

**MINUTES OF REGULAR MEETING OF THE CITY COUNCIL HELD WITHIN
THE COUNCIL CHAMBER ON MONDAY, MARCH 17th, 1913 AT 8 O'CLOCK
P.M.**

Present: His Worship Mayor Hanes
Alderman Pilling
Alderman Kennedy
Alderman Wheeler
Alderman Williams
Alderman Allan
Alderman Vance

The Minutes of the Regular Meeting of the 10th instant were taken as read and on motion adopted.

Correspondence was received, read and dealt with as follows:

From H. Sydney Hancock offering to undertake to build and install a Municipal Gas Plant at a definite contract price. Filed.

From the Secretary of the Union of Canadian Municipalities enclosing account for subscription of current year. Moved by Alderman Allen seconded by Alderman Kennedy and resolved that the Treasurer be authorized to pay the Membership fee of \$24.00 for the current year to the Union of Canadian Municipalities.

From Alex H. Wallace requesting that a dangerous tree on Lot 14/226A/545 be removed. Referred to Board of Works.

From the City Assessor stating that on the 13th instant he registered assignment of Agreement for Sale by Thompson & Stuart to the City of Lot 26/117/274. Filed.

From the City Assessor stating that in making searches recently in the Land Registry Office he found that the site of the 13th Street Fire hall had a Mechanics Lien registered against it. Referred to the City Solicitor.

From the City Assessor suggesting that the phone in his office be put on a direct line. Moved by Alderman Williams seconded by Alderman Kennedy that his request be granted.

From F.A. Acland, Deputy Minister of Labour, Ottawa, acknowledging information supplied regarding building permits for the year 1912. Filed.

From W.B.A. Ritchie, K.C., asking for certain information regarding local improvement Bylaws. The Clerk reported that this information had already been given to Mr. Ritchie. Filed.

From Edgar Hill referring to a letter of the 17th November 1911, claiming \$25.00 damages for loss caused by water coming from Lonsdale Avenue through his lot. Referred to Board of Works.

From the City Solicitor returning Bylaw No. 243 as revised. Filed.

From John Y. McNaught, Secretary, Burrard Inlet Tunnel & Bridge Company Co. enclosing copy of telegram from J.P. Fell in Ottawa to Mr. E. Mahon suggesting that the Municipalities endeavor to have the Hearing on 1st April of the CPR application for approval of the North Shore Location transferred from Ottawa to Vancouver. The City Clerk was instructed to telegraph Mr. Fell asking why in his opinion it was important to have the Hearing in Vancouver.

From Jos. Summerfield asking for a sidewalk on the south side of 11th street between St. Andrew's and Ridgeway Avenues. Referred to Board of Works.

From H.E. Kemp, Secretary-Treasurer N.V. City Ferries asking for such City statistics as are usually required by Tenderers for Debentures as he had inquiries on hand for same. The Clerk was instructed to give the necessary information.

From the City Engineer stating that he had an offer from F.C. Deguerre of \$300 for a 10 H.P. Climax Engine and 10 Kilowatt Generator. Moved by Alderman Wheeler seconded by Alderman Kennedy and resolved that this offer be accepted.

From the City Solicitor stating that he had written the Chief Water Comptroller on 6th March in respect to the Records on Lynn Creek and was awaiting his reply. Referred to Water Committee.

From Taylor, Harvey, Grant, Stockton & Smith referring to their previous communication regarding refusal of Council to pay \$25.00 for advertising lost documentation connection with the transfer of the City Hall Site to the Dominion Government and asking that the matter be reconsidered. Referred to the City Solicitor.

From G.H. Dawson, Surveyor General stating that the Municipality of North Vancouver has been shown on all recent maps issued by his Department and is also shown on the new map of the Province now almost ready for distribution. Filed.

From MacDougal & Co. asking for a quotation on 4,000 yards of crushed rock for macadamizing. Referred to Board of Works.

From Mrs. E.A. Peacey asking for the laying of a sidewalk to the lot line in front of her store on Lot 23/40/548 - 15th Street West. Referred to Board of Works.

From C.M. Burmester asking that the Engineer be requested to report as to the condition of the foot bridge on 14th Street between Delbrooke and Beweicke Avenues. Referred to Board of Works.

From the City Solicitor intimating that the case of Lennon against the City of North Vancouver has been tried before Mr. Justice Murphy and a verdict rendered for Plaintiff for \$1,250.00. Moved by Alderman Allen seconded by Alderman Kennedy and resolved that the sum contained in the judgment in the action be paid and that the Solicitor be instructed to obtain from the Insurance Company any sum expended by the City.

Petition from Edward Telford and five others asking the Council to make such improvements on 19th Street between Williams and Stephen Avenues as will enable them to gain access to their various properties. Referred to Board of Works.

A report and recommendation by the Finance (School) Committee on due account was submitted by the Respective Chairman and read to the Meeting and the Treasurer was authorized to pay the account of the amount following:

Finance (School)	\$378.58
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Progress estimates certified correct by the City Engineer were passed for payment as follows:

Howes Proctor macadam on 1st Street from Forbes to St. David's \$3,021.47; Macadam on Queensbury from 3rd Street to City Limits \$880.98; Macadam on 2nd Street from Forbes to St. David's Avenue \$837.01; Macadam on Lonsdale from 19th to City Limits \$1,082.14.

The reports of the Finance, board of Works, Waterworks and Fire & Light Committees as contained in the Committee's minutes of the 13th instant were read and on motion adopted.

