



**TOWN OF LADYSMITH
MINUTES OF A MEETING OF COUNCIL
MONDAY, OCTOBER 6, 2014
COUNCIL CHAMBERS, CITY HALL
CALL TO ORDER 5:30 P.M.**

COUNCIL MEMBERS PRESENT:

Mayor Rob Hutchins

Councillor Bill Drysdale

Councillor Glenda Patterson

Councillor Steve Arnett

Councillor Gord Horth

Councillor Jillian Dashwood

Councillor Duck Paterson

STAFF PRESENT:

Ruth Malli

Joanna Winter

Sandy Bowden

Felicity Adams

John Manson

Clayton Postings

CALL TO ORDER

Mayor Hutchins called this Regular Meeting of Council to order at 5:30 p.m.

CLOSED SESSION

CS 2014-328

Moved and seconded at 5:31 p.m.:

That Council retire into Closed Session to discuss the following items:

- labour relations or other employee relations
- the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality

Motion carried.

RISE AND REPORT

Council arose from Closed Session at 6:45 p.m. without report.

CALL TO ORDER

Mayor Hutchins reconvened the Regular Meeting of Council at 7:01 p.m.

AGENDA APPROVAL

CS 2014-329

Moved and seconded:

That the agenda for the Regular Council Meeting of October 6, 2014 be approved.

Motion carried.

MINUTES

CS 2014-330

Moved and seconded:

That the minutes of the Regular Meeting of Council held Monday, September 15, 2014 be approved.

Motion carried.

**DEVELOPMENT
APPLICATIONS**

Councillor Drysdale declared a conflict of interest with the following agenda item, as he is an owner of the subject property, and excused himself from the meeting.

CS 2014-331

Development Variance Permit Application – 816 Malone Road (Drysdale) – Lot 17, District Lot 96, Oyster District, Plan 36808

Moved and seconded:

That Council approve Development Variance Permit application 3090-14-01 for Lot 17, District Lot 96, Oyster District, Plan 36808 (816 Malone Road) to permit an addition to an attached garage.

Motion carried.

Councillor Drysdale returned to the meeting.

Councillors Dashwood and Drysdale declared a conflict of interest with the following agenda item due to a personal relationship with the applicant, and excused themselves from the meeting.

CS 2014-332

Development Variance Permit Application – 410 Third Avenue (Forrest) – Lot 1, Block 73, District Lot 56, Oyster District, Plan 703A

Moved and seconded:

That Council direct staff to proceed with the statutory notice for Development Variance Permit application (3090-14-02) for Lot 1, Block 73, District Lot 56, Oyster District Plan 703A (410 Third Avenue).

Motion carried.

Councillors Dashwood and Drysdale returned to the meeting.

CS 2014-333

Development Variance Permit Application – 920 Malone Road (Bourodemos) – Lot 2, District Lot 96, Oyster District, Plan VIP57370

Moved and seconded:

That Council not support the encroachment of the accessory structure located at 920 Malone Road on the Town boulevard; and

That Council direct staff to proceed with the statutory notice for Development Variance Permit application (3090-14-03) for Lot 2, District Lot 96, Oyster District, Plan VIP57370 (920 Malone Road) to permit the siting of the accessory structure to be as close as zero metres from the side and rear lot lines; and that the applicant be required to provide a survey prepared by a B.C. Land Surveyor showing the location of the structure, prior to the statutory notification.

Motion carried.

REPORTS

Mayor Hutchins

Mayor Hutchins announced that the Town of Ladysmith has been

awarded a total of \$11 million in funding for the new Waste Water Treatment Plant from the Green Municipal Fund. The funding is a combination of a \$1 million grant and a \$10 million low-interest-rate loan at 3.35 per cent. Mayor Hutchins indicated that a formal event with a representative of the federal government will take place at a later date.

Mayor Hutchins provided a summary of three legal actions in which the Cowichan Valley Regional District is involved – Cowichan Lake Weir, South Island Aggregate and the crematorium in Paldi, all of which could have an impact on other local governments, in particular the crematorium question.

Municipal Services Committee Recommendations

Moved and seconded:

CS 2014-334

That Council receive the Waterfront Area Plan Review – Developing the Scope of Work document considered at the September 15, 2014 Municipal Services Committee meeting, and direct staff to continue to work with the Federation of Canadian Municipalities Green Municipal Fund to secure funding for the project;

That Council establish the geographic area to be included in the Waterfront Area Plan Review to be the Waterfront Sub-Area as outlined on page 22 of the staff report titled *Waterfront Area Plan Review – Determining the Scope of Work*; and

That Council direct staff to report back with recommendations for an appropriate timeline for completion of a Review of the Waterfront Area Plan.

Motion carried.

OPPOSED: Councillor Horth and Councillor G. Patterson

Ladysmith Baseball Association Request to Construct Scorekeeper's Building and Replace Batting Cage at Holland Creek Ball Fields

Moved and seconded:

CS 2014-335

That Council accept the recommendation from the Parks, Recreation and Culture Commission, to grant permission to the Ladysmith Baseball Association to construct a scorekeeper's building and replace the batting cage at the Holland Creek Ball Fields and request staff to confirm the construction specifications prior to construction.

Motion carried.

