

MINUTES OF REGULAR MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER, CITY HALL, MONDAY, NOVEMBER 21ST, 1921, AT 8:00 P.M.

Present: His Worship Mayor Vance
Alderman Irwin
Alderman McColl
Alderman G.H. Morden
Alderman Wm. Morden
Alderman Townsley
Alderman Watson

Minutes of Regular meeting of Council, held November 8th, 1921, copies of which had previously been supplied each of the Aldermen, were taken as read and on motion of Alderman McColl, seconded by Alderman Wm. Morden, adopted.

Minutes of Adjourned meeting of Council, held November 14th, 1921, copies of which had previously been supplied each of the Aldermen, were taken as read and on motion of Alderman Wm. Morden, seconded by Alderman G.H. Morden, adopted.

Correspondence was received, read and dealt with as follows:

From the City Engineer reporting that the Board of Works Committee, visited Mosquito Creek in the neighbourhood of Marine Drive and recommending that the Solicitor be instructed to ascertain whether there is any legislation dealing with the keeping of water courses in their proper channel.

Referred to the Solicitor.

From the City Engineer, recommending that a tree complained of by Mr. E. Paterson at 160 - 12th Street East, be cut down, this tree being on the Boulevard.

Moved by Alderman McColl, seconded by Alderman Wm. Morden and resolved that the above report and recommendation be received and adopted.

From the City Engineer, dated November 21st, with respect to complaint from the Wallace Shipyards re bill for water against the pipe shop, there having been a leak in the pipe, recommending that owing to leak in the pipes, the Wallace Shipyards be charged an amount for the period during which this leak registered on the meter, equal to an amount averaged for the past three readings.

Moved by Alderman Watson, seconded by Alderman Wm. Morden and resolved that the engineer's report be received and adopted and the Wallace Shipyards charged accordingly.

From F.C. Brown, 356 - 4th Street East, re a boundary fence Bylaw.

Moved by Alderman McColl, seconded by Alderman Irwin and resolved that Mr. Brown be advised that there is no City Bylaw dealing with fences within the City.

From the City Engineer, dated November 21st, enclosing communication and estimate from F.J. Bartholomew, who purchased all the Railway equipment lately used on a wharf on Vancouver Island, stating that the prices quoted are much below market price, and advising that it would be good business to secure this material without delay.

Laid on the table.

From Yorke & Son, dated November 20th, with respect to charges for handling cards from Vancouver to North Vancouver.

Laid on the table.

From M.J. Crehen, dated November 21st, reporting that he has made continuous audit of the accounts to the end of October and that he is well pleased with the work, the records are in better shape than for a long time, if ever.

Filed.

From R.J. MacLaren, 1125 - 11th Avenue West, applying for a refund of \$3.00 cost of lot in the Cemetery, as the parties who wished to obtain the lot, had made other arrangements.

Moved by Alderman McColl, seconded by Alderman Irwin and resolved that the Treasurer be and he is hereby authorized to issue a cheque in the amount of \$3.00 payable to R.J. MacLaren, being refund of amount paid for Lot 1, Block 53, in the North Vancouver Cemetery.

From Herbert Bachelor offering \$100.00 for Lot 12, Block 201A, DL 544.

Moved by Alderman Irwin, seconded by Alderman Wm. Morden and resolved that the listed price of \$150.00 still holds good, and that he be advised accordingly.

From the Rev. J.H. Hooper, with respect to refund of taxes on St. John's Church property.

Referred to the Committee of the Whole.

From A.C. Sutton, City Solicitor, dated November 19th, reporting that on November 9th he had served a notice on the Assistant General Manager of the Pacific Great Eastern Railway, demanding possession of Chesterfield wharf and "Y" and slip, also stating that the Assistant General Manager had stated over the telephone that the Company had surrendered all interest therein to the City, that the Pacific Great Eastern Railway was continuing to use the wharf on the understanding that hereafter it would be operated as a Public wharf.

Also enclosed copy of letter which he, Mr. Sutton, had written to the Assistant General Manager of the Pacific Great Eastern Railway on November 19th.

Moved by Alderman Irwin, seconded by Alderman McColl and resolved that the above communications be received and filed

From A.C. Sutton, City Solicitor, enclosing Mr. Justice Murphy's reasons for Judgement in the case Hooper versus City of North Vancouver and Hughes versus City of North Vancouver, re ferry passes.

Laid on the table.

From M.P. Olson, applying to purchase the timber on DL 1413.

Moved by Alderman G.H. Morden, seconded by Alderman Watson and resolved that it is not the wish of the city to dispose of any standing timber on the Lynn watershed area.

