideration in any event.

Alderman A. M. Butler stated that from the intent of the motion, contracts would be entered into with professional or other persons.

In reply to Alderman LeBlanc, Alderman Matheson pointed out that the intent of the motion was to improve the machinery of Government, the techniques and procedures. He referred to the unpublished report on Staff and said that Urwick, Currie, Limited did not make a broad condemnation of Staff but they did make certain observations of certain members of Staff.

Alderman Matheson, with the permission of his Seconder, added the following paragraph to the motion:

- (a) That the City Manager be instructed to fill the vacant positions listed in the report forthwith;
- (b) To this end, the City Manager is hereby empowered to retain such personnel selection assistance as may be necessary in locating, examining and recruiting suitable personnel, and
- (c) That the City undertake to pay all reasonable and necessary recruitment costs incurred in connection with this undertaking.

At the suggestion of His Worship the Mayor, Aldermen Matheson and O'Brien agreed to amend the motion as follows:

- (1) Paragraph #2, Line No.5, delete the words "and to engage" and substitute the word "with".

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- (2) Paragraph #2, Line #6, delete the word "Committee" and substitute the word "Council".

Alderman LeBlanc contended that some of the vacant positions may not need to be filled if the present Staff structure is examined. He suggested that more Staff be not hired until the present Staff is assessed.

Alderman Abbott contended that the best approach to the consideration of the report is the one as outlined in the motion by Aldermen Matheson and O'Brien. He stated that if the motion is approved, the Council has done an excellent job. The balance of the report would be considered by the Implementation Committee with recommendations to Council for its consideration. He also said he did not agree with private meetings of the Committee and this matter should be dealt with as early as possible. He did not agree with the establishment of the Executive Committee as recommended in the report.

Alderman Connolly referred to the fact that the motion before Council states that the Implementation Committee would work with the City Manager. He asked what the position would be if some members of Council were not satisfied with the City Manager and why he should be meeting with the Implementation Committee. He said he could see the Urwick Currie Representative sitting in but not the City Manager.

Alderman O'Brien stated that the point raised by Alderman Connolly is one that Council will have to deal with and that it is also a point which Alderman LeBlanc was alluding to. He contended that the City has to have a City Manager to help in the implementation of the report and if the Council has any doubts about whether it should be the present City Manager, it should be

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settled at once. He felt this question should be discussed in private at this meeting and come up with an answer because the two key staff people for improving the administration, in the light of this report, are the City Manager and the Commissioner of Finance and Council has to know who they are going to be. In seconding the motion, Alderman O'Brien assumed that the present City Manager would be continuing in his position and that he would be, with the assistance of his Administrative Assistant, a Training Officer and a capable Commissioner of Finance, qualified along the lines as suggested by Urwick, Currie Limited, one of the important persons in getting the administration of the City straightened away. He urged that Council decide this issue before it starts on the implementation of the recommendations.

The motion as amended was then put and passed unanimously, the following members of Committee voting therefor: Aldermen Black, Abbott, Moir, Matheson, A. M. Butler, Meagher, LeBlanc, Trainor, Connolly, Doyle, Richard, O'Brien and H. W. Butler.

MOVED by Alderman O'Brien, seconded by Alderman H. W. Butler, that the Committee meet in camera immediately to consider the matter of the present City Manager serving on the Implementation Committee. Motion passed.

3:55 p.m. the Committee met in the Mayor's Office.

4:25 p.m. the Committee reconvened, the same members being present.

IMPLEMENTATION COMMITTEE AND CITY MANAGER

It was then MOVED by Alderman Richard, seconded by Alderman A. M. Butler that this City Council instruct the City

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Manager to work with the Implementation Committee in giving effect to the resolution passed by City Council on this date re the implementation of the Urwick Currie Report. Motion passed.

4:30 p.m. Council reconvened the same members being present.

