



Town of Ladysmith

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

COUNCIL MEMBERS PRESENT:

Mayor Rob Hutchins (Chair)

Steve Arnett

Scott Bastian

Jillian Dashwood

Lori Evans

Duck Paterson

Bruce Whittington

STAFF PRESENT:

Ruth Malli

Sandy Bowden

Rebecca Kalina

Mayor Hutchins called the meeting to order at 4:30 p.m.

EXECUTIVE SESSION

2009-511: It was moved, seconded and carried that this meeting retire into Executive Session (4:30 p.m.) pursuant to Section 90(1) of the Community Charter to consider the following items:

- litigation or potential litigation affecting the municipality;

- 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];

- labour relations or other employee relations;

(Additional Item) - 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 Regular Session of Council began at 7:00 p.m.

AGENDA APPROVAL

2009-512: It was moved, seconded and carried that the agenda for the Regular Council meeting for Monday, October 5, 2009 be approved as circulated.

MINUTES

2009-513: It was moved, seconded and carried that the Council minutes of September 21, 2009 be approved as distributed.

DELEGATIONS

STAFF SGT. R. PLAMONDON - LADYSMITH RCMP

Ladysmith RCMP Staff Sgt. R. Plamondon was in attendance to answer questions regarding his June, 2009 report. He also distributed his third quarter report and responded to questions.

PUBLIC HEARINGS

BYLAW 1694 AND BYLAW 1695

APPLICANT AGENT
Ken Cross

PUBLIC ATTENDANCE: 2

A Public Hearing for Bylaw 1694 and Bylaw 1695 was held in Council Chambers at City Hall, 410 Esplanade, Ladysmith, B.C. on Monday, October 5, 2009 at 7:00 p.m.

Mayor Hutchins welcomed the public and noted that the public input portion of the hearing

would take place in two parts - Part 1 would entertain questions clarifying the project or bylaws and Part 2 would afford attendees an opportunity to provide comments to council on the proposed development.

Lisa Brinkman, Town of Ladysmith Planner, provided an overview of the application from the applicant Ken Cross for portion of Parcel B of lot 14, plan 8793, District Lot 72, Oyster District. She noted that the property is located at 10930 Westdowne Road and that the purpose of Bylaw 1694 is to designate the rear portion of the land as 'Residential' in the Official Community Plan and the purpose of Bylaw 1695 is to zone the rear portion of the land as 'Two Family Suburban Residential'.

Ms. Brinkman advised that the Public Hearing notice was published in the Chronicle newspaper on September 2 and 29, 2009 and posted on community notice boards throughout Town and on the Town's website. Notices were mailed and delivered to neighbouring property owners and a copy was made available at the front counter of City Hall for the two week notice period. She stated that there were no written submissions, no telephone enquiries and one in person enquiry received in connection with this Public Hearing.

Mayor Hutchins called for questions a first time.
Mayor Hutchins called for questions a second time.
Mayor Hutchins called for questions a third time.

No questions were asked.

Mayor Hutchins called for comments a first time.
Mayor Hutchins called for comments a second time.
Mayor Hutchins called for comