



**TOWN OF LADYSMITH
MINUTES OF A REGULAR MEETING OF COUNCIL
MONDAY, FEBRUARY 4, 2013 - 7:00 P.M.
COUNCIL CHAMBERS, CITY HALL**

COUNCIL MEMBERS PRESENT:

Councillor Jillian Dashwood
Councillor Duck Paterson

Councillor Steve Arnett
Councillor Glenda Patterson

Councillor Bill Drysdale

COUNCIL MEMBERS ABSENT:

Mayor Rob Hutchins

Councillor Gord Horth

STAFF PRESENT:

Ruth Malli
Joanna Winter

Sandy Bowden

John Manson

CALL TO ORDER

Deputy Mayor Dashwood called the meeting to order at 7:01 p.m.

AGENDA APPROVAL

CS 2013-23

It was moved, seconded and carried that the agenda for the Regular Council Meeting be adopted with the following additions under New Business:

12.1 Council attendance at the Association of Vancouver Island and Coastal Communities annual conference

12.2 Council participation at community meetings

12.3 Cell tower

12.4 Homelessness

12.5 Family Day Signage Partnership

12.6 Ladysmith Chamber of Commerce Home, Garden and Business show

MINUTES

CS 2013-24

It was moved, seconded and carried that the minutes of the Regular Council meeting held January 21, 2013 be approved as circulated.

DELEGATIONS

**Judy Stafford, Cowichan Green Community
2012 Year in Review and Progress Report**

Ms. Stafford presented a video highlighting activities of Cowichan Green Community in 2012, and discussed upcoming activities and issues with

members of Council.

Council thanked Ms. Stafford for her informative presentation and for the activities of Cowichan Green Community, particularly in the area of food security.

PROCLAMATIONS

Mayor Hutchins proclaimed February 11, 2013 as “Family Day – Unplug and Connect” in the Town of Ladysmith, to promote the importance of engaging families to disconnect from electronic devices and screens and connect with each other.

Mayor Hutchins proclaimed February 14, 2013 as “V-Day” in the Town of Ladysmith, to mark the fifteenth anniversary of V-Day, a global movement to end violence against women and girls.

Mayor Hutchins proclaimed the week of February 18 – 24 as “Heritage Week” in the Town of Ladysmith, in recognition of the value of heritage homes and neighbourhoods in building strong, welcoming communities.

COUNCIL COMMITTEE REPORTS

CS 2013-25

Government Services Committee Recommendations

It was moved, seconded and carried that the report entitled “2013 to 2017 Financial Plan Statement of Objectives and Policies be received and that:

a) The Statement of Objectives and Policies for 2013 to 2015 be confirmed as presented; and that

b) The dates to deliberate the 2013 to 2017 Financial Plan be confirmed as follows:

February 18, 2013 - First draft of Preliminary Budget to be presented to the Committee

March 4, 2013 - *SPECIAL GOVERNMENT SERVICES COMMITTEE MEETING* Discuss the Grant-in-Aid requests

March 18, 2013 - Committee meeting - Budget Discussions

March 25, 2013 - *SPECIAL GOVERNMENT SERVICES COMMITTEE MEETING* - Budget Discussions

April 15, 2013 - Conclusion of Budget discussions and set direction for Property Tax Rates
May 6, 2013 - Present Property Tax Bylaw and Financial Plan Bylaw for first three readings
May 13, 2013 - *SPECIAL COUNCIL MEETING* - Adopt the bylaws.

CS 2013-26

It was moved, seconded and carried that a letter of appreciation be sent to staff for recent clean-up efforts in the alleyway behind the Island Hotel.

STAFF REPORTS

CS 2013-27

Annual Public Works Tenders for 2013 - 2014

It was moved, seconded and carried that the following contracts be awarded for a two-year period, to expire at the end of 2014:

Asphalt and Paving –
Laboratory Testing – Maxxam Analytics
Survey Layout – Pacific Land Surveying and McCallan Construction
Survey Ltd.
Container Rental – BFI Canada
Concrete Supply – Bedrock Redi-Mix
Sceptic Services – Coast Environmental
Chlorine Supply – Brenntag Canada
Gravel Supply and Disposal – Van Isle Aggregates

J. Manson left the meeting.

CORRESPONDENCE

CS 2013-28

Kathy Holmes, Ladysmith and District Arts Council Request for Support for Grant Application

It was moved, seconded and carried that Council does not have sufficient financial information to consider a request from the Arts Council of Ladysmith and District for assistance in applying for funds to install an elevator at the Waterfront Gallery, and that staff be directed to work with the Ladysmith and District Arts Council to research other sources of funds for assistance with upgrading the Council's gallery and improving accessibility, and that the request be referred to the 2013 Grant-in-Aid process.

**Gary MacIsaac, Gas Tax Program Services
Confirmation of Funding Approval through the Gas**

CS 2013-29

Tax Innovation Fund

It was moved, seconded and carried that funding through the Gas Tax Innovation Fund to support the Town of Ladysmith/Stz'uminus First Nation Cooperation Protocol Implementation Project be approved, that a letter of thanks be sent to the Gas Tax Program, and that the funds be included in the 2013 Financial Plan.