Proposed Contribution of Decorative Pavers for First Avenue

Moved and seconded:

CS 2014-336

That Council accept the proposed contribution of decorative

pavers for First Avenue, and support a linear design of one set of pavers with eight fish, with placement at a less busy location near a bench or pedestrian crossing where the sidewalk widens.

Motion carried.

Councillor Dashwood's recommendation that a recent report concerning options for homeless people in Ladysmith be referred to a future meeting of the Municipal Services Committee for consideration was accepted.

Councillor Horth reported that the Cowichan Valley Regional District has established a sport tourism function under the auspices of the Economic Development Commission, and expressed sincere appreciation to residents of the Oyster Cove Strata for their patience with the traffic during construction of the new waste water treatment plant.

The Director of Infrastructure Services showed a slide of the first pouring of concrete at the new waste water treatment plant.

Councillor D. Paterson congratulated members of Ladysmith Fire/Rescue for their recent Awards Night and in particular those members who received their 15-year service pins. Council expressed deep appreciation to all members of Ladysmith Fire/Rescue for their exceptional service and many contributions to the community.

Councillor D. Paterson also announced that the Ladysmith Tour de Rock Committee raised \$45,000.

Moved and seconded:

CS 2014-337

That letters of gratitude be sent to the organizers of the community summer events including Ladysmith Days, Arts on the Avenue and Ladysmith Show & Shine.

Motion carried.

Councillor G. Patterson commended the Fraternal Order of Eagles (Ladysmith) for their support of the Ladysmith Soup Kitchen.

STAFF REPORTS

Gas Operating Agreements – New Operating Fees

Moved and seconded:

CS 2014-338

That Council endorse in the recommended format the Gas Operating Agreement with Fortis BC as proposed by the Association of Vancouver Island and Coastal Communities.

Motion carried.

Watershed Study – Adjustment of Project Budget

Moved and seconded:

CS 2014-339

That Council authorize an increase in the Watershed Study project

of \$17,000 to a total of \$52,000 with the funding to be reallocated from the Water Main Replacement Project, and amend the 2014 to 2018 Financial Plan accordingly.

Motion carried.

Replacement of Storm Water Line, 100 Block of First Avenue

Moved and seconded:

CS 2014-340

That Council authorize the replacement of the storm water line commonly known as the Flume Line, located in the 100 block of First Avenue, at a budget of \$103,000 and that the 2014 to 2018 Financial Plan be amended accordingly.

Motion carried.

BYLAWS

Town of Ladysmith Permissive Tax Exemption Bylaw 2014, No. 1867

Moved and seconded:

CS 2014-341

That Town of Ladysmith Permissive Tax Exemption Bylaw 2014, No. 1867 be adopted.

Motion carried.

CORRESPONDENCE

Hon. Mary Polak, Minister of Environment

Hydrocarbon Contamination in the Vicinity of Forward Road

Moved and seconded:

CS 2014-342

That Council receive the correspondence from Hon. Mary Polak, Minister of Environment, and schedule a meeting with the residents of Forward Road to discuss options for next steps.

Motion carried.

**Bruce Joliffe, Vancouver Island Regional Library
2015 to 2018 Financial Plan**

Moved and seconded:

CS 2014-343

That Council receive the correspondence from the Vancouver Island Regional Library Board of Trustees and the Library's 2015 to 2019 Financial Plan.

Motion carried.

**Kendra Thomas, Cowichan Women Against Violence Society
'Purple Lights' Tree During Festival of Lights**

Moved and seconded:

CS 2014-344

That Council request the Festival of Lights Society to designate a tree to be strung with purple lights during the Ladysmith Festival of Lights in support of Cowichan Together Against Violence.

Motion carried.

UNFINISHED BUSINESS

Cowichan Valley Sportsplex Proposed Funding Model

Council reviewed the proposed model for Cowichan Valley Regional District funding for the Cowichan Sportsplex and considered whether to hold an opinion referendum on the matter during the November 15, 2014 local elections.

CS 2014-345

Moved and seconded:

That Council refer consideration of a proposed funding model for the Cowichan Sportsplex to the October 20, 2014 meeting of Council.

Motion carried.

RECESS

CS 2014-346

Moved and seconded at 6:30 p.m.:

That this Regular Meeting of Council recess, that Council retire into Closed Session, and that the Regular Meeting reconvene at 7:00 p.m. at the Aggie Hall.

Motion carried.

QUESTION PERIOD

Penelope Allen expressed appreciation to Council for their hard work on behalf of the Town and residents.

Thea Melvin inquired about the Town's commitment regarding the Victim Services Program.

Rob Johnson stressed the need to address issues with the Town's aging infrastructure and also inquired about the status of the new sound system for Council Chambers.

Carol Henderson asked about the permits required for the accessory building at 410 Third Avenue.

Russell Barling advised that the Forward Road neighbourhood would like to know what the next steps are regarding the hydrocarbon contamination in the area and if there are any possible health concerns associated with the contamination.

Cathleen McMahon proposed a community fundraising effort to support the Victim Services program.

ADJOURNMENT

CS 2014-347

Moved and seconded:

That this meeting of Council adjourn at 8:45 p.m.

Motion carried.

CERTIFIED CORRECT:

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)