From the Mayor of Victoria, enclosing copy of a report submitted to the Victoria Council by a special Committee of that Council, on Municipal Provincial matters, and requesting that the North Vancouver Council will join Victoria in pressing the demand both for economies and fair play from the Government.

Mayor Vance reported that the Government had not lived up to its promises as made to the Union of British Columbia Municipalities as well as to the Executive thereof.

Moved by Alderman Irwin, seconded by Alderman G.H. Morden and resolved that the City of Victoria be advised to the effect that while this Council appreciates the gravity of the situation, owing to the Government failing to fulfil its promises in the matter of granting legislation which would ease the financial burdens of the Municipalities, this Council is of the opinion that it would be better to deal with the matter through the Union of British Columbia Municipalities and that the above letter be filed.

From W.A. Tolmie, requesting the Board of Works Committee to arrange to have the ditch in front of 156 - 14th Street East, lowered in order to carry away the water more quickly.

Referred to the Board of Works Committee and the Engineer with power to act.

From A.C. Sutton, City Solicitor, enclosing copy of resolution which he wished the Council to pass with respect to Indian Mission Reserve.

Moved by Alderman McColl, seconded by Alderman Watson and resolved that Proceedings be taken under Sections 1 and 2 of Chapter 14 of the Revised Statutes of Canada 1911, for the removal of the Indians from the Mission Indian Reserve, which reserve is wholly within the Corporate limits of the City of North Vancouver, being a City having a population of not less than Eight Thousand persons, and which reserve has not been released or surrendered by the Indians, and that copies of this resolution be forwarded to the Superintendent General of Indian Affairs, Ottawa; the Superintendent of Provincial Agencies at Victoria; and the Honourable H.H. Stevens, Minister of Trade and Commerce.

And that it be further resolved that the Superintendent General and Superintendent of Provincial Agencies be requested to take all necessary steps in order that the intent of this resolution be proceeded with, and carried out expeditiously.

And be it further resolved that the Superintendent General of Indian Affairs be requested to refer this matter and resolution to the Judge of the Exchequer Court of Canada for inquiry and report the question as to whether it is expedient having regard to the interest of the Public and of the Indians of the Band for whose use said reserve is held, that the Indians should be removed from the said reserve or any part of it.

From J.D. McNiven, Deputy Minister of Railways, enclosing copy of Order-in-Council outlining plan for unemployment relief.

Moved by Alderman Irwin, seconded by Alderman McColl and resolved that the proper Department of the Provincial and Dominion Governments be applied to for their proportion of cost of work to be undertaken under the relief plan.

From J.T. Edmond, Ferry Superintendent, reporting the Great West sand and Gravel Company delivered on November 12th, scow of coal of good quality which he has accepted on behalf of the City.

Referred to the Treasurer.

From Mrs. A.M. Gillam, Secretary, Victorian Order of Nurses, requesting payment of the balance of grant promised for this year; also requesting permission to tag on the streets and ferries on December 3rd.

Moved by Alderman Watson, seconded by Alderman McColl and resolved that the Victorian Order of Nurses be granted permission to tag on the streets and on the ferries on December 3rd in aid of the funds of the Victorian Order of Nurses, North Vancouver Branch.

Moved by Alderman McColl, seconded by Alderman Irwin and resolved that the Treasurer be and he is hereby authorized to issue a cheque in the amount of \$400.00 payable to Mrs. A.M. Gillam, Secretary Victorian Order of Nurses, being balance of grant to the V.O.N. for the year 1921.

From the Assistant District Forrester, advising that a meeting will be held in the Court House, Vancouver, on Wednesday, November 30th, at 2 p.m. to consider the distribution of expenditures incurred in connection with fire patrol on the North Shore watersheds during 1921.

Moved by Alderman Watson, seconded by Alderman McColl and resolved that Alderman Townsley be appointed as a representative from this Council to attend the above meeting.

From A.B. Buckworth, General Manager Pacific Great Eastern Railway, dated November 10th, addressed to Mayor Vance re Chesterfield Avenue wharf and slip.

Moved by Alderman Irwin, seconded by Alderman Wm. Morden and resolved that Mayor Vance be a Committee of one in consultation with the City Solicitor, to draft and forward a suitable reply.

From the North Vancouver Land and Improvement Company, dated November 14th, enclosing copies of sewer pipe easement, and suggesting that the City purchase the 10 foot strip in question for which the Company would be prepared to quote a low price.

Moved by Alderman Watson, seconded by Alderman Irwin and resolved that the above letter and draft easement be laid on the table.