URWICK CURRIE REPORT

MOVED by Alderman Matheson, seconded by Alderman O'Brien that, as recommended by the Committee of the Whole Council,

- (1) THAT Council accept as guide lines for an implementation program to be developed and introduced under the guidance of the Implementation Committee, and with the concurrence of Council, the recommendations set forth on Pages 2 to 7 inclusive of the Summary of Recommendations appended to the Urwick, Currie Limited Report, under the headings: Executive Management, Assessor's Department, City Clerk's Department, Development Department, Finance and Accounting Department, Institutions, Internal Audit Division, Law Department, Personnel Office, Protection of Persons and Property, Public Health and Welfare Department, Public Works and Buildings Department;
- (2) THAT the Implementation Committee, in consultation with the City Manager and Department Heads, be authorized, subject to further direction of Council, to proceed with the implementation of these recommendations with such professional and other assistance for this purpose as the Council deems necessary;
- (3) THAT Council give further detailed study and consideration to the recommendations set forth on Pages 1 and 2 of the Summary of Recommendations under the heading "The Governing Structure", and that a meeting be arranged with representatives of Urwick, Currie Limited for this purpose;
- (4) (a) THAT the City Manager be instructed to fill the vacant positions listed in the report forthwith;
- (b) To this end, the City Manager is hereby empowered to retain such personnel selection assistance as may be necessary in locating, examining and recruiting suitable personnel, and
- (c) THAT the City undertake to pay all reasonable and necessary recruitment costs incurred in connection with this undertaking.

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The City Manager pointed out that the position of Commissioner of Finance is being filled by an Acting Commissioner until May 1, 1966, and that if a Commissioner were appointed, the incumbent would take up his duties on that date or unless otherwise instructed by Council at this meeting.

The motion was then put and passed unanimously.

IMPLEMENTATION COMMITTEE AND CITY MANAGER

MOVED by Alderman Richard, seconded by Alderman A. M. Butler, that, as recommended by the Committee of the Whole Council, City Council instruct the City Manager to work with the Implementation Committee in giving effect to the resolution passed by City Council on this date re the implementation of the Urwick, Currie Limited Report. Motion passed.

MOVED by Alderman Richard, seconded by Alderman Abbott, that the Implementation Committee set up a series of priorities in its study and that it report to Council on a regular basis as to the progress being made in obtaining its objectives. Motion passed.

Meeting adjourned: 4:30 p.m.

HEADLINES

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CHARLES A. VAUGHAN
MAYOR & CHAIRMAN

R. H. STODDARD
CITY CLERK

ORDER OF BUSINESS

CITY COUNCIL

JANUARY 13, 1966

Lord's Prayer.

Roll Call.

Minutes: December 16, 1965

Approval of Order of Business - Additions or Deletions.

Deferred Business:

- (a) Staff Report Re: Operation of Sewer System.
- (b) Condition of Buildings - Jib Lot, Fleming Park.
- (c) Building Permit Application - #6196 Jubilee Road.
- (d) Rezoning of Land Block Bounded by Spring Garden Road, Brenton Street, Brenton Place & South Park Street From R-3 Zone to C-2 Zone.
- (e) Appointments to Housing Authority of Halifax

Motions of Reconsideration: NONE.

Motions of Rescission: NONE.

Public Hearings:

- (a) Public Hearing Re: Rezoning of Land Southeast Corner of Jubilee Road and Walnut Street From C-1 Zone to R-2 Zone.
- (b) Public Hearing Re: Rezoning of Land Northeast Corner of Jubilee Road and Henry Street From C-1 Zone to R-2 Zone.
- (c) Public Hearing Re: Legislation - Proposed Transient Occupancy Tax.

Petitions and Delegations.

Report - Finance and Executive Committee:

- (a) Temporary Borrowing - \$6,000,000.00 - Section 214, City Charter.
- (b) Release of Rights-of-way - Block "P", Exhibition Grounds - Metropolitan Developments Limited.
- (c) Property Acquisition - #2385 (467) Gottingen Street.
- (d) Authorization to Spend Over \$1000.
- (e) Adjustment of Salary - Chief Accountant.
- (f) Permission to Overdraw 1965 Budget Appropriations.
- (g) Coal Supplies - Halifax Mental Hospital.
- (h) Request for Additional Borrowing - Halifax Centennial Aquarium - \$200,000.00.
- (i) Independent Auditors.
- (j) Resolution Re: Area Development Act.
- (k) Letter of Resignation from Finance and Executive Committee - Deputy Mayor A. M. Butler.
- (l) 1966 Legislation.

Report - Committee on Works:

- (a) Final Certificates: #5 - Standard Paving Maritime Ltd. - \$12,838.33
New Paving
- #7 - Standard Paving Maritime Ltd. - 1,739.37
Patching Sewer Cuts
- #8 - Cameron Contracting Ltd. - 24,496.10
Barrington Street Sanitary Sewer
- #8 - Cameron Contracting Ltd. - 13,520.15
Barrington Street Storm Sewer

1. Report - Committee on Works (Cont'd)

- (a) Final Certificates: #3 - L. W. Allen Limited
Thornvale Ave. Combined Sewer - \$ 2,036.93
#1 - Standard Paving Maritime Ltd.
Chebucto Road Storm Sewer - 3,712.47
#3 - Standard Paving Maritime Ltd.
Brunswick Street Storm Sewer - 5,698.09
- (b) Tenders for Demolition: (i) #1471 Brenton Street.
(ii) #2368 Maitland Street.