In connection with the rectification of some defects in the local improvement procedure of 1912 the Mayor produced various documents received from Mr. W.B.A. Ritchie, K.C. which in Mr. Ritchie's opinion would put the procedure in sufficiently good form for the Bank of British North America to continue to advance money in respect of the Local Improvements.

The Council then adjourned for a few minutes in order to allow the Finance Committee to meet.

On the Council being reconstituted, Alderman Pilling moved, seconded by Alderman Williams the following resolution:

“On consideration of a report of the Finance Committee dated the 17th day of March, 1913, recommending that an Agreement between the City and the Bank of British North America bearing date the 19th day of February 1913 be approved, sanctioned and executed under the City’s corporate seal, it was resolved that the said report be adopted and that the said agreement be executed forthwith under the City’s corporate seal.”

The following resolution was moved by Alderman Allen seconded by Alderman Wheeler and carried:

“WHEREAS the Council having prior to August 5th, 1912, decided on their own initiative, to carry out an improvement by grading part of a highway within the City, vis: Grading 3rd Street from the west line of Mahon Avenue to the East line of Forbes Avenue, the cost of same to be repaid by assessment upon the real property benefited thereby;

AND WHEREAS the Council ascertained by Report of the City Engineer made in accordance with the provisions of Section 5 of the Local Improvement General Bylaw No. 2, that the real property which would be benefited by said improvement was all and fronting and abutting on 3rd Street from the west line of Mahon Avenue to the east line of Forbes Avenue, and that such land would be all equally benefited by said improvement, which report recommended said improvement and a was adopted by resolution of the Council of August 5th, 1912.

AND WHEREAS although notice signifying the intention of the Council to make such assessment was duly published in accordance with the provisions of Section 68 of the Municipal Act, no owners of the real property to be assessed or charged in respect of such work petitioned the Council against such assessment;

AND WHEREAS the said work was completed on the 25th day of September 1912, and the City Engineer upon the completion thereof made a report to the Council in accordance with said Bylaw, said report bearing date the 17th day of March, 1913, said report showing the actual cost of the improvement to be the sum of \$3,364.58, and that the lifetime of the work will be fifteen years;

RESOLVED that the said report of the City Engineer bearing date the 17th day of March, 1913, be and the same is hereby adopted and that same be forwarded by the City Clerk to assessment Commissioner to make the assessment in connection therewith, and to bring same before the Court of revision to be dealt with under the provisions of the Municipal Act.

FURTHER RESOLVED that Bylaw be passed authorizing the issue of debentures to repay the amount of such temporary loans as well as to provide the balance if any, of the cost of said improvement, such debentures to be repayable within fifteen years from the completion of said improvement; such

Bylaw to provide for raising by means of a sinking fund, the money necessary for the payment of said debentures at maturity, and interest thereon in the meantime at the rate of five percent per annum payable yearly, and to provide for assessing the real property benefited by said improvement to pay such debentures and interest;

FURTHER RESOLVED that until said debentures are sold and said temporary loans with interest paid, said debentures shall be hypothecated with the Bank of British North America as security for said loans and interest”.

Moved by Alderman Wheeler seconded by Alderman Pilling and resolved that the foreman at Rice Lake be instructed to prepare an inventory of the various machinery and other articles at Rice Lake not likely to be required by the City and that be empowered to advertise the same and submit to the Council any offers he may receive for same.

Alderman Vance stated that complaints had been made to him that the B.C. Electric Railway Co. were removing gravel in the neighborhood of Fell Avenue. He accordingly moved that the Company be notified not to remove any more gravel. Seconded by Alderman Kennedy and carried.

Moved by Alderman Wheeler seconded by Alderman Vance and resolved that a further opinion be obtained from the City Solicitor in regard to the taxation of “Wild Land” as to whether the City has power to differentiate between class of wild land and if lots which has been cleared and sown with grass can be taxed as wild land at a lower rate than lots which have only been slashed.

Alderman Vance reported that the Mayor and himself had called on Mr. Roberts of the Northern Crown Bank regarding the fractions of lots 15, 16/134/274 being the Central School site and Mr. Roberts had informed them that if a letter stating the facts of the case was sent to him he would forward it to Mr. Hamersley. Alderman Vance accordingly moved that the Assessor be instructed to procure the necessary information and send it to Mr. Roberts. Seconded by Alderman Williams and carried.

A letter produced from the North Vancouver City Ferries Limited annexing copy of a resolution to the effect that as the Company is without available funds to honor debenture coupons due on 10th March, 1913 the City be requested to do so.

The Mayor stated that he had examined Bylaw No. 83 and that in the Agreement attached thereto it was stated that in the event of the revenues or profits from the Ferry service being insufficient to provide for the interest and sinking fund the City is required to do so receiving in exchange therefore the corresponding number of shares of the Company. He produced a copy of the Ferry Company's balance sheets which showed the profits at the end of 1912 to be \$11,000 but these profits had apparently been spent for upkeep, etc.

Moved by Alderman Wheeler seconded by Alderman Allen and resolved that the council assume liability for the \$3,200 interest due on March 10th, 1913 on debentures issued by the Ferry Company and guaranteed by the City under Bylaw No. 83, and that a cheque for said sum be drawn on the Bank of British North America against general taxes.

Bylaw No. 243A being the "Streets Regulation Bylaw Amendment Bylaw 1913" was read a first, second and third time and passed by the Council.

Bylaw NO. 246 being the "Highway Act Adoption Bylaw, 1913" was read a first, second and third time and passed by the Council.

Bylaw No. 65 being "The City of North Vancouver Local Improvement third Street Grading Bylaw", was read a first second and third time and passed by the Council.

Council thereafter adjourned.

Signed: George S. Hanes, Mayor