From the Acting Deputy Minister of Lands, Victoria, dated November 11th and November 15th, enclosing accounts for interest due, amounting to \$315.08 under the second allotment of \$19,200.00 better housing funds, also \$1,448.51 interest due on \$65,000.00 previous allotment, better housing funds.

Referred to the Treasurer and the Housing Committee.

From S. McKinnon, requesting a price on Lots 12 and 13, Block 230A, on 27th Street.
Laid on the table.

From the B.C. Auto and Truck Wreckers Ltd., advising that they own a Cadillac truck that they are willing to dispose of for the sum of \$900.00 cash and the old broken Napier car.

Laid on the table.

From the City Treasurer, being report of the cost of operation of the ferries for the month of October, 1921.

Received and filed.

From the City Solicitor, advising that the appeal in suit Haddon versus North Vancouver came on for hearing and was heard on Wednesday the 16th and Thursday the 17th November. Judgment reserved.

Filed.

From A.C. Sutton, City Solicitor, enclosing draft agreement between the City and Yorke & Son with respect to the use of siding which it is proposed to have constructed.

Laid on the table.

A petition was received from 4 Barbers of the City, requesting the Council to pass a Bylaw compelling all barber shops on week days excepting Wednesdays and Saturdays to close at 6:30 p.m. and on Saturday at 10 p.m.

Moved by Alderman G.H. Morden, seconded by Alderman Townsley and resolved that the Solicitor be instructed to prepare a Bylaw closing barber shops in accordance with the above petition, providing the required number of signatures are attached to the petition.

Tenders were received from North Shore Press and Shoemaker & McLean for supplying 5000 window envelopes for mailing assessment notices.

Moved by Alderman Watson, seconded by Alderman Townsley and resolved that the tender of the North Shore Press for supplying 5000 window envelopes as sample, at the price of \$23.00 be and is hereby accepted, their tender being the lowest.

Alderman G.H. Morden, not voting.

Prices were received from a number of auto dealers for an engine for the Napier truck.

The communication from the B.C. Auto and Truck Wreckers referred to previously, was also considered.

Moved by Alderman Irwin, seconded by Alderman Wm. Morden and resolved that the Fire and Light Committee together with the Fire Chief, be empowered to purchase from the B.C. Auto and Truck Wreckers Ltd., a Cadillac Truck, consideration being \$900.00 cash and the old Napier car, the property of the Fire Department.

Under Inquiries, Alderman G.H. Morden wanted to know how early in the morning the snow ploughs would be out, on account of the heavy fall of snow.

This matter was referred to the Engineer for attention.

Reports and recommendations by the Finance, School, Ferry, Board of Works, Waterworks, Fire and Light, Parks, Police and Health Committees, on due accounts were submitted by the respective Chairmen and read to the meeting and the Treasurer was authorized to pay the accounts to the amounts following:

Finance	\$258.95	
	<u>774.49</u>	\$1,033.44
Finance (School)		\$2,100.38
Ferry	\$6952.82	
	<u>11636.04</u>	\$18,588.86
Board of Works		\$678.02

Waterworks	\$196.33
Fire & Light	\$1,058.19
Parks	\$13.72
Parks (Police)	\$65.10
Parks (Health)	\$220.52

The report of the Fire and Light Committee as contained in the Committee's Minutes of November 14th, 1921 was read and on motion of Alderman Townsley, seconded by Alderman Watson, adopted.

The report of the Ferry Committee, as contained in the Committee's Minutes of November 14th, 1921 was read and on motion of Alderman G.H. Morden, seconded by Alderman Townsley, adopted.

The report of the Waterworks Committee as contained in the Committee's Minutes of November 14th, 1921 was read and on motion of Alderman G.H. Morden, seconded by Alderman Townsley, adopted.

The report of the Finance Committee as contained in the Committee's Minutes of November 14th, 1921 was read and on motion of Alderman McColl, seconded by Alderman Irwin, adopted.

The report of the Committee of the Whole Council as contained in the Committee's Minutes of November 14th, 1921 was read and on motion of Alderman Irwin, seconded by Alderman Wm. Morden, adopted.

The report of the Board of Works Committee as contained in the Committee's Minutes of November 14th, 1921 was read and on motion of Alderman Irwin, seconded by Alderman McColl, adopted.

The report of the Returned Soldiers Committee as contained in the Committee's Minutes of November 14th, 1921 was read and on motion of Alderman Townsley, seconded by Alderman Watson, adopted.