2. Report - Safety Committee:

- (a) Creation - Rank of Corporal, Police Department.
(b) Authority to Call for Tenders - Uniform Clothing - Fire Department.
(c) Recruitment and Retention of Police Personnel:

3. Report - Public Health and Welfare Committee:

- (a) Tenders for X-ray Unit for Dental Clinic.- Halifax Health Dept.

4. Report - Committee of the Whole Council, Boards & Commissions:

- (a) Repeal Ordinance #9 Re: "City Home" (2nd Reading).
(b) Ordinance #114 Re: "Halifax Civic Hospital" (2nd Reading).
(c) Ordinance #115 Re: "Basinview Home" (2nd Reading).
(d) Acceptance Bell Road Site for Aquarium.

5. Report - Town Planning Board:

- (a) Alteration to a Subdivision - Lots 10-13B,
#3482-92 Kempt Road (Case #1224).
(b) Modification of Lot Frontage, Lot Area, Front and Side Yard
Requirements - #6264 Duncan Street (Case #1227).
(c) Harbbur Drive - Stage I Alternative.
(d) Staff and Overtime Work - Development Department.

6. Motions: NONE.

7. Miscellaneous Business:

- (a) Accounts Over \$1,000.
(b) Staff Report Re: Letter from the Premier of Nova Scotia -
Location of Halifax Centennial Aquarium.
(c) Request for Funds for Architectural and Historical Survey;
Buildings in the Waterfront Area.
(d) Letter - Municipality of the County of Halifax Re: Resolution
Narrows and North West Arm Bridges.
(e) Letter - Halifax-Dartmouth Bridge Commission Re: Bridge Approaches.

18. QUESTIONS.

19. Notices of Motion.

20. Added Items.

**CITY COUNCIL
MINUTES**

Record.
Council,
January 13, 1966.
Council Chamber,
City Hall,
Halifax, N. S.,
January 13, 1966,
8:10 p.m.

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

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

There were present: His Worship the Mayor, Chairman; and Aldermen Black, Abbott, Moir, A. M. Butler, Matheson, Meagher, LeBlanc, Trainor, Connolly, Richard, Doyle, O'Brien and H. W. Butler.

Also present were P.F.C. Byars, L. Mitchell, Q.C., R. H. Stoddard, W. J. Clancey, G. F. West, R. B. Grant, J. L. Leitch, G. H. Brundige, K. Munnich and Dr. E. M. Fogo.

MINUTES

The minutes of the meeting of Council held on December 16, 1965, were approved on motion of Alderman Abbott, seconded by Alderman H. W. Butler.

APPROVAL OF ORDER OF BUSINESS - ADDITIONS OR DELETIONS

His Worship the Mayor stated that there were three additional items to be added to the Order of Business as follows:

20A - Supplementary Appropriation - 316"C"

20B - Letter - Halifax Homeowners' Association
Re: Extension of Date for Filing Tax Appeals

20C - 1966 Budget Estimates

MOVED by Alderman Matheson, seconded by Alderman Black, that Item "5C", under Deferred Business - Building Permit Application, #6196 Jubilee Road, be considered after Item "8A" - Public Hearing Re: Rezoning of Land, South-east Corner of Jubilee Road and Walnut Street from C-1 Zone to R-2 Zone. Motion passed.

MOVED by Alderman Moir, seconded by Alderman Black, that the following items, which are inter-related, be considered at one

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time after consideration of Item 16:

- 10H - Sale of Sewer System
- 14B - Ordinance #114 Re: "Halifax Civic Hospital"
- 17B - Appointment of Architects for Civic Projects

Motion passed.

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

DEFERRED BUSINESS

Staff Report - Operation of Sewer System

A staff report, dated December 31, 1965 respecting sale of the City of Halifax sewerage system to the Public Service Commission of Halifax, was submitted.

MOVED by Alderman Trainor, seconded by Alderman A. M. Butler, that the report be referred to the Finance and Executive Committee for consideration and report to Council.

Condition of Buildings - Jib Lot, Fleming Park

Further deferred.

