



Town of Ladysmith

Minutes of a meeting of Council of the Town of Ladysmith held in Council Chambers at City Hall on Tuesday, September 8, 2009 at 7:00 p.m.

COUNCIL MEMBERS PRESENT:

Mayor Rob Hutchins
Scott Bastian
Lori Evans

Steve Arnett
Jillian Dashwood

COUNCIL MEMBERS ABSENT:

Duck Paterson
Bruce Whittington

STAFF PRESENT:

Ruth Malli
Felicity Adams

Sandy Bowden
Rebecca Kalina

Mayor Hutchins called the meeting to order at 6:00 p.m.

EXECUTIVE SESSION

2009-470: It was moved, seconded and carried that this meeting retire into Executive Session (6:00 p.m.) pursuant to Section 90(1) of the Community Charter to consider the following items:

- personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;
- the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

The Regular Session of Council was called to order at 7:00 p.m.

ARISE AND REPORT

2009-471: It was moved, seconded and carried that the Executive Session of Council rise with report on the following resolutions:

- That Marina Sacht, Kathy Holmes, Dave Ehrismann and Rob Waters be appointed to the Tourism Advisory Committee (EDC sub-committee) for two-year terms (2009-2011).
- That 'Ouellette' be added to the approved list of street names for the Town of Ladysmith.

AGENDA APPROVAL

Councillor Evans requested Council's consideration of adding the issue of drainage in front of the Pharmasave on First Avenue as item 13.1.

2009-472: It was moved, seconded and carried that the agenda for the Regular Council meeting for Tuesday, September 8, 2009 be approved as amended.

MINUTES

2009-473: It was moved, seconded and carried that the Council minutes of August 17 and 24, 2009 be approved as circulated.

DELEGATIONS

UNITED WAY CENTRAL AND NORTHERN VANCOUVER ISLAND

Lynne Brown, Chief Operating Officer, United Way Central and Northern Vancouver Island was in attendance to discuss the 2009 United Way campaign. Ms. Brown extended an invitation to attend the kick off breakfast event on September 25, 2009 at the Nanaimo Convention Centre. Mayor Hutchins presented Ms. Brown with a proclamation proclaiming September 20 - 26, 2009 as "United Way Week" in the Town of Ladysmith. Mayor Hutchins thanked Ms. Brown for her presentation and wished the United Way success with their 2009 fundraising campaign.

BYLAWS (OCP/ZONING)

OFFICIAL COMMUNITY PLAN AMENDMENT AND REZONING APPLICATION - 3360-09-04 (10930 Westdowne Road)

2009-474: It was moved, seconded and carried that Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No. 26), 2009, No. 1694 be read a first and second time;

AND THAT Area 'G' Zoning Bylaw 1180, 1988 Amendment Bylaw (No. 1), 2009, No. 1695 be read a first and second time;

AND THAT a Public Hearing date be set for October 5, 2009.

COUNCIL / COMMITTEE REPORTS

Mayor Hutchins reported that the Trolley had 193 passengers today and that the official Trolley Ribbon Cutting Ceremony was held on September 1, 2009. Mayor Hutchins displayed a new product "Trolley Blend Tea" being sold at Olivia's to commemorate the Trolley. Mayor Hutchins attended the August Protective Services Committee meeting on behalf of Councillor Bastian and reported that the group will hold their next meeting at the Fire Hall. Mayor Hutchins noted that the next Global Commission meeting will be held on October 8, 2009.

GOVERNMENT SERVICES COMMITTEE RECOMMENDATIONS

2009-475: It was moved, seconded and carried that support in principle be given to the Rotary Club's offer to pay for the installation of a Globe Solar Energy Inc. solar collector GSE ISP-195 hot water heater at City Hall; and that staff be requested to review the matter and if suitable proceed with the installation.

2009-476: It was moved, seconded and carried that Council support the Building and Safety Branch proposals to include high-efficiency toilets in new construction and solar hot water ready construction for new single family houses in the BC Building Code.

2009-477: It was moved, seconded and carried that Staff be directed to remove any obstacles in the drainage ditch along Methuen Avenue that cause pooling; and that Staff provide a report for the 2010 budget deliberations outlining a phased approach for enclosing the drainage ditch behind Methuen Avenue from Fourth Avenue to First Avenue.

2009-478: It was moved, seconded and carried that the minutes of the Government Services Committee meeting held on August 17, 2009 be approved as circulated.

Councillor Bastian stated that he will be attending the Advisory Planning Commission meeting on September 9, 2009.

Councillor Dashwood stated that she will be away for the Liquid Waste Management Committee meeting on September 23, 2009 and will arrange for her alternate to attend.

Councillor Arnett reported that he attended a recent Chamber of Commerce meeting at which a discussion took place regarding the Spirit of Ladysmith Awards and stated that he received positive feedback from the Chamber regarding the trolley.

Councillor Evans reported that Councillor Arnett attended the recent Health Advisory Committee meeting and that member Casey La Rochelle from Stz'uminus (SNF) stated that they will be hosting advanced Suicide Prevention Training and invited members to attend. Councillor Evans reported that a representative from Social Planning Cowichan will attend a future Council meeting to explain their mandate. The Heritage Revitalization Advisory Commission will be unveiling the Miner's Memorial Plaque on October 3, 2009.

