

MAY 26, 1958

An adjourned meeting of the Municipal Council was held on May 26, 1958 at the Municipal Hall, 4545 East Grandview-Douglas Highway at 7:30 p.m.

PRESENT: Reeve Emmott in the Chair: Councillors McLean, Seifner, Mather and Wilson.

Moved by Cr. McLean, Seconded by Cr. Seifner that the Minutes of the previous meeting be adopted as written and confirmed. CARRIED UNANIMOUSLY. James Smith wrote on behalf of residents in the 4100-4200 Blocks Clydsdale Street requesting permission for delegation to be heard before the Council to protest the dumping of Mill refuse and garbage on adjacent industrial property. 1

Moved by Councillor Wilson, seconded by Councillor McLean: "That the delegation be heard."

CARRIED UNANIMOUSLY.

Mr. Smith attended and suggested that the property in question should be fenced. It had been noted the dumping had ceased and the residents were inquiring whether the cessation would be permanent or not. It was submitted that dumping to a minor extent was still going on on Summer Avenue, North from the Grandview Highway. The spokesman contended a fire hazard existed from the dumping of the Mill waste and a pile of brush in the vicinity.

Moved by Councillor Wilson, seconded by Councillor McLean: "That the delegation be thanked for their presentation."

CARRIED UNANIMOUSLY.

Moved by Councillor Wilson, seconded by Councillor Mather: "That the Manager be instructed to investigate the complaint and take action to eliminate the cause of same."

CARRIED UNANIMOUSLY.

The Minister of Highways wrote acknowledging the Council's letter requesting confirmation of the Department's commitment to pay cost involved in widening operations within the 4100 Block East Hastings Street during the year 1959 and that in the interim the Corporation would undertake the work and be reimbursed by the Provincial Government. The Minister advised his Department would cooperate in this regard and make payment available in 1959. 2

Moved by Councillor McLean, Seconded by Councillor Wilson: "That the letter be received."

CARRIED UNANIMOUSLY.

The Clerk brought forward a petition signed by the proprietors of the Inter-City Building Supplies and other Building Supply firms in the Municipality with regard to Shops Closing Regulations.

Moved by Councillor Mather, Seconded by Councillor Seifner: "That this item be tabled to Item 5 of the Agenda." 3

CARRIED UNANIMOUSLY.

A tender for purchase of Municipal Land at the North-East corner of Kingsway and Salisbury Avenue was laid before the Council for consideration.

Moved by Councillor Wilson, Seconded by Councillor McLean: "That the tender be opened." 4

CARRIED UNANIMOUSLY.

The tender was opened revealing the following offer:
"For property described: the North Half of Block Fourteen, save and accept the East 33 feet thereof and Blocks 15 and 16 of Lots 1 and 3 of Lot 95, Block 1, Plan 556, New Westminster District - a total of \$224,000.00 plus \$76,000.00 for services. Development to commence not later than January 1st, 1959 - the Shopping Centre Section to be 75% completed by December 31st, 1959, the remainder of the Shopping Area and Apartment House Area to be completed by June 30th, 1961."

Moved by Councillor McLean, Seconded by Councillor Seifner: "That the Tender be received and referred to the Manager for report next week."

CARRIED UNANIMOUSLY

His Worship the Reeve submitted a recommendation that the Reeve and Municipal Manager be authorized to attend the Canadian Federation of Mayors and Municipalities Convention, to be held in Victoria during the period June 1 - 4 inclusive. It was further recommended by the Reeve that Councillor E. Cafferky be appointed acting Reeve during the same period.

Moved by Councillor Mather, Seconded by Councillor Seifner: "That the recommendations of the Reeve be adopted."

CARRIED UNANIMOUSLY.

REPORT NO. 6 -- MUNICIPAL MANAGER

1. Application for subdivision of Rogers and Harrison property - Lots "F" 33, 34, of Blocks 1 and 5, D.L. 159.

Moved by Councillor McLean, Seconded by Councillor Seifner: "That this item be deferred for a period of one week."