Rezoning of Land Block Bounded by Spring Garden Road, Brenton Street, Brenton Place & South Park Street From R-3 Zone to C-2 Zone

Further deferred.

Appointments to Housing Authority of Halifax

Further deferred.

MOTIONS OF RECONSIDERATION

No Motions of Reconsideration were before Council for consideration at this time.

MOTIONS OF RESCISSION

No Motions of Rescission were before Council for consideration at this time.

PUBLIC HEARINGS

Public Hearing Re: Rezoning of Land Southeast Corner of Jubilee Road and Walnut Street From C-1 Zone to R-2 Zone

A Public Hearing was held at this time in connection with

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an application for the rezoning of land at the southeastern corner of Jubilee Road and Walnut Street from C-1 zone to R-2 zone.

The City Clerk stated that the matter had been duly advertised and that he had received a petition signed by sixty property owners in the affected area protesting against the proposed rezoning.

After discussion, it was MOVED by Alderman Moir, seconded by Alderman O'Brien, that the properties affected by the proposed rezoning be declared to be those properties in the area bounded by Vernon, Watt, Chestnut and Cedar Streets, including properties on both sides of the boundary streets.

His Worship the Mayor ruled that since more than 20% of the property owners in the affected area have objected to the rezoning, any motion in favour of the rezoning will require a majority vote of at least two-thirds of the members of Council.

Mr. W. H. Jost, Q.C., appeared on behalf of R & S Realty Limited, the owners of the property, and stated that if the rezoning is accomplished, his client will suffer a substantial financial loss as he purchased the property in 1965 on the basis of its commercial value. He asked that Council reject the rezoning on the grounds that it would work an injustice on his client and would constitute a dangerous precedent to development in the City.

Mr. George Hawkins also addressed Council opposing the rezoning.

Mrs. J. Elliot Hudson of 1650 Walnut Street, appeared and also addressed Council opposing the proposed rezoning.

Mr. A. L. Caldwell, appearing on behalf of sixty-eight property owners in the area, spoke in favour of the proposal.

No other person wished to be heard either for or against the application.

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MOVED by Alderman Moir, seconded by Alderman A. M. Butler, that the southeastern corner of Jubilee Road and Walnut Street be rezoned from C-1 Zone (local business zone) to R-2 Zone (general residential zone).

After further discussion, the motion was put and passed as follows:

For the Motion: Aldermen Black, Abbott, Moir, Matheson, A. M. Butler, Meagher, LeBlanc, Trainor, Connolly, Richard and O'Brien.

Against it: Aldermen Doyle and H. W. Butler.

A Formal By-Law, as prepared by the City Solicitor to give effect to the foregoing resolution of City Council, was submitted.

MOVED by Alderman Moir, seconded by Alderman A. M. Butler, that the By-law, as submitted, be approved. Motion passed with Aldermen Doyle and H. W. Butler voting against.

BUILDING PERMIT APPLICATION - #6196 JUBILEE ROAD

The City Clerk advised that at the November 10, 1965 meeting of City Council, a decision on the matter of granting a Building Permit to erect a store (Foodliner) at #6196 Jubilee Road, was deferred for two months pending a decision by City Council on the rezoning of the said property. He advised that the matter is now before Council as the two-month period had expired on January 10.

His Worship the Mayor then pointed out that while Council had taken action to rezone the land, the rezoning does not become effective until the By-law receives the approval of the Minister of Municipal Affairs.

He said that no action is required of Council with respect to the application for the Building Permit, except to take note of it as the matter is in the hands of the Building Inspector who must use his discretion as to whether or not the permit is to be issued.

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Public Hearing Re: Rezoning of Land Northeast Corner of Jubilee Road and Henry Street From C-1 Zone to R-2 Zone

A Public Hearing was held at this time on connection with the matter of the rezoning of land at the northeastern corner of Jubilee Road and Henry Street from C-1 Zone to R-2 Zone.

The City Clerk advised that the matter had been duly advertised and that no written objections had been received.

No person wished to be heard either for or against the proposed rezoning.

MOVED by Alderman Moir, seconded by Alderman Abbott, that the land at the northeastern corner of Jubilee Road and Henry Street be rezoned from C-1 Zone (local business zone) to R-2 Zone (general residential zone). The motion was put and passed as follows:

For the Motion: Aldermen Abbott, Moir, Matheson, A. M. Butler, Meagher, LeBlanc, Connolly, Doyle and Richard
- 9 -

Against it: Aldermen O'Brien, H. W. Butler and Black
- 3 -

A Formal By-law, as prepared by the City Solicitor, to give effect to the foregoing resolution of Council, was submitted.

