

MINUTES OF A SPECIAL MEETING OF THE COUNCIL HELD IN THE COUNCIL CHAMBER, CITY HALL ON MONDAY, JULY 14TH 1930 AT 7:00 P.M.

PRESENT:

His Worship Acting-Mayor Bridgman
Alderman Anderson
Alderman Cartwright
Alderman Loutet
Alderman White
Alderman Wilson

The notice convening the meeting was read, and on motion of Alderman White, seconded by Alderman Anderson ordered received and filed.

A communication was read from Mr. Dugald Donaghy, City Solicitor, with reference to the proposed agreement between the Harbour Board, B.C. Mills Timber and trading Co. Ltd. advising that on two separate occasions he had endeavoured to get in touch with, but was unable to arrange a conference between himself and the Solicitors for the Board and the Company, following which he had made and forwarded to each of them a clean copy of the proposed draft agreement advising at the same time that it would come up for consideration at the Council meeting on Monday, July 14th.

With reference to the agreement of December 17th 1928, Mr. Donaghy, after reviewing the situation, states he is of opinion that Mr. Ralston's verbal notification to the Council on July 7th rejected the agreement and ended it and this is further emphasized by him submitting a counter agreement in its place. It is impossible for the Company to revive and give new life to the rejected agreement, and the Company's attempt to do so by now executing the rejected agreement would be a futile effort in its part.

From Farris, Farris, Stultz and Sloan, Barristers, to Dugald Donaghy, City Solicitor, enclosing a notarized copy of the agreement of December 17th 1928, advising that the B.C. Mills Timber and Trading Co. Ltd. had executed the agreement during the week ended July 12th 1930, and had so notified the City Clerk. The communication further stated that the Commissioners had obtained and registered a conveyance of the right-of-way in the Land Registry Office and were to dedicate same in accordance with the obligations of the Commissioners to the City.

From E. P. Davis and Co. Barristers, to Dugald Donaghy, City Solicitor, stating they had completed the matter of the sale by B.C. Mills to the Harbour Board and had no further interest, in arriving at an agreement with the City.

From Dugald Donaghy, City Solicitor, stating that since receiving the two aforementioned letters he had made a search in the Land Registry Office and ascertained that an application had been made to register two conveyances from the B.C. Mills to the Vancouver Harbour Commissioners of the water front property of the

Company adjacent to D.L. 272 and 273. The conveyances bear the registered numbers 72152-K and 72153-K.

The first conveyance covers the right-of-way of the Terminal Railway together with a 33-foot road adjoining same. The second conveyance covers the land and water lot south and immediately adjoining the Terminal Railway. There had also been filed a dedication plan covering the 33-foot road lying to the North of the Terminal Railway. Mr. Donaghy advised that as a matter of precaution the City Engineer should check up the dedication plan for the purpose of ascertaining whether or not the dedication covers precisely the land on which the concrete highway is constructed.

Moved by Alderman Loutet, seconded by Alderman Anderson and resolved that the B.C. Mills Timber and Trading Co. and the Vancouver Harbour Commissioners be notified by the City Clerk, that the Company having notified the City that the Company had rejected the proposed agreement of December 17th 1928, and had refused to execute it and the Company having submitted to the City a substitute agreement in place thereof, the City takes the position that the proposed agreement of 17th December 1928 did not come into effect and is dead.

From Alderman Loutet reporting on his interview with officials of the Government at Victoria in regard to the improvement of the highway from the corner of Third Street and Forbes Avenue in a westerly direction, advising that a solution of the difficulty of a road through the May-McNeish properties would be for the Government, on request of the City, to have the lands to be entered upon gazetted as a Public Highway, after which the Government could pay compensation on the basis arranged out of the \$25000.00 set aside in the Loan Bill for this improvement, following the interview, in order to expedite matters, he had got in touch with Mr. Wark, Government right-of-way agent, who on behalf of the Department, had inspected the proposed right-of-way along with the City Engineer.

Moved by Alderman Anderson, seconded by Alderman White and resolved that Alderman Loutet be and is hereby tendered the thanks of the Council for his efforts in this matter.

A petition to His honour the Lieutenant-Governor in Council was then submitted and read, showing that it is desirable in the public interest that certain described lands should be entered upon for the establishment of a highway for the purpose of straightening out two right angle turns on Third Street and Bewicke Avenue and Keith Road and Bewicke Avenue in the City of North Vancouver, and that the Lieutenant-Governor in Council or the Minister of Public Works will for the aforesaid purpose be requested to enter upon, possession of and gazette the said lands as a Public Highway.

Moved by Alderman Loutet, seconded by Alderman Cartwright and resolved that the petition as read be adopted, signed by the Mayor and Clerk and sealed with the Corporate Seal and that a copy of the petition be forwarded to the Government with a request that the described lands be gazetted as a Public Highway.