CS 2013-30

**Joe Barry, Cowichan Valley Regional District
Request for Written Consent for CVRD Transit
Service Establishment Amendment Bylaw 2013**

It was moved, seconded and carried that the Town of Ladysmith consents to the adoption of Cowichan Valley Regional District Bylaw No. 3670 - CVRD Transit Service Establishment Amendment Bylaw, 2013".

Council members noted that there had been consultation and discussion with the public, by BC Transit as well as Council, to have Ladysmith served by public transit within the Town and to neighbouring communities to the north and south. It was also noted that the Town has been successful in securing a commitment from BC Transit to move the establishment of a link to Nanaimo Regional Transit in their Transit Future Plan to short-term priority.

CS 2013-31

**Kathy Ilott, Vancouver Island Region, Canadian
Cancer Society
Office Changes in Ladysmith and Parksville-
Qualicum**

It was moved, seconded and carried that a letter be written to the Vancouver Island Region office of the Canadian Cancer Society requesting reconsideration of the closure of the Ladysmith office, due to the negative effect of such a closure on clients, volunteers, and fundraising efforts in the community.

BYLAWS

CS 2013-32

**Town of Ladysmith Cemetery Care Trust Fund
Appropriation Bylaw 2013, No. 1814**

It was moved, seconded and carried that Town of Ladysmith Cemetery Care Trust Fund Appropriation Bylaw 2013, No. 1814 be adopted.

CS 2013-33

Town of Ladysmith Fire Prevention Bylaw 2013, No. 1815

It was moved, seconded and carried that Town of Ladysmith Fire Prevention Bylaw 2013, No. 1815 be adopted.

NEW BUSINESS

Council Attendance at Association of Vancouver Island and Coastal Communities 2013 Conference

The matter of Council member attendance at the 2013 Association of Vancouver Island and Coastal Communities conference was referred to the February Government Services Committee meeting.

CS 2013-34

Council Participation in Community Meetings

It was moved, seconded and carried that a legal opinion be sought on attendance at community meetings by members of Council, and whether attendance by a majority of council members constitutes a meeting of Council.

Proposed Rogers Cell Tower

Staff were requested to investigate the proposed installation of a cellular communications tower in the vicinity of Westdowne Road and to report back to Council.

CS 2013-35

Homelessness in Ladysmith

It was moved, seconded and carried that a representative of Social Planning Cowichan be invited to attend a Council meeting to discuss homelessness in Ladysmith and the Cowichan Region.

CS 2013-36

Family Day Signage Partnership

It was moved, seconded and carried that the Town contribute a grant-in-aid of up to \$200 to support the installation of a sign promoting "Family Day – Unplug and Connect".

CS 2013-37

Ladysmith Chamber of Commerce Home, Garden and Business Show

It was moved, seconded and carried that the Town of Ladysmith participate in the Ladysmith Chamber of Commerce Home, Garden and Business show on March 15 and 16, 2013, and that a schedule will be determined at the next meeting of the Government Services Committee.

QUESTION PERIOD

R. Johnson, 246 Bayview Avenue, enquired about rising and reporting on Executive (Closed) Meeting resolutions; trolley revenues; the upcoming budget meeting schedule; the status of a grant application for electric vehicle charging stations, and the locations of those stations. Council received the enquiries with no action assigned.

J. Tieleman, Ladysmith Downtown Business Association, reported that the organization has posted the Mayor's recent presentation on economic development to their website.

EXECUTIVE SESSION

CS 2013-38

It was moved, seconded and carried at 8:25 that Council retire into Executive (Closed) Session after a two-minute recess.

RISE AND REPORT

The Executive (Closed) Session of Council arose with report on the following items at 8:47 p.m.:

Date	Resolution Details
Feb-06-2012	Council confirmed its previous direction to Staff to proceed with an injunction regarding the unauthorized use of the garage at 410 Third Avenue.
Mar-19-2012	Council determined that setting aside 50 per cent of the town-owned property on Russell Road for parkland is not economically viable.
Apr-02-2012	The request from Project Reel Life to lease Unit B at the Expo Legacy Building (610 Oyster Bay Drive) for the purposes of a movie theatre was not supported. The Town will continue to work with the Project Reel Life proponents to assist them in finding a suitable location.
Apr-23-2012	That staff be directed to prepare a Request for Proposals (RFP) (to be administered by the Land Agent and drafted by legal counsel) to solicit submissions for the future development of the Town-owned property located at