MOVED by Alderman Moir, seconded by Alderman Abbott, that the By-law, as submitted, be approved. Motion passed with Aldermen O'Brien and Black voting against.

Public Hearing Re: Legislation - Proposed Transient Occupancy Tax

A Public Hearing was held at this time in connection with the proposal of the City to seek legislation to impose a tax on transients occupying hotel or other similar accommodations in the City.

The City Clerk advised that the matter had been duly advertised and that letters objecting to the proposal had been received from the following:

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Halifax Board of Trade

Halifax-Dartmouth and District Labour Council

Hotel & Restaurant Employees & Bartenders
International Union

Halifax-Dartmouth Real Estate Board

Mr. F. T. Irwin, President of the Innkeepers Build of Nova Scotia, appeared and presented a Brief on behalf of the Innkeepers Guild of Nova Scotia. He also submitted a telegram received by the Build from the Canadian Tourist Association expressing opposition to the proposed transient occupancy tax.

Mr. Irwin also made submissions not contained in the Brief.

Mr. Donald Oland appeared on behalf of the Tourist Association of Nova Scotia and spoke against the proposal.

Mr. Hector McInnis appeared on behalf of the Maritime Commercial Travellers' Association in opposition to the proposal.

Mr. Bruce Cochran addressed Council in opposition to the proposal.

The following draft legislation, as prepared by the City Solicitor, was submitted:

1. Chapter 52 of the Acts of 1963, is further amended by adding thereto immediately following Section 253A, the following heading and Section:

TRANSIENT OCCUPANCY TAX

253B (1) In this Section

(a) "hotel" means any structure, or any portion of any structure, which is occupied or intended or designed for occupancy by transients for dwelling, lodging or sleeping purposes, and includes any hotel, inn, tourist home or house, motel, motor hotel, studio hotel, bachelor hotel, lodging house, rooming house, apartment house, dormitory, public or private club, mobile home or house trailer at a fixed location, or other similar structure or portion thereof;

(b) "occupancy" means the use or possession, or the right to the use or possession of any room or rooms, or portion thereof, in any hotel, for dwelling, lodging or sleeping purposes;

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

(d) "rent" means the consideration charged, whether or not received, for the occupancy of space in a hotel valued in money, whether to be received in money, goods, labour or otherwise, including all receipts, cash, credits and property and services of any kind or nature, without any deduction therefrom whatsoever;

(e) "transient" means any person who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, license or other agreement for a period of thirty consecutive calendar days or less, counting portions of calendar days as full days. Any such person so occupying space in a hotel shall be deemed to be a transient until the period of thirty days has expired unless there is an agreement in writing between the operator and the occupant providing for a longer period of occupancy;

(2) The Council may, by ordinance, levy a transient occupancy tax in respect of the occupancy by transients in any hotel in the City, and may:

(a) impose a tax on every transient in occupancy of a hotel, provided that such tax shall not exceed five percent of the rent;

(b) provide for the collection of the tax by the operator, including the filing of returns in prescribed form and the payment of the tax to the City;

(c) provide for refunds whenever the amount of such tax, interest or penalty has been overpaid or paid more than once, or has been erroneously or illegally collected or received by the City;

(d) provide for penalties for any operator who fails to collect or remit such tax within the time required, including payment of interest upon such tax not collected or remitted.

(3) Any operator or other person who fails or refuses to furnish any return required to be made or any other information as required by any such ordinance, or who renders a false or fraudulent return or claim is guilty of an offence and liable, on summary conviction to a fine of not more than five hundred dollars and in default thereof to imprisonment for a term not exceeding sixty days.

After a full discussion, it was MOVED by Alderman Trainor, seconded by Alderman Richard, that the legislation as drafted by the City Solicitor be approved.

The motion was put and passed 7 voting for the same and 6 against it as follows:

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For the Motion: Aldermen A. M. Butler, Meagher, Trainor,
Richard, O'Brien, H. W. Butler
and Abbott - 7 -

Against it: Aldermen Moir, Matheson, LeBlanc, Connolly,
Doyle and Black - 6 -

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the meetings of the Finance and Executive Committee held on January 6 and January 13, 1966 respecting the following matters:

Temporary Borrowing - \$6,000,000.00 - Section 214, City Charter

MOVED by Alderman A. M. Butler, seconded by Alderman Richard that, as recommended by the Finance and Executive Committee, authority be granted to borrow from the Royal Bank of Canada, the sum of \$6,000,000.00 under the provisions of Section 214 of the City Charter in anticipation of the fixing of the tax rate for the civic year 1966; and that His Worship the Mayor and the City Clerk be authorized to sign a special banking resolution empowering the Acting Commissioner of Finance and the Deputy City Treasurer to sign demand notes on behalf of the Corporation of the City of Halifax. Motion passed unanimously.