Alderman Townsley reported that he accompanied by Alderman G.H. Morden had interviewed Mr. Perry of the B.C. Electric Railway Company, with respect to the cost of installing light for Mr. Clark on Williams Avenue, and it had been suggested that Mr. Clark, and Mr. Chambers who had submitted a lower estimate of cost, interview the Engineers of the B.C. Electric Railway Company in Vancouver.

Alderman Irwin reported that since the recent floods, the Board of Works Committee had inspected Mosquito Creek north of Keith Road and found that large quantities of boulders, gravel and sand had been carried down the stream and consequently portions of the creek bed are higher than the adjacent land to the east and west, and that there is danger of the creek changing its course in the near future.

Moved by Alderman Irwin, seconded by Alderman Wm. Morden and resolved that the City Solicitor be requested to confer with the City Engineer re Mosquito Creek water-course storm damage and possibility of this Creek changing its course owing to the Creek bed being obstructed by gravel and boulders recently deposited by storm in that

portion south of 16th Street west to the Pacific Great Eastern Railway Right-of-way; and report back to this Council as to whether the "Streams and Water Courses Act" or other Provincial Statutes would enable the council to carry out necessary work of clearing the creek bed under financial arrangements, whereby the cost or a portion thereof could be charged back against lands in the immediate vicinity as a District or Local Improvement.

Moved by Alderman Irwin, seconded by Alderman G.H. Morden and resolved that the Engineer submit a report and estimate of cost of clearing Mosquito Creek bed, also report of owners in the immediate vicinity, who would be damaged by reason of the diversion of the waters.

The City Solicitor submitted a draft copy of proposed agreement between the City and Messrs. Yorke & Son with respect to the use of proposed siding at the Esplanade and Chesterfield wharf which was carefully considered.

The Solicitor was instructed to insert a clause making provision for adjustment of rates from time to time.

Also if possible, that it be referred to some non-interested Board. Mr. Yorke also suggested that a clause be inserted that the facer of the wharf be not changed.

Moved by Alderman Irwin, seconded by Alderman McColl and resolved that a copy of the draft agreement as amended, be submitted to Captain Yorke and Son with a view to having the matter settled at the next meeting of Council.

Moved by Alderman G.H. Morden, seconded by Alderman McColl and resolved that the Engineer inspect the Railway and wharf material offered by Mr. Bartholomew, and select what he thinks will be required, and endeavour to secure an option on same for 10 days.

The reasons for judgment of the Hon. Justice Murphy, in the case of Hooper versus North Vancouver, re issue of passes on the ferry, was considered at some length.

Moved by Alderman Watson, seconded by Alderman G.H. Morden and resolved that the Solicitor be and he is hereby instructed to enter an appeal on behalf of the City in the above suit.

Carried unanimously.

Moved by Alderman Watson, seconded by Alderman Irwin and resolved that owing to the decision of Mr. Justice Murphy in suit Hughes versus City of North Vancouver and issue of passes, that the resolution of this Council dated October 28th, Pages 204 and 205 of the Council Minute Book, authorizing the issue of passes be reconsidered.

Also that the resolution of this Council under date of November 14th, 1921, Page 218 of the Council Minute Book, deferring the issue of such passes until the 22nd day of November, be reconsidered.

Moved by Alderman G.H. Morden, seconded by Alderman Townsley and resolved that the resolution of this Council, dated October 28th, 1921, Pages 204 and 205 of the Council Minute Book, also resolution of this Council dated November 14th, 1921, Page 218 of the Council Minute Book, authorizing the issue of passes on the ferries, be rescinded.

Moved by Alderman Townsley, seconded by Alderman G.H. Morden and resolved that the City Clerk be instructed to prepare a Bylaw, amending Schedule "A" of the Ferries Operation Bylaw, providing for the following:

Passenger single fare	10 cents
Commutation Book of 40 tickets (Not transferable, good at all hours)	\$2.00
Children under 7 years	Free
Children over 7 and up to 12 years - 10 tickets for	25 cents
Students tickets 1 cent each, upon presentation of Certificate according to the resolution of Council now in force.	

Moved by Alderman G.H. Morden, seconded by Alderman Wm. Morden and resolved that the following provision also be made on Schedule "A" to be amended:

Passenger Auto, Commutation books 30 tickets for (Same restrictions as now in force)	\$6.00
Motor Bicycle with rider, single trip	20 cents
Commutation tickets	10 for \$1.50

At 11:56 p.m. it was moved by Alderman Watson, seconded by Alderman G.H. Morden and resolved that the Council do now adjourn, to reconvene in the City Hall, on Monday, November 28th at 9 p.m.

Signed: G.W. Vance, Mayor