



TOWN OF LADYSMITH
MINUTES OF A REGULAR MEETING OF COUNCIL
MONDAY, SEPTEMBER 28, 2015
COUNCIL CHAMBERS, CITY HALL
CALL TO ORDER 3:32 P.M.

COUNCIL MEMBERS PRESENT:

Mayor Aaron Stone	Councillor Cal Fradin	Councillor Carol Henderson
Councillor Rob Hutchins	Councillor Duck Paterson	

COUNCIL MEMBERS ABSENT

Councillor Steve Arnett	Councillor Joe Friesenhan
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STAFF PRESENT:

Ruth Malli	Sandy Bowden	Felicity Adams
Erin Anderson	John Manson	Clayton Postings
Joanna Winter		

CALL TO ORDER

Mayor Stone called this Regular Meeting of Council to order at 3:32 p.m. and acknowledged the traditional territory of the Stz'uminus First Nation.

AGENDA APPROVAL

CS 2015-303

Moved and seconded:

That the agenda for the Regular Council Meeting of September 28, 2015 be approved.

Motion carried.

CS 2015-304

Moved and seconded:

That the minutes of the Regular Meeting of Council held August 17, 2015 be approved.

Motion carried.

REPORTS

Protective Services Committee Recommendations

CS 2015-305

Moved and seconded:

That Council request the Protective Services Committee to work with participating agencies/organizations to host a "Mastering Public Disaster Public Planning and Preparedness" event, to be hosted on October 14, 2015 at the Ladysmith Secondary School multi-purpose room.

Motion carried.

CS 2015-306

Moved and seconded:

That Council ensure that Town staff and first responders are provided with workplace disaster kits in 2015.

Motion carried.

CS 2015-307 *Moved and seconded:*
That Council establish an incentive policy that will facilitate personal preparedness for both Town staff and first responders.
Motion carried.

CS 2015-308 *Moved and seconded:*
That Council request that potential earthquake hazards be included into Health and Safety workplace evaluations at Town buildings.
Motion carried.

CS 2015-309 *Moved and seconded:*
That Council request the Parks, Recreation and Culture Commission to review the suitability of the fire pit at Transfer Beach.
Motion carried.

Permissive and Revitalization Tax Exemption Properties for 2016
CS 2015-310 *Moved and seconded:*
That Council receive the report from the Director of Financial Services regarding the Permissive and Revitalization Tax Exemption Properties for 2016, and proceed with first three readings of the following bylaws, which appear under the Bylaws section of the Council agenda:
1. Permissive Tax Exemption Bylaw 2015, No. 1890
2. Revitalization Tax Exemption Bylaw 2007, No. 1625, Amendment Bylaw 2015, No. 1892
Motion carried.

Memorandum of Understanding – Cowichan Valley Local Government Recreation Management Software Procurement
CS 2015-311 *Moved and seconded:*
That Council approve the proposed Memorandum of Understanding for Cowichan Valley Local Governments to develop requirements and procure new recreation management software; and authorize the Mayor and Corporate Officer to Execute the Agreement.
Motion carried.

Lease Agreement and Temporary Use Permit – Roundhouse Buildings – Machine Shop Site (614 Oyster Bay Drive) – Ladysmith and District Historical Society for the Repair and Restoration of Locomotive #11 and Humdurgin
CS 2015-312 *Moved and seconded:*
That Council direct staff to:
1. Process a Temporary Use Permit (TUP) to allow the Ladysmith and District Historical Society (LDHS) to use the Roundhouse Building on the Machine Shop site located at 614 Oyster Bay Drive for the repair and restoration of the artifacts known as Locomotive #11 and the Humdurgin, and that the application fee in the amount of \$1,500 plus advertising costs be waived.

2. Process notification, in accordance with the Community Charter, of the proposed lease agreement between the Town of Ladysmith and the LDHS for the Roundhouse Building for the repair and restoration of the Locomotive #11 and the Humdurgin, commencing on October 6, 2015 for a two year term, with the option to renew the agreement for an additional two year term, and waive the monthly rental fee of \$924.38 plus tax; and the Mayor and Corporate Officer be authorized to execute the lease agreement.
3. Include the Roundhouse located at 614 Oyster Bay Drive and a portion of the fenced area compound in the 2016 Permissive Tax Exemption Bylaw 1890.