Release of Rights-of-way - Block "P", Exhibition Grounds -
Metropolitan Developments Limited

MOVED by Alderman Abbott, seconded by Alderman Trainor that, as recommended by the Finance and Executive Committee, His Worship the Mayor and the City Clerk be authorized to execute a formal agreement releasing all interests in four Rights of Way along the southern and northern boundaries of the property at Block "P" Exhibition Grounds, which had been reserved by the City until the total development of Block "P" has been completed by Metropolitan Developments Limited. Motion passed.

Property Acquisition - #2385 (467) Gottingen Street

MOVED by Alderman Abbott, seconded by Alderman Richard that,

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as recommended by the Finance and Executive Committee, the sum of \$10,500.00 be paid to Mr. Albert Newman as settlement in full for all claims arising from the acquisition by the City of his property at #2385 Gottingen Street, subject to submission by the City Manager of a report explaining the need for a second appraisal by Mr. J. G. DeWolf. Motion passed.

Authorization to Spend Over \$1,000.00

MOVED by Alderman Abbott, seconded by Alderman Richard that, as recommended by the Finance and Executive Committee, the City Manager be authorized to purchase a folding and inserting machine for use in conjunction with the postage meter machine at a cost of \$1,706.00, funds having been provided in the 1964 and 1965 Budget for this purpose. Motion passed.

Adjustment of Salary - Chief Accountant

MOVED by Alderman O'Brien, seconded by Alderman Abbott that, as recommended by the Finance and Executive Committee, the salary for the position of Chief Accountant be set at \$7,020.00 at the time the City Collector is appointed; and that the City Manager be directed to report to the Finance and Executive Committee with his recommendation for a revised salary scale for the position of Chief Accountant and the step in the revised scale at which the present incumbent (Mr. D. E. Large) should be placed. Motion passed.

Permission to Overdraw 1965 Budget Appropriations

MOVED by Alderman LeBlanc, seconded by Alderman Richard that, as recommended by the Finance and Executive Committee, the City Manager be authorized to overdraw the 1965 budget appropriations for the following departments:

(a) City Solicitor's Department

Account #1-5-201 "Office Supplies" - \$55.00

(b) City Clerk's Department

Account #1-3-201 "Office Supplies" - \$200.00

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Account #1-3-450 "Office Furniture" - \$200.00

Motion passed.

Coal Supplies - Halifax Mental Hospital

MOVED by Alderman Abbott, seconded by Alderman A. M.

Butler that, as recommended by the Finance and Executive Committee, approximately 1,400 tons of Dominion oil treated stoker pea coal be purchased from S. Cunard and Company Limited at the price of \$20.10 per ton for delivery to the Halifax Mental Hospital, the City having been advised by Mathews Coal Company to whom the tender had been awarded, that they are not able to make delivery of the specified type of coal. Motion passed.

Independent Auditors

MOVED by Alderman Abbott, seconded by Alderman LeBlanc

that, as recommended by the Finance and Executive Committee:

- (1) No appointment of independent auditors be made until after receipt of the report of the auditors for the year ending December 31, 1965;
- (2) The City Solicitor be directed to prepare a draft administrative order as required under Section 224 of the Halifax City Charter, 1963, after consultation with the officials of the Department of Municipal Affairs, such administrative order to contain a provision that the independent auditors shall present their report together with their comments as to the effectiveness of the accounting system employed by the City, to the Finance and Executive Committee or City Council.

Motion passed.

Resolution Re: Area Development Act

The following report was submitted from the Finance and Executive Committee:

His Worship the Mayor reported verbally to the Committee that the growth areas in the Maritime Provinces had been overlooked in the Incentives to Industry Provisions under the Area Development Act; and he suggested that, in view of the recommendations contained in the recently published report of the Economic Council of Canada, which indicated that such growth areas as the Halifax-Dartmouth Metropolitan Area, St. John, Fredericton and other areas should not be excluded from this Incentive Programme, the City should take a firm stand in this matter and approach the Federal Government with