

**CITY COUNCIL
DECEMBER 15, 1994**

Project Steering Committee
(Regional Solid Waste Management)

Peter Kidd

Term to expire upon completion of mandate.

City of Halifax Strategic Planning Committee

Alderman Howard Epstein

Term to expire upon completion of mandate.

Africville

A report from His Worship Mayor Walter Fitzgerald, Chairman, Africville Council Committee, dated December 1, 1994, was submitted.

MOVED by Alderman Blumenthal, seconded by Alderman Uteck that:

1. The City provide access to City records re the Africville relocation until March 15, 1995, with the exception of those records containing personal information unless permission for their release has been obtained.
2. The City support the application of the Africville Genealogy Society for Canada/Nova Scotia Infrastructure Works dated September 7, 1994, for the reconstruction of the Seaview United Baptist Church.
3. The City donate 2.5 acres adjoining the Seaview Memorial Park for the purpose of construction of a memorial to the former community of Africville.
4. The City provide financial support in the amount of \$100,000 with the interest to be used to fund an educational fund for the

descendants of the former residents of Africville.

5. If, upon a review of the records, no legal basis appears to found a claim against the City by March 15, 1995, then this chapter of the history of the City of Halifax be considered closed.

Following a short discussion, the motion was put and passed.

National Infrastructure Program Anniversary

MOVED by Alderman Stone, seconded by Deputy Mayor Adams
that City Council pass the following resolution:

WHEREAS on December 21, 1993, the Federal, Provincial and Territorial Governments unanimously agreed to the establishment of a cost-shared National Infrastructure Program consistent with the program proposed by the Federation of Canadian Municipalities;

WHEREAS the purpose of the program is to renew municipal infrastructure, create jobs, improve the environment and enhance Canada's competitiveness;

WHEREAS the program has now been in place for one year and communities across Canada are benefitting from the program to update and refurbish all types of services;

WHEREAS in the City of Halifax \$12,425,000.00 program dollars have already been allocated, creating between 348 and 435 jobs and helping to upgrade and improve the City's street and sewer systems;

THEREFORE BE IT RESOLVED that the Municipality of the City of Halifax congratulate the Federal and Provincial Governments on this significant



20.3

City of Halifax
MEMORANDUM
City Clerk's Office

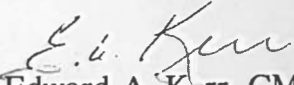
TO: Wayne Anstey, Q.C., City Solicitor
FROM: Edward A. Kerr, CMC/AAE, City Clerk
DATE: 19 December 1994
SUBJECT: Africville

Local: 6536

Please be advised that Halifax City Council at a meeting held on 15 December 1994 approved the following resolution:

"That:

1. The City provide access to City records re the Africville relocation until March 15, 1995, with the exception of those records containing personal information unless permission for their release has been obtained.
2. The City support the application of the Africville Genealogy Society for Canada/Nova Scotia Infrastructure Works dated September 7, 1994, for the reconstruction of the Seaview United Baptist Church.
3. The City donate 2.5 acres adjoining the Seaview Memorial Park for the purpose of construction of a memorial to the former community of Africville.
4. The City provide financial support in the amount of \$100,000 with the interest to be used to fund an educational fund for the descendants of the former residents of Africville.
5. If, upon a review of the records, no legal basis appears to found a claim against the City by March 15, 1995, then this chapter of the history of the City of Halifax be considered closed.


Edward A. Kerr, CMC/AAE
City Clerk

/mmh

xc: M.E. Donovan, Senior Solicitor, Africville Council Committee

C - 15 Dec.