Motion carried.

Official Community Plan Amendments 2015 – Bylaw 1891

CS 2015-313

Moved and seconded:

That pursuant to s.879 of the Local Government Act (consultation during OCP development), Council has considered whether consultation should be early and ongoing and directs staff to undertake the following consultation:

- (a) Refer the proposed new policies and policy amendments to the Advisory Planning Commission for review and comment, and
- (b) Refer Bylaw 1891 to Stz'uminus First Nation pursuant to the Town's Memorandum of Understanding.

Motion carried.

BYLAWS

Town of Ladysmith Road Closure and Dedication Removal Bylaw 2015, No. 1885

CS 2015-314

Moved and seconded:

That Town of Ladysmith Road Closure and Dedication Removal Bylaw 2015, No. 1885 be read a first, second and third time.

Motion carried.

Town of Ladysmith Development Approval Information Bylaw 2015, No. 1887

CS 2015-315

Moved and seconded:

That third reading of Town of Ladysmith Development Approval Information Bylaw 2015, No. 1887 be rescinded.

Motion carried.

CS 2015-316

Moved and seconded:

That Town of Ladysmith Development Approval Information Bylaw 2015, No. 1887 be amended as follows:

1. Amend Section C "Natural Environment" of Schedule A of Bylaw 1887 as follows:
 - Replace the heading of Section C with "Natural Environment / Hazardous Conditions"

- Delete the first paragraph and replace it with the following:
“If the Town requires development approval information that relates to the impact of development on the natural environment or for the protection of development from hazardous conditions, the following information may be required:”
- Delete the 8th bullet and replace it with the following:
“Provide an analysis of the geotechnical conditions of the site including, but not limited to soil composition, profiles, agricultural suitability and capability, geologic process and/or terrain stability and subsidence, and slopes greater than 30 degrees at one metre contours.”
- Delete the 10th bullet and replace it with the following:
“At a suitable scale, map and overlay onto the site plan for the proposed development the findings from the required Natural Environment / Hazardous Conditions analysis.”

2. Add “information” after “development approval” in Section 3.

Motion carried.

Moved and seconded:

CS 2015-317

That Town of Ladysmith Development Approval Information Bylaw 2015, No. 1887 be read a third time as amended by Resolution CS-2015-316.

Motion carried.

Town of Ladysmith Permissive Tax Exemption Bylaw 2015, No. 1890

Moved and seconded:

CS 2015-318

That Town of Ladysmith Permissive Tax Exemption Bylaw 2015, No. 1890 be read a first, second and third time.

Motion carried.

Town of Ladysmith Revitalization Tax Exemption Bylaw 2007, No. 1625, Amendment Bylaw 2015, No. 1892

Moved and seconded:

CS 2015-319

That Town of Ladysmith Revitalization Tax Exemption Bylaw 2007, No. 1625, Amendment Bylaw 2015, No. 1892 be read a first, second and third time.

Motion carried.

Town of Ladysmith Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 46) 2015, No. 1891

Moved and seconded:

CS 2015-320

That Town of Ladysmith Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 46) 2015, No. 1891 be read a first and second time and a public hearing scheduled.

Motion carried.