2. Re application of J. Derhousow for subdivision -- 89.3 feet of Lot 36, D.L. 132. The Manager reviewed his investigation ~~his investigation~~ into the background of Mr. Derhousow's subdivision complaint advising that in finality in the absence of concrete evidence to counteract any statements made by Mr. Derhousow attributed to personnel of the Planning Department, he was accepting the statement of Mr. Derhousow with regard to the servicing of the property. The Manager advised it was considered there was merit in giving special consideration to the matter and it had been mutually agreed that a cost figure of \$250.00 vice \$400.00 would be fair and reasonable having regard to the circumstances and it was recommended that the services cost be set at \$250.00, subject to deposit of this sum with the Corporation on or before the 9th day of June, 1958. It was further recommended that if this deposit were not made on or before the 9th of June, 1958, the compromise offer be withdrawn and the application in question be subject to the current subdivision regulations.

Moved by Councillor McLean, Seconded by Councillor Seifner: "That the recommendations of the Manager be adopted."

CARRIED UNANIMOUSLY.

3. Re J. C. Weins Contracting Company Limited:

The Manager reviewed the history behind the improper use of land upon which the subject Contracting Company were operating and submitted that after consultation with the Operator that determined efforts were being made to locate the business elsewhere and that full recognition was given by the Operator to the inappropriateness of the present situation. In view of the circumstances an offer had been made to assist the Operator to obtain other Municipal property as an alternate site. The Solicitor for the Operator offered a letter guaranteeing that his client would discontinue operations in the present location not later than December 1, 1958, such letter to contain a consent to an injunction against continued use past this date if the Operator failed to comply. It was recommended that the Solicitor's offer on behalf of his client to discontinue use of the present premises in contravention of the Municipal By-Law by first of December, 1958, with the said consent to an injunction, be accepted.

Moved by Councillor Wilson, Seconded by Councillor McLean: "That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY.

4. Mileage Contract for Municipal Employees:

Moved by Councillor McLean, Seconded by Councillor Seifner: "That this item be tabled pending the arrival of the Personnel Director."

5. Re Municipal Finance Officers' Association:

The Manager recommended that the Treasurer be authorized to attend the Annual Conference of the Municipal Finance Officers' Association to be held in Milwaukee, Wisconsin, on June 8th to 12th, 1958, submitting that advantage would be taken to visit the North Western Mutual Life Insurance Company in Milwaukee and also the Chicago representatives of Blyth and Company Incorporated together with the All State Insurance Company.

Moved by Councillor McLean, Seconded by Councillor Mather: "That the recommendation of the Manager be adopted."

6. Re Procedure regarding Zoning Applications:

The Manager recommended the following procedure be adopted by the Council with regard to Zoning Applications:

1. Applications be submitted in writing to the Municipal Clerk.
2. On receipt of application, same be referred by Clerk to the Director of Planning for report to the Municipal Manager.
3. On receipt of report, the Municipal Manager to submit same with his recommendation to the first regular meeting after receipt of report.
4. If rezoning is approved by Council, date of Public Hearing be set.
5. That prior to the date set for the Public Hearing, the Municipal Clerk, in addition to the insertion of the Statutory Notice in a newspaper circulating within the Municipality, notify in writing the owners of any land abutting the land proposed to be rezoned.
6. No application will be entertained unless application is made by the owner or his Solicitor or Agent, and no application will be considered that has been subject of a similar application within the previous six months.

Moved by Councillor Wilson, Seconded by Councillor McLean: "That the recommendations of the Manager be adopted."

CARRIED UNANIMOUSLY.

REPORT NO. 7 -- MUNICIPAL MANAGER.

1. Re: 7300 Block Pandora--extension of Water Service.

The Manager submitted the text of the report from the Water Works Engineer following an application by W. J. Mattila for water connection to his property at 7350 Pandora Street. The Engineer submitted that an extension of 150 feet would be required to bring the Main past the property and in so doing the main would be some 20 feet higher than the present terminus. It was further pointed out that previous requests had been made from other property owners in the area for such extensions and that, in each case, approval had been denied due to the fact that developed properties below the 7300 Block were presently experiencing difficulties with Water Supply during the periods of dry weather and that to comply with the request of the applicant would result in additional requests from all people owning property in the area and would result in an inevitable worsening of the situation. The Manager recommends against granting the request due to the creation of a precedent very difficult to follow and which would only create further hardships on some property owners presently poorly served.

Moved by Councillor Wilson, Seconded by McLean: "That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY.

2. Re: Application of Mr. and Mrs. D. J. Hopkins for Water Supply from the Centennial Project Water Line.

The Manager submitted the context of a report from the Municipal Engineer relative to the connecting of private water services to the Centennial line. It was submitted that a number of applications had been received from persons abutting the line and that the Main had been constructed of sufficient proportions only to serve the Centennial Site. Furthermore, additional unforeseen demands were to be made on the supply at the Centennial Project which were being watched closely in the interests of conservation. It was submitted that the permission of one connection to the line would set a dangerous precedent which could have serious effects considering the number of property owners along the line. It was recommended by the Manager that in view of the circumstances, the application of Mr. and Mrs. Hopkins be denied.

