



Town of Ladysmith

Minutes of a meeting of Council of the Town of Ladysmith held in Council Chambers at City Hall on Monday, January 5, 2009 at 7:00 p.m.

COUNCIL MEMBERS PRESENT:

Mayor Rob Hutchins
Scott Bastian
Lori Evans
Duck Paterson

Steve Arnett
Jill Dashwood
Bruce Whittington

STAFF PRESENT:

Ruth Malli
Rebecca Kalina

Sandy Bowden

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

EXECUTIVE SESSION

2009-001: 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:

- the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- 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;
- 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;

AGENDA APPROVAL

The Mayor requested Council's consideration of amending the agenda by deleting the item regarding the presentation to the winner of the Ladysmith Trolley Logo Competition. The Mayor noted that this presentation will be made at the February 2, 2009 Council meeting.

2009-002: It was moved, seconded and carried that the agenda for Monday, January 5, 2009 be adopted as amended.

MINUTES

2009-003: It was moved, seconded and carried that the minutes of the regular meeting of Council on December 1, 2008 and the minutes of the special meeting of Council on December 15, 2008 be adopted as circulated.

DELEGATIONS

Celeste Zimmer from the Nanaimo Recycling Exchange presented information on the Environmental Education Program that the NRE offers in the Cowichan Valley and Nanaimo. Mayor Hutchins thanked Ms. Zimmer for her informative presentation.

DEVELOPMENT PERMITS / DEVELOPMENT VARIANCE PERMITS

2009-004: It was moved, seconded and carried that Development Permit Application 3090-08-07 submitted by Shoa Organization Services Ltd. to vary the height and maximum allowable finished floor area for the development of Lots 1 to 30, District Lt 52, Oyster District, Plan VIP (TBD) (Battie Drive) be denied.

COUNCIL / COMMITTEE REPORTS

Mayor R. Hutchins

- The Mayor noted that \$67,000 was budgeted for snow removal and the overrun to date is approximately \$30,000 due to the severe winter weather conditions in December and early January.

2009-005: It was moved, seconded and carried that a letter of thanks be sent to all Town staff for their hard work during the recent snow storms.

Councillor S. Bastian

- The Protective Services Committee will meet in early February and the Trolley Committee will be meeting on January 13, 2009.

Councillor J. Dashwood

- The Liquid Waste Management meeting was cancelled in December due to inclement weather and will be rescheduled in January.

Councillor S. Arnett

- Attended the Chamber of Commerce Board meeting on December 17, 2008 and announced the new Board of Directors.

Councillor D. Paterson

- Festival of Lights will be taking down lights on Sunday January 11, 2009 and volunteers are appreciated.

- A meeting was held between Festival of Lights, Hydro and Town of Ladysmith staff to look at energy conservation options in conjunction with the festival.

- Equipment has now been ordered for the Aggie Hall upgrade and renovations will be underway in the near future.

2009-006: It was moved, seconded and carried that a letter of congratulations be sent to those involved in the 2008 Festival of Lights.

GOVERNMENT SERVICES COMMITTEE RECOMMENDATIONS

2009-007: It was moved, seconded and carried that the Town meet with residents of Hooper Place, adjacent to the Sunset Woods subdivision, to discuss options for removal of the tree buffer between the properties, and other measures to address neighbourhood concerns.

2009-008: It was moved, seconded and carried that the recommendations of the South Ladysmith Reservoir Preliminary Design Report be included in the 2009 budget considerations.

2009-009: It was moved, seconded and carried that the recommendation regarding the replacement of vehicle unit 59 be referred back to staff for further review and that staff be requested to consider environmental impacts in this review.

2009-010: It was moved, seconded and carried that the report from the Director of Public Works, dated December 10, 2008, regarding feedback from the Chemainus Road public meeting be received and filed.

2009-011: It was moved, seconded and carried that staff be requested to provide suggestions on compensation for affected residents in the construction zone of Chemainus Road, once issues arising from the construction are discussed with the contractor.

2009-012: It was moved, seconded and carried that Council authorize the payment of \$17,668.40 to the developer for the Town's share of the storm sewer on 4th Avenue, with 67% of the cost to come from the Roads DCC and 33% from unallocated surplus;

AND THAT the financial plan be amended to accommodate the expenditure.

2009-013: It was moved, seconded and carried that Public Works be authorized to clean up the property and remove the vehicles and boat at 26 Kitchener Street and to charge the owner of the property for the cleanup, removal and storage.

2009-014: It was moved, seconded and carried that if the Towns for Tomorrow grant for Aggie Field is unsuccessful, that staff be authorized to submit an application to the program for Phase 1 of a centralized water treatment facility at the Arbutus site.