Moved by Alderman Anderson, seconded by Alderman Loutet and resolved that the Solicitor, Engineer and Clerk be and are hereby appointed a Committee with power to act in the matter of arranging conveyances the extent of the road to be acquired for highway and for municipal purposes and other detail matters in connection therewith.

Moved by Alderman Anderson, seconded by Alderman Wilson and resolved that in figuring the amount of compensation to be paid to the owners of the property that it is to be taken in the improvement of the Third Street highway, and amount equal to the proportion of the taxes payable by the owners from the date of the respective options shall be included and paid as part of the City's cost of obtaining the right-of-way.

From Irwin and Billings Co. Ltd. on behalf of a client, offering to purchase Lot 18, Block 172, D.L. 274 at the price of \$300.00 on terms of one half cash, balance in six and twelve months, with interest at 7%.

The Clerk reported that there was a small building on the property for which the City was collecting a monthly rental and that the intending purchaser, who was also the owner of Lot 17, would be content to let the tenant remain as it was no intended to improve the property at the present time.

Moved by Alderman Anderson, seconded by Alderman Wilson and resolved that the application be laid over until the meeting of July 21st and at that time a report in writing covering the situation be submitted to the Council.

The Clerk reported the refusal of an operating plumber in the City to pay the license fee stipulated in the Plumbing By-law.

The Circumstances are that an Owner of property in the City is building a residence for which he had purchased his own plumbing at a Vancouver store – hired a plumber from a Relief Employment Bureau in Vancouver – paying an agreed upon amount of wages per day, plus transportation and allowance for meals. The contention being that the man doing the work is not liable to pay, being neither a master plumber or a contractor and that he has no place of business in the City.

Moved by Alderman White, seconded by Alderman Wilson and resolved that the fee of \$5.00 as prescribed in the Plumbing By-law be collected before the Plumbing Inspector accepts the plans and issues a permit for the work to be done.

Moved by Alderman Loutet, seconded by Alderman Wilson and resolved that the Solicitor review and report on the Plumbing By-law together with the advisability of incorporating the imposition of a license fee in the "Trades License By-law" instead of in the "Plumbing By-law".

From Joseph H. Younghusband, a City employee, applying under the provisions of Section six of the Superannuation Act for deductions to be made as a contributor to the Superannuation Fund at the rate of 7% effective August 6th 1930.

Moved by Alderman White, seconded by Alderman Cartwright and resolved that the request of Joseph K. Younghusband be approved and that the Council authorize future

contributions to be made at the rate of 7% provided Mr. Younghusband qualifies as to the age limit prescribed in the Act for contributions being made at the increased rate.

From the Engineer stating that in accordance with the terms of the "Heywood Street" contract all good timbers were to be put aside and that he had instructed Mr. McCready to take them over for the City.

The Contractor and Inspector had set aside two truck loads of good 3 x 12" planks, five truck loads of eight planks each of good 4" x 12" x 24" planks and about a dozen good 10" x 12" and 12" x 12" timbers.

The above described planking had been taken or removed from the job in spite of warning by those in charge and without the Engineer's knowledge or consent. Mr. Hanes was afterwards informed by Alderman Cartwright that he had the planking removed for use as surfacing for the Great West Coal and Supply Company's dock at the foot of St. George's Avenue. The Engineer had neither condoned the act, or made any arrangements for restitution or compromise, and after due consideration he had decided to report the matter to the Council.

After the Engineer's report had been read Alderman Cartwright stated that a great deal of the planking was of no practical value and that the contractors were burning it up. With the knowledge and consent of the contractor it was arranged that instead of burning up all the timbers some of the could be hauled away and used by the Great West Coal and Supplies Co. Ltd. in connection with the development of their Dock at the foot of St. George's Avenue.

This was done, and in doing so some of the Company's truck drivers had taken a few good planks, which had been set aside at the Coal Company's Dock, Mr. McCready, the Road Superintendent, had been advised by Alderman Cartwright that they were lying there and had better be removed.

In regard to the 10" x 12" and 12' x 12' timbers they had been sawn up in firewood lengths and the Great West Company in consideration of the privilege granted to the by the contractors had made delivery of the cut timbers at the residences of the contractors.

Following considerable discussion it was moved by Alderman Loutet, seconded by Alderman Wilson and resolved that the Engineer's report be verified by the contractors as to the quantities of salvaged timber on the job that could have been profitably used by the City and that the parties responsible be billed for the difference between the lumber actually salvaged and the quantity received from the Great West Coal and Supplies Co. Ltd.

Moved by Alderman Anderson, seconded by Alderman White and resolved that this meeting of Council do now adjourn.

Whereupon the meeting adjourned.

E. H. Bridgman
ACTING-MAYOR