City of Halifax

Office of the City Clerk

9 January 1995

Mr. Irvine Carvery
President, Africville Genealogy Society
2349 Maynard Street
Halifax, Nova Scotia
B3K 3T8

Dear Mr. Carvery:

Please be advised that Halifax City Council at a meeting held on 15 December 1994 approved the following resolution:

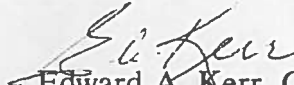
"That:

1. The City provide access to City records re the Africville relocation until March 15, 1995, with the exception of those records containing personal information unless permission for their release has been obtained.
2. The City support the application of the Africville Genealogy Society for Canada/Nova Scotia Infrastructure Works dated September 7, 1994, for the reconstruction of the Seaview United Baptist Church.
3. The City donate 2.5 acres adjoining the Seaview Memorial Park for the purpose of construction of a memorial to the former community of Africville.
4. The City provide financial support in the amount of \$100,000 with the interest to be used to fund an educational fund for the descendants of the former residents of Africville.
5. If, upon a review of the records, no legal basis appears to found a claim against the City by March 15, 1995, then this chapter of the history of the City of Halifax be considered closed."

../2

Attached for your information is a copy of a report dated 1 December 1994 which was considered by Council at that meeting.

Yours very truly,


Edward A. Kerr, CMC/AAE
City Clerk

EAK/mmh

Attachment

xc: His Worship Mayor Fitzgerald
W. Anstey, Q.C., City Solicitor

RECEIVED

DEC 15 1994

CITY CLERK
CITY HALL

20.3

City Council
December 15th, 1994
2:00 p.m.

TO: Halifax City Council
FROM: Africville Council Committee
DATE: December 1, 1994
RE: Africville

Dist'd.

December 14/94

(Date)

Mayor (3) Ald., C/M, C/S,
Ald. Aide, Press

Clerks

Origin:

Africville Committee meeting of November 30, 1994.

Recommendation:

1. That the City provide access to City records re the Africville relocation until March 15, 1995 with the exception of those records containing personal information unless permission for their release has been obtained.
2. That the City support the application of the Africville Genealogy Society for Canada/Nova Scotia Infrastructure Works dated September 7, 1994 for the reconstruction of the Seaview United Baptist church.
3. That the City donate 2.5 acres adjoining the Seaview Memorial Park for the purpose of construction of a memorial to the former community of Africville.
4. That the City provide financial support in the amount of \$100,000 with the interest to be used to fund an educational fund for the descendants of the former residents of Africville.
5. That if, upon a review of the records, no legal basis appears to found a claim against the City by March 15, 1995, then this chapter of the history of the City of Halifax be considered closed.

Recommended by:

Africville Council Committee

Walter Fitzgerald

Mayor Walter Fitzgerald
Chairman

Background:

Staff presented a report to Council dated October 28, 1994 wherein it was recommended that council agree in principle to

- (1) *Support the rebuilding of the Seaview Baptist church in the former Africville site primarily as a memorial, to the community that was, to the community that will exist in the hearts of the people, to the broad community that needs to say to all citizens that people must be treated with human dignity and respect. This support will be in the form of a land contribution of 2.5 acres at the site subject to appropriate zoning amendments which we will require proper notice and public hearing.*
- (2) *Establish a scholarship fund specifically for the descendants of Africville residents. The scholarship fund is to be used to promote excellence in education. A foundation is to be set up to assist in the provision of the funds that will consist of an initial capital of \$100,000 with interest to be used for the scholarships.*

This recommendation was rejected at the Committee of the Whole meeting of November 9, 1994.

At Halifax City Council on November 17, 1994 Council approved a motion by Alderman Blumenthal, seconded by Alderman Uteck, as amended by motion of Alderman Walker that a committee composed of the Mayor, two members of Council and a member of staff be formed to meet with members or representatives of the Africville and local black community in order to achieve closure of the issues surrounding the expropriation of the community. The motion specifically precluded the committee dealing with any issues of individual compensation.

The Committee composed of Mayor Fitzgerald, Alderman Blumenthal, Alderman Uteck, and Mary Ellen Donovan met with the representatives of the former community of Africville on Wednesday, November 30, 1994.

Discussion:

In attendance at the November 30, 1994 meeting on behalf of the former residents of Africville were Irvine Carvery, George Grant, Raymond Lawrence, Roddie Dixon, James Toussaint and Anthony Ross, Q.C.

1. ACCESS TO CITY RECORDS

The first request presented by the former residents of Africville was access to all City records related to Africville. The committee felt that this was a reasonable request. Although the City is not currently governed by the Freedom of Information Act and is therefore in a position to provide personal information to the former residents of Africville, the policy of the City has always been to be respectful of that information and only to release it where appropriate with the consent of the individual involved or when required by

law.