2009-015: It was moved, seconded and carried that the letter from W. Stubbington regarding the Ladysmith cemetery be received and referred to Staff for a report, and that the letter writer be advised that the Town concurs with the establishment of a columbarium at the cemetery and that the columbarium is included in the Town's Five Year Plan.

Councillor L. Evans

- Councillor Evans has returned from holidays and will now be undertaking her duties as a Council member.

Councillor B. Whittington

- Councillor Whittington will be attending the Vancouver Island Regional Library Board meeting in late January.

- The Environmental Commission meeting in December was cancelled due to the poor weather conditions and will meet again in January.

REPORTS

2009-016: It was moved, seconded and carried that the Fire Chief's Reports for October and November 2008 be received and filed.

2009-017: It was moved, seconded and carried that the Building Inspector's reports for October 2008 and November 2008 be received and filed.

2009-018: It was moved, seconded and carried that Town of Ladysmith Highway Closure and Dedication Removal Bylaw 2008, No. 1663 be read a third time.

2009-019: It was moved, seconded and carried that staff be authorized to award the contract for the replacement of the water main to Dave Stalker Excavating Ltd. at the hourly rates quoted.

2009-020: It was moved, seconded and carried that the contract for the supply of the materials for the replacement of the water main be awarded to Andrew Sheret Limited for the unit prices quoted.

2009-021: It was moved, seconded and carried that the Leadership BC-Ladysmith 5 Star Cultural Connections Project to create strengthened community connections between Ladysmith and the Chemainus First Nation community be endorsed by the Town of Ladysmith.

2009-022: It was moved, seconded and carried that staff be authorized to apply for a grant from the Union of BC Municipalities Community to Community Connections program to support the Leadership BC-Ladysmith 5 Star Cultural Connections Project to create strengthened community connections between Ladysmith and the Chemainus First Nation community.

2009-023: It was moved, seconded and carried that staff be authorized to apply for a grant of \$50,000 from the Community Action on Energy and Efficiency (CAEE) Gold program, for the purpose of implementing innovative energy efficiency and/or green house gas reduction initiatives.

CORRESPONDENCE

2009-024: It was moved, seconded and carried that the Pound Report for October and November 2008 from Coastal Animal Control Services be received and filed, noting the error in the licensing numbers for November 2008.

2009-025: It was moved, seconded and carried that the Town of Ladysmith consents to the adoption of CVRD Bylaw No. 3235 - Social Planning Cowichan Annual Financial Contribution Service Establishment Bylaw, 2008.

QUESTION PERIOD

A member of the audience requested clarification on the Spirit Square application and planning process. R. Malli, City Manager and Mayor Hutchins reviewed the application process and noted that Council requested that the project be postponed until the conclusion of the community visioning process. Council will be receiving the visioning

report from the consultant at a special Council meeting on Monday, January 26, 2009 at 6:00 p.m. in Council Chambers. Once the report has been reviewed planning may commence for the Spirit Square with community stakeholders being invited to be involved in the process.

EXECUTIVE SESSION

2009-026: It was moved, seconded and carried that this meeting retire into Executive Session (8:26 p.m.) pursuant to Section 90(1) of the Community Charter to consider the following items:

- the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- 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;
- 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;

ARISE AND REPORT

2009-027: It was moved, seconded and carried that the Executive Session of Monday, January 5, 2009 arise with report (10:15) on the following items:

- It was moved, seconded and carried that staff be authorized to add a 20 per cent contingency amount to the funding of the contract for an environmental and geotechnical evaluation of Town-owned lands between Transfer Beach and Williams Point along Ladysmith Harbour by Golder and Associates as approved at the Executive Meeting of December 15, 2008;

AND THAT the Financial Plan for 2010 be amended to accommodate the potential additional expenditure of \$24,200.

- It was moved, seconded and carried that Development Permit 3060-08-16 for 336 Belaire St. (Lot 1, District Lot 56, Oyster District, Plan 27861 be approved to permit the development of an office building containing nine business units, subject to the applicant improving the plans to meet the requirements of Development Permit Area 3 Design Guidelines by (1) increasing the landscape buffer between the parking area and the residential units by removing two east side parking stalls and adding landscaping trees and shrubs in the stall area, (2) replacing the front entry doors (south elevation) with a commercial glass double door unit, and (3) removing the Sweet Gum tree on the landscape plan,

AND THAT Development Permit 3060-08-16 include a condition reducing the required number of parking spaces by two regular spaces,

ADJOURNMENT

2009-028: It was moved, seconded and carried to adjourn the meeting at 10:15 p.m.

CERTIFIED CORRECT:

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)