Moved by Councillor McLean, Seconded by Councillor Seifner: "That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY.

Moved by Councillor Mather, Seconded by Councillor Wilson "that Item 5 of the Agenda be tabled pending the arrival of Councillor Cafferky."

CARRIED UNANIMOUSLY.

6. "Burnaby District Improvement By-law No. 2, 1958.
First, Second, Third Reading.

Moved and Seconded in each instance by Councillors Wilson and McLean.

CARRIED UNANIMOUSLY.

Item 4 of the Municipal Manager's Report No. 6 was considered. Re: Mileage Contract for Municipal Employees. The following was submitted as a report of a Joint Committee of Management and Union for favourable consideration by the Council. It was estimated cost for all Employees would be \$12,204.75 for a year. For Union Employees the calculated cost per mile on an average basis would be 11.16%, while for all Employees the cost per mile on an average basis would be 11.6%.

PROPOSED REGULATIONS RE EMPLOYEE - CORPORATION TRANSPORTATION

1. The Corporation may require an employee to provide motor vehicle transportation for the efficient performance of his duties.
2. Pursuant to clause (1) the employee shall have the right to select either of the following plans:
 - (a) Provide his private passenger vehicle and receive monthly compensation as provided for in clause (3), OR -
 - (b) Elect to have the Corporation supply a vehicle for which the employee will contribute a monthly amount to the Corporation as provided for in clause (4).
3. TABLE OF MOTOR VEHICLE CLASSIFICATIONS - indicating monthly amounts to be paid by the Corporation:

<u>Class</u>	<u>Mileage per month in Municipal Service</u>	<u>Payment per month for use of employee car</u>
	Under 200	Mileage at 10¢ per mile
A	Between 201 and 300	\$ 54.50
B	301 and 400	59.00
C	401 and 500	63.50
D	501 and 600	68.00
E	601 and 700	72.50
F	701 and 800	77.00
G	801 and 900	81.50
H	901 and 1000	86.00
I	Over 1000	90.50

4. An employee may elect to operate a municipal vehicle on the following terms: The employee will pay to the Corporation a flat rate of \$27.00 per month, plus 1½¢ per mile for all personal driving.
5. The employee shall be responsible for the first \$100 of damage to any motor vehicle provided by the Corporation.
6. The employee shall provide adequate commercial insurance when operating his privately-owned motor vehicle on Corporation business. The amount and type of such insurance shall be determined by the Corporation, but the public liability insurance shall not be less than \$50,000 compensation for injury to one person, and \$100,000 compensation for injury to two or more persons, with a minimum property damage of \$5,000.
7. A reduction will be made in the monthly allowance for the non-use of vehicles through holidays, being:
Miles allowed per month per Category
4 X No. of weeks of Holiday X 4.5¢
8. A reduction will be made in the monthly allowance for non-use of vehicle through prolonged sickness or mechanical failure on the formula as in (7). Prolonged sickness shall not be less than ten working days. In exceptional circumstances a corresponding reduction may be made in the base rate.
9. The use of any motor vehicle for Municipal business shall be first approved by the Corporation.

10. Pursuant to clause (3) the Corporation shall have the right to classify and/or reclassify motor vehicles being used for Corporation business. Provided, however, that the employee shall have an appeal from the decision of the Corporation through grievance procedure as contained in the Union Contract.
11. The employee shall be required to present a monthly mileage account clearly indicating the daily mileage operated on Municipal business, and the daily mileage operated for private use. These accounts are to be submitted to the Treasurer within the first five days of each and every month before the previous monthly payment will be made. This regulation will apply to the operation of both employee-owned and municipal vehicles.
12. The plan to be effective as from January 1st, 1958.
13. The motor vehicle provided by the Corporation shall be a standard 4-door 6 cylinder Ford, or equivalent product, equipped with heater, defroster, and turning signals. The employee shall have the right to obtain a vehicle of higher standards and extra equipment, but the additional monthly cost shall be born by the employee.
14. Employees operating Corporation vehicles shall make an assignment to the Corporation of their monthly payment, which shall be deduced from the earnings due the employee bi-weekly.
15. The Union agrees to co-operate with the Corporation in administering this Motor Vehicle Transportation agreement, in order to maintain efficiency.