REPORTS

COMMUNITY SERVICES CENTER/CIVIC SPACE REZONING

2009-479: It was moved, seconded and carried that Staff be directed to prepare bylaws to amend the Official Community Plan and Zoning Bylaw to permit the community services centre/civic space at 208 High Street and 217 Buller Street, including a general regulation to permit 'park and open space' as a permitted use in all zones; and that staff request that the consulting architect complete a view study analysis for the community service centre;

AND THAT pursuant to S. 879 of the Local Government Act, Council requests that consultation for Official Community Plan and Zoning Bylaw amendment application 3360-09-06 shall include early discussion at the Global commission meeting, referral to the Advisory Planning Commission and the holding of a public information meeting prior to the public hearing on the bylaws;

AND THAT Staff be requested to include the Advisory Design Panel in the architectural design process for the community services centre/civic space project.

NEW MANUFACTURED HOME PARK - NEXT STEPS

2009-480: It was moved, seconded and carried that Staff be requested to have the following documentation prepared:

- Restrictive covenant to provide for:

(a) priority allocation and occupancy to the residents of the Ivy Green Mobile Home Park, as of the date of the eviction notice, to relocate to the new manufactured home park;

(b) a monthly rental rate not to exceed \$365 in 2010;

(c) for a "life tenancy" rental term (life tenancy) for Ivy Green residents; and

(d) no subdivision of the manufactured home park, and

- Release of covenants and charges currently on the title of Town-owned Lot 1, DL108, Plan VIP73133 to facilitate the sports field and manufactured home park/residential development.

2009-481: It was moved, seconded and carried that staff prepare an amendment to the Town's Building Bylaw to allow the relocation of the Ivy Green residents' mobile homes at the new manufactured home park on "DL108".

PURCHASE OF SCBA AIR PACKS

2009-482: It was moved, seconded and carried that Staff be authorized to purchase 10 SCBA Air Packs from Acklands-Grainger Inc. in the amount of \$37,840.62.

RCMP - TOWN AGREEMENT

2009-483: It was moved, seconded and carried that the Mayor and Director of Corporate Services be authorized to sign an agreement with the Royal Canadian Mounted Police for the lease of the proportionate share of premises occupied by provincial members at the Town owned building at 320 6th Avenue.

AFTER HOURS WORK AT THE GOVERNMENT WHARF BY GREGSON CONTRACTING

2009-484: It was moved, seconded and carried that Gregson Contracting be authorized to perform works associated with the Small Craft Harbours breakwater project beyond the hours stipulated in the Noise Bylaw.

AMPHITHEATRE REPAIR

2009-485: It was moved, seconded and carried that Staff be directed to remove the deck and railing, and fence the area, in the front portion of the Amphitheatre at Transfer Beach Park as soon as possible and that the Financial Plan be amended to include this expenditure.

FIRE CHIEF'S REPORT

2009-486: It was moved, seconded and carried that the Fire Chief's Report for July, 2009 be received.

BUILDING INSPECTOR'S REPORT

2009-487: It was moved, seconded and carried that the Building Inspector's Report for

July, 2009 be received.

CORRESPONDENCE

JULY, 2009 POUND REPORT

2009-488: It was moved, seconded and carried that the July, 2009 Pound Report from T. Hughes of Coastal Animal Control Service of BC Ltd. be received.

ON A ROLL FOR ALS - LADYSMITH LIONS CLUB

2009-489: It was moved, seconded and carried that the letter from the Ladysmith Lions Club dated August, 17, 2009 be received and that the On a Roll for ALS rollers be authorized to use the Aggie Hall parking lot on September 21, 2009 at 2:00 p.m. and that Councillor Evans be appointed as the representative from Council to attend the event.

BYLAWS

Councillor J. Dashwood vacated Council Chambers at 7:52 p.m. due to a potential conflict of interest with the following agenda items.

2009-490: It was moved, seconded and carried that Town of Ladysmith Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No. 23, 2009, No. 1672 (Lot 3, Block 1399, Oyster District, Plan VIP75559 Except part in Plan VIP80608) be adopted.

2009-491: It was moved, seconded and carried that Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No. 71), 2009, No. 1673 (Lot 3, Block 1399, Oyster District, Plan VIP75559 Except part in Plan VIP80608)) be adopted.

2009-492: It was moved, seconded and carried that Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No. 72), 2008, No. 1684 (1142 Trans Canada Highway) be adopted.

Councillor J. Dashwood returned to Council Chambers at 7:54 p.m.

NEW BUSINESS

DRAINAGE ISSUE

Councillor Evans reported that during a recent rainstorm there appeared to be drainage issues on the corner of First Avenue and Gatacre Street. City Manager, R. Malli, stated staff will be requested to review the drainage at that location.

APPRECIATION FOR FIRST RESPONDERS

2009-493: It was moved, seconded and carried that letters of thanks be sent to the First Responders who attended the motor vehicle accident on August 29, 2009 at the intersection of Trans Canada Highway and Roberts Street.

ADJOURNMENT

2009-494 It was moved, seconded and carried that the meeting be adjourned at 7:56 p.m.

CERTIFIED CORRECT:

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)