There is information in the files of the Legal, Development & Planning and the Social Planning departments that is personal to the individuals involved. Therefore it is proposed that access to all records on Africville be granted, except where the record contains personal information in which case the information will only be released with the consent of the individual(s) involved.

The City was advised that the former residents of Africville are in the process of seeking research funding for the purpose of gathering information on Africville from City records and other sources. In order to provide a time frame for this process, the committee proposes that access to City records be provided to March 15, 1995 only. This date was agreed to based on the advice of Ms. Donovan that a review of the City files only constituted approximately a week's research.

2 INFRASTRUCTURE APPLICATION

At the September 7, 1994 meeting of Committee of the Whole Irvine Carvery presented to Council a copy of the Africville Genealogy Society's July 9, 1994 application to the Canada/ Nova Scotia Infrastructure Program for the construction of the Seaview United Baptist Church on 2.5 acres of land adjoining Seaview Memorial Park. The application seeks funding from the provincial and federal governments in the amount of \$274,280 each for a total of \$548,560 plus other funding from an unspecified source, again in the amount of \$274,280 for a grand total of \$822,840. Of this sum \$295,200 represents the estimated cost of construction of the building, with landscaping, ramps parking being allocated a further 65,000, \$305,000 for a water services and an on-site septic field in the amount of \$20,000. A contingency of 20% or \$137,140 has been allowed. The committee made clear to the residents of Africville that the only financial commitment that the City is prepared to make is through the donation of land.

3. DONATION OF 2.5 ACRES

The committee is proposing that the City approve the donation of 2.5 acres on a site immediately adjoining Seaview Park, as outlined in the attached sketch, which is the parcel identified by Irvine Carvery in his presentation to Council on September 7, 1994. This was part of the twofold recommendation in the staff report of October 28, 1994.

Access to this site would be via the present access to Seaview Memorial Park. There are currently no services available to the site requiring the construction of on-site sewer services and the construction of a water line. The costs of providing services has been included in the request for funding from the Canada/ Nova Scotia Infrastructure program, although it should be noted that the funding request identifies that no source of funding for the \$274,000 required to complete the project. The Africville Genealogy Society has not indicated what the source of funding for the additional sum is likely to be.

4. \$100,000 EDUCATION FUND

The second portion of the twofold staff recommendation dated October 28, 1994, involved the creation of a scholarship fund with a capital base of \$100,000, with the annual interest to be available to support a scholarship fund for descendants of the former residents of Africville. The committee supports this recommendation. The \$100,000 would have to be identified in the 1995/96 budget as this money is not available from current operating revenues.

5. FUTURE CLAIMS

The residents of Africville are not prepared until all the information on Africville has been gathered to take a final position. Therefore recommendations 1-4 do not conclude the matter. It is anticipated that the information obtained from a review of City files will support the City position to date that the residents of Africville were more than adequately compensated for any property interest the individual may have had in lands located within the former community of Africville.

In addition, the City is confident that research will also confirm that with respect to the relocation process, the residents of Africville were treated no less well and generally better than the residents of other areas of the City of Halifax who were displaced from their homes in the interest of urban renewal.

From the City's perspective, this proposal is intended as a conclusion to the Africville issue, although an opening is left to the residents of Africville to pursue whatever issues they identify as result of further research up to, but not beyond March 15, 1994.

Budget Implications:

The donation of 2.5 acres of land is a cost to the City of approximately \$75,000 on the basis of \$30,000 per acre for unserviced land in the City of Halifax.

The creation of an education fund with a capital base of \$100,000 will have to be provided for in the 1995/96 budget.

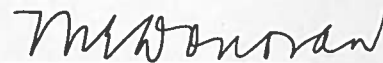
Alternatives:

1. Council can request the committee to reconvene to consider alternatives to the proposal put forward.
2. Council can delete its approval of any one of the four alternatives.