- CS 2015-321 **Town of Ladysmith Nuisance Abatement Bylaw 2015, No. 1893**
Moved and seconded:
 That Town of Ladysmith Nuisance Abatement Bylaw 2015, No. 1893 be read a first, second and third time.
Motion carried.
- CS 2015-322 **Town of Ladysmith Property Maintenance Bylaw 2015, No. 1894**
Moved and seconded:
 That Town of Ladysmith Property Maintenance Bylaw 2015, No. 1894 be read a first, second and third time.
Motion carried.
- CS 2015-323 **Town of Ladysmith Ticket Information Utilization Bylaw 2002, No. 1457, Amendment Bylaw 2015, No. 1895**
Moved and seconded:
 That Town of Ladysmith Ticket Information Utilization Bylaw 2002, No. 1457, Amendment Bylaw 2015, No. 1895 be read a first, second and third time.
Motion carried.
- CORRESPONDENCE**
- CS 2015-324 **Mike Smith, Ladysmith Golf Course Society**
Request for Town Assistance in Obtaining Liability Insurance Coverage
Moved and seconded:
 That Council authorize the execution of a Service Provider Agreement between the Town of Ladysmith and the Ladysmith Golf Course Society for the provision of recreational services for Ladysmith, and that the Golf Course Society be required to pay the \$250 annual fee for the additional liability coverage provided by the Municipal Insurance Association of B.C.
Motion carried.
- CS 2015-325 **Gerry Beltgens, Rotary Club of Ladysmith**
Proposal for Playground Amenities at Transfer Beach
Moved and seconded:
 That Council refer the proposal from the Rotary Club of Ladysmith, to enhance playground amenities at Transfer Beach Park, to the Parks, Recreation and Culture Commission for review and comment.
Motion carried.
- CS 2015-326 *Moved and seconded:*
 That Council direct staff to recruit applicants for the Parks, Recreation and Culture Commission.
Motion carried.
- CS 2015-327 **Christine Beryl**
Request for Waiving of Late Filing Penalty for Homeowner Grant
Moved and seconded:
 That, in response to the appeal from Christine Beryl, Council confirm that it will not waive the 10 per cent tax penalty imposed for 2015.

Motion carried.

CS 2015-328 *Moved and seconded:*
That Council direct staff to investigate alternative General Tax Collection Schemes in relation to payments made after the tax due date and report back to Council will recommendations.
Motion carried.

CS 2015-329 **Ron Legault, Ladysmith Kinsmen Club**
Proposal to Install a Storage Facility at Forrest Field
Moved and seconded:
That Council refer the proposal from the Ladysmith Kinsmen Club, to enhance storage amenities at Forrest Field, to the Parks, Recreation and Culture Commission for review and comment.
Motion carried.

NEW BUSINESS **The Music Hall Food Company – Patron Participation Entertainment Endorsement**

CS 2015-330 *Moved and seconded:*
That Council direct staff to:
a) Gather the view of residents by direct mail to properties within 60 metres of the Music Hall Food Company located at 18 Roberts Street and request the Owner to place the letter/ notice in the business window, and
b) Report back to Council regarding the matters outlined in section 53 of the Liquor Control and Licensing Regulation as outlined in Part 12 of the attached application form.
Motion carried.

CS 2015-331 **Changes to Council Meeting Schedule**
Moved and seconded:
That, in accordance with Sec. 2.3 of Council Procedure Bylaw No. 1666, the regular Council meeting scheduled to commence at 7:00 p.m. on October 19, 2015 be cancelled, and the Regular Council meeting scheduled for October 5, 2015 be rescheduled to October 13, 2015.
Motion carried.

QUESTION PERIOD Members of the public enquired about the status of the *Vicki Lyne II* in Ladysmith Harbour, the possibility of leasing space in the Machine Shop to the Ladysmith Historical Society for future use as a museum and home for the Locomotive 11 and other artifacts, and Bylaws 1893 and 1894.

CLOSED SESSION

CS 2015-332 *Moved and seconded:*
That Council retire into Closed Session at 5:14 p.m. in order to consider the following items:
• 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

- discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 [annual municipal report]

Motion carried.

RISE AND REPORT

Council rose from Closed Session at 5:32 p.m. with report on the following items:

- CE 2015-101, that Council endorse Option 1 as presented in the Feasibility Study on 520 Jim Cram Drive prepared for the Town by Ron King of ipds Property Development Corp. to rezone the Town-owned property at 520 Jim Cram Drive to allow for four single family residential lots on the site as it currently exists.
- CE 2015-114, that Council accept the offer from RT Enterprises Ltd. to purchase a portion of Peerless Road comprising an area of approximately .49 ha shown as "Part District Lot 72 Closed Road" on reference plan # EPP55149 in the amount of \$153,676, subject to the purchaser agreeing to a statutory right of way for access to Telus and BC Hydro amenities on a portion of the road, and authorize the Mayor and Corporate Officer to execute the agreement.

ADJOURNMENT

CS 2015-333

Moved and seconded:

That this Regular Meeting of Council adjourn at 5:33 p.m.

Motion carried.

CERTIFIED CORRECT:



Corporate Officer (S. Bowden)



Mayor (A. Stone)