Moved by Councillor Wilson, Seconded by Councillor Mather: "That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY.

A delegation from Service Station operators in the Municipality was present and requested an opportunity to speak with regard to the proposed Shops Regulations as affecting Service Stations. Representatives of the Automotive Retailers Association were amongst those appearing.

Moved by Cr. McLean, Seconded by Councillor Brown: "That the delegations be heard."

CARRIED UNANIMOUSLY.

Mr. Smith of the Automotive Retailers Association spoke with reference to the proposed twenty-four hour permit system submitting that the implementation of this Regulation would be detrimental to the Members of his Association in that the twenty-four hour operation was considered uneconomical and impractical. As an alternative the representatives submitted that the Membership of his Association favoured a rotation scheme whereby a number of stations would remain open twenty-four hours a day on strategic highways to give service to the public. It was also submitted that the Association was prepared to provide the Council with a rotation list. A petition was presented containing signatures of a good majority of the Independent Operators.

Moved by Councillor Brown, Seconded by Councillor Cafferky: "That Mr. Dahl be heard".

CARRIED UNANIMOUSLY.

Mr. Dahl submitted that he was not a member of the Automotive Retailers Association and was speaking as an Independent. It was submitted that long hours of operation by Service Stations worked an economical hardship upon the Operators. It was submitted that there was urgent need for standardization of hours of work for Service Station Operators. Mr. Dahl supported the Rotation System submitting that two stations would be maintained on a twenty-four hour basis on Hastings Street, two on the Loughed Highway, three on the Grandview-Douglas Highway and Sixth Street, three on Kingsway and one on Marine Drive.

Moved by Councillor Brown, Seconded by Councillor Seifner: "That the delegations be thanked for their presentations and for the facts given."

CARRIED UNANIMOUSLY.

Moved by Councillor Mather, Seconded by Councillor Brown: "That consideration of the Burnaby Shops Regulation By-law 1958 be deferred until the next meeting of the Council."

CARRIED UNANIMOUSLY

A report of the Municipal Manager on Hired Trucks and Equipment was tabled for consideration.

Moved by Councillor Brown, Seconded by Councillor McLean: "That Mr. A. Brown-John be heard."

CARRIED UNANIMOUSLY

Mr. Brown-John submitted that the report brought to Council completely ignored the brief presented by himself in February in that the proposed plan would eliminate his services entirely. Mr. Brown-John asked who would determine the condition of the trucks? What was considered a sealed approval? What machinery was available for appeal? It was submitted that generally the plan was biased and unfair. It was submitted further that 40% of the present preferred list do not reside in Burnaby - also that Mr. Haddon, a prominent trucker and resident of Burnaby had been included in the preferred list for some time and for some unknown reason had been removed. Mr. Brown-John contended that he was being discriminated against and that he was capable and willing to work with his equipment. It was also suggested that he was instrumental in assisting the Municipality during the depression years by financially carrying the Municipality for fuel orders. Mr. Brown-John submitted that he was a prominent citizen giving information of various positions of trust held in a number of organizations in the North Burnaby area justifying his request for a consideration in this matter.

Moved by Councillor McLean, Seconded by Councillor Cafferky: "That the reports on Truck and Equipment Hiring be tabled pending completion of the Committee Agenda."

CARRIED UNANIMOUSLY.

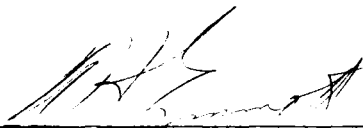
The Council resolved at a Committee of the Whole at the completion of the Committee Agenda with the Reeve in the Chair, the matter of alleged discrimination against Mr. Brown-John was aired fully. Mr. Brown-John charged that personalities were involved and that there was no question of competency on his part. Further that in spite of the action of the previous Council to give Mr. Brown-John work, insufficient work had been obtained.

Moved by Councillor Cafferky, Seconded by Councillor McLean: "That the report of the Manager, dated April 21st be received and that the preferred Truck List be maintained at twenty with the addition of the name of Mr. G. Haddon; that the policy as contained in the Report be maintained and that the Manager take under further consideration the problem advanced through representations of Mr. A. Brown-John."

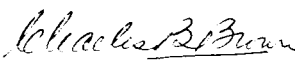
CARRIED

Councillor Wilson voted in opposition.

The Meeting then adjourned.



REEVE



CLERK