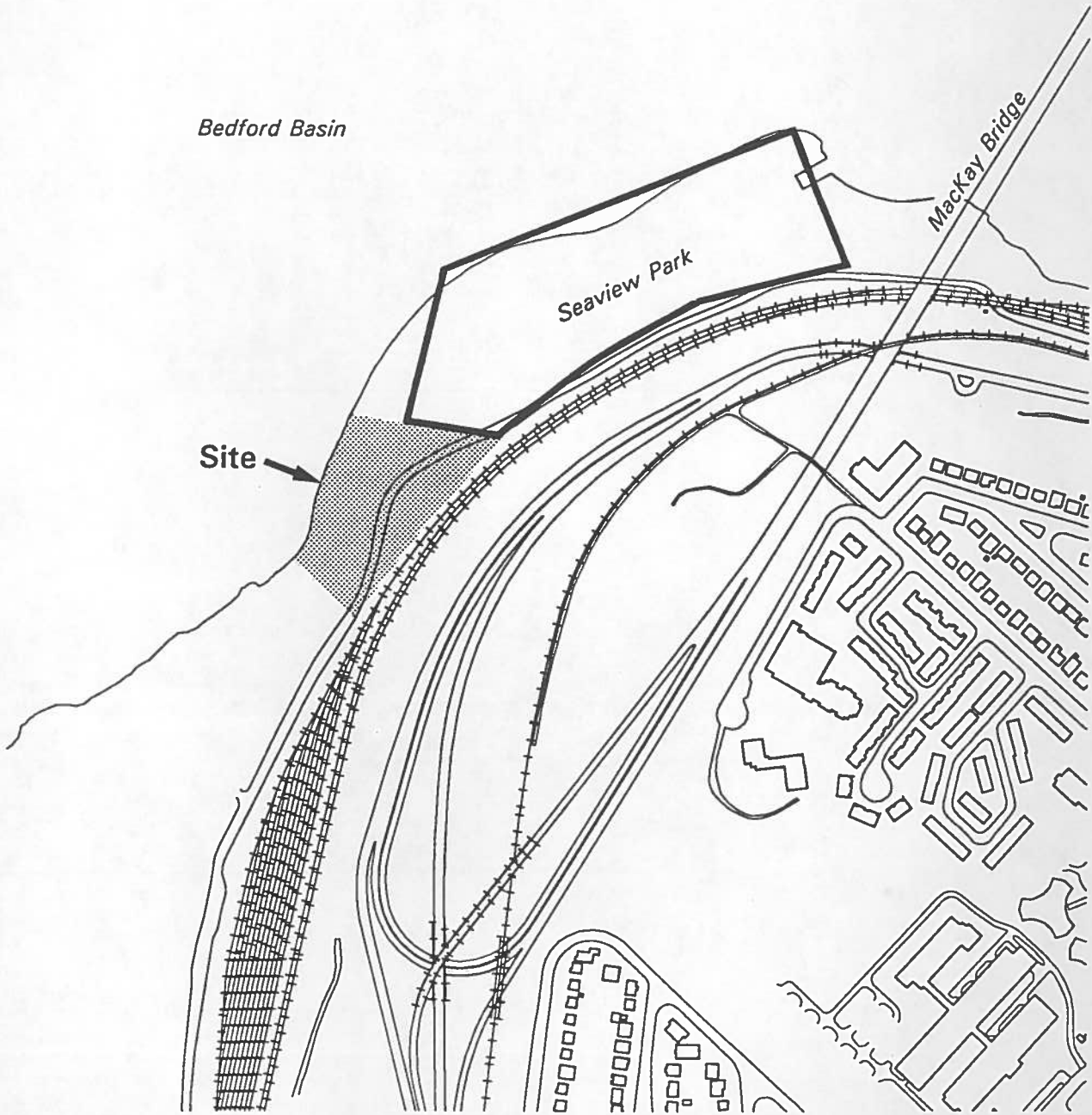
Attachments:

Sketch of Seaview Baptist Church site

Prepared by: M.E. Donovan



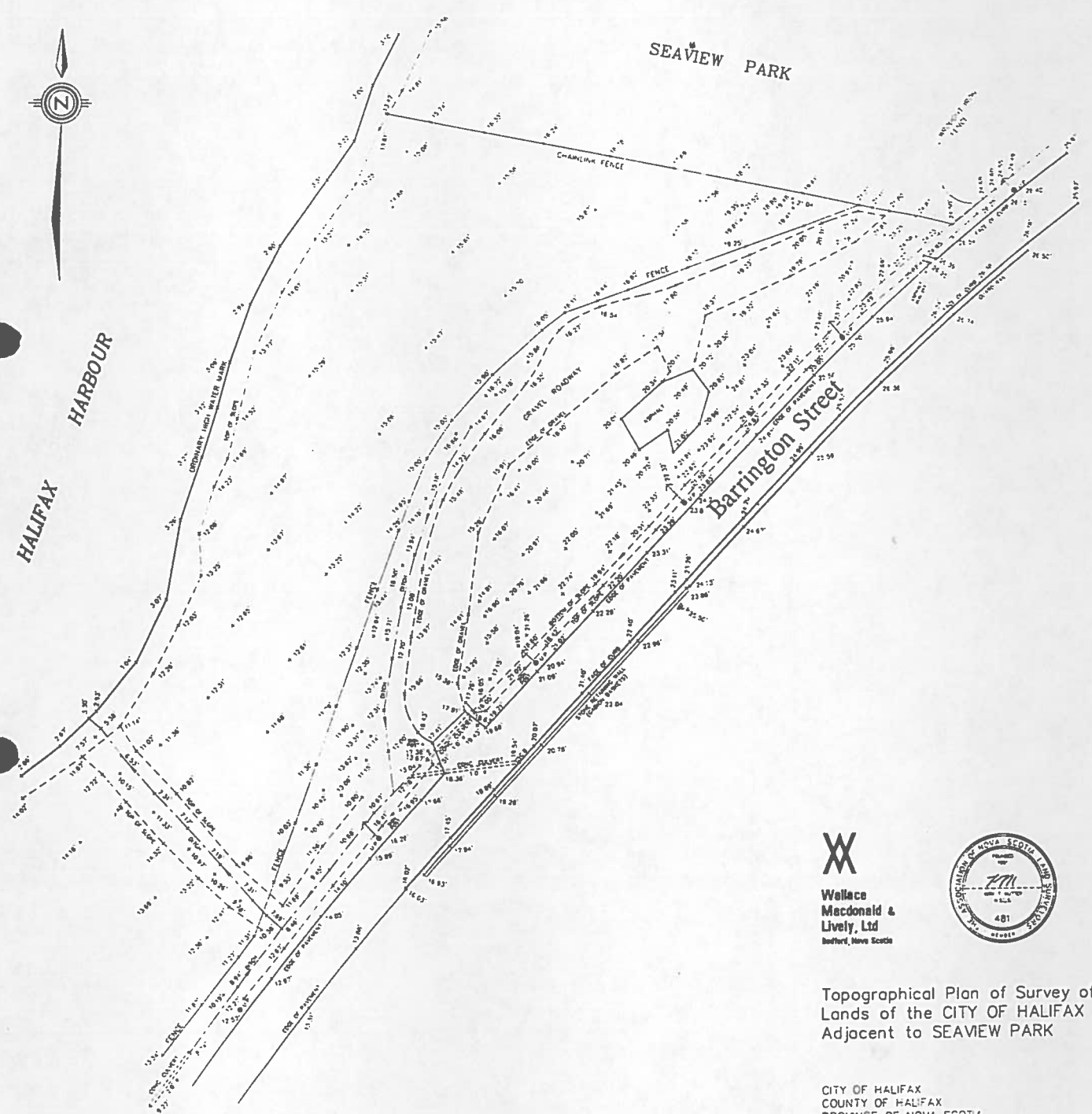
Lands Adjacent to Seaview Park





HALIFAX HARBOUR

SEAVIEW PARK



W
Wallace
Macdonald &
Lively, Ltd
Bedford, Nova Scotia



Topographical Plan of Survey of
Lands of the CITY OF HALIFAX
Adjacent to SEAVIEW PARK

CITY OF HALIFAX
COUNTY OF HALIFAX
PROVINCE OF NOVA SCOTIA

1994