900 Russell Road and that the following criteria be included in the RFP documentation:

- 20% to 30% of the land area to be retained for park purposes (including the required 5% upon subdivision approval) with preference given to locating a park area in the north-east corner of the property;
- road layout to connect Craig Road to Russell Road (off-set intersections are not encouraged);
- unopened road allowance along the north boundary will be considered as part of the development lands, and form part of this proposal;
- in addition to the 20% to 30% of area to be retained for park purposes, dedication of the Hydro right-of-way (trail) that sits on the south-west corner of the site;
- existing road frontage improvements and dedication and construction of all new roads, as well as the construction of all services at the cost of the developer as per the current subdivision bylaw at time of development;
- Offsite improvements may be required to support the development, and will be determined at the time of development;
- all associated fees and charges, including applications and reports (e.g. Riparian Assessment Area Report, development permit, future subdivision, etc.), at the cost of the developer;
- proposals should be consistent with the existing zoning that is on the site, and all future possible zoning changes will be at the discretion of Council, and the proponent shall not rely on any potential changes in zoning when submitting a proposal;

And that it be noted that the Town may or may not accept any of the proposals submitted, and may choose to negotiate further with any of the proponents that,

	in the opinion of Council, present the most favourable proposal, which may or may not reflect the highest price for the land.
Apr-23-2012	That staff be directed to ensure that a portion of the proceeds from the sale of 900 Russell Road is utilized in the development of a park on the subject property.
Apr-23-2012	That staff be directed to apply for funding for a Technical Assistance Panel through the Urban Land Institute to review opportunities related to waterfront development, provided that it is at no cost to the Town.
Apr-23-2012	That the amended Community Accord with the Stz'uminus First Nation be approved as circulated.
May-22-2012	That a temporary use permit be initiated for the Ladysmith Maritime Society Community Marina to permit up to 12 live-aboards at the marina.
May-22-2012	That an increase be permitted in the number of live-aboards at the Ladysmith Maritime Society Community Marina to twelve at any one time, for a trial period of up to three years.
May-22-2012	That the live-aboard fees at the Ladysmith Maritime Society Community Marina be eliminated, effective July 1, 2012.
Jul-03-2012	That a letter to the residents in the vicinity of 900 Russell Road regarding the proposed Request for Proposals to help the Town identify potential purchasers for the property be sent with the following amendments: <ul style="list-style-type: none"> • move the second item in the first bulleted section • include a commitment for the Town to hold a public meeting to review parkland development plans in the short-listed proposals • delete Land Agent as contact person and replace with appropriate staff

	contact information.
Jul-16-2012	That staff be directed to advise the Land Agent (Capital Asset Group) of Council's intent not to renew the contract for land agent services, including real estate brokerage and marketing services, effective August 31, 2012.
Jul-16-2012	That staff be directed to provide Council with recommendations on proceeding with the disposition of Town-owned properties prior to August 31, 2012.
Aug-07-2012	That staff be directed to: a) focus Town-owned land sale efforts on 520 Jim Cram Drive b) contact interested parties to determine if they are interested in submitting a formal offer to purchase the property c) if no interest is expressed engage Royal LePage (Ladysmith) to sell the property and that the purchasing policy be waived in this regard; and d) proceed as previously directed with the Request for Proposals for 900 Russell Road
Aug-07-2012	That the Memorandum of Understanding with Stz'uminus First Nation with Respect to Relations and Partnerships be adopted as presented and that the Mayor and Corporate Officer be authorized to sign the document.
Aug-07-2012	That the Terms of Reference for the Joint Working Group between the Town of Ladysmith and the Stz'uminus First Nation be adopted as presented and that the Mayor and Corporate Officer be authorized to sign the document.
Aug-07-2012	That the question of working with the Island Corridor Foundation to establish trails along the railway line through Ladysmith be referred to the 2013 budget process.
Oct-15-2012	That staff be directed to develop recommendations with respect to a process for land use decisions, including

	resources required, to permit active use of Town-owned lands on the Ladysmith waterfront.
Nov-05-2012	That staff be directed to allocate \$20,000 in the 2013 budget to hire a consultant to assist in addressing key issues in advance of the Waterfront Area Plan.
Dec-17-2012	<p>Council, as FOIPOP Head of the Town of Ladysmith, authorized a 30 day extension of the deadline for responding to the following Requests for Access to Information, in accordance with Sec. 10(b) of the FIPPA legislation:</p> <ul style="list-style-type: none"> • November 15, 2012: List of all non-elected individuals in attendance at Executive Council meetings in 2011 and 2012 • November 28, 2012: Motion to eliminate fee for live-aboards at Ladysmith Maritime Society marina • November 28, 2012: Detailed breakdown of costs and revenues for Ladysmith trolleys for 2011 and 2012 • December 2, 2012: Motion authorizing application for \$500,000 grant under Spirit Square Grant program and motions authorizing funding for Spirit Square project • December 2, 2012: DCC's for developments associated with Brentwood Developments (and subsidiaries) for 2008 and 2009

ADJOURNMENT

CS 2013-39

It was moved, seconded and carried that this meeting of Council be adjourned at 8:47 p.m.

Deputy Mayor (J. Dashwood)

CERTIFIED CORRECT

Corporate Officer (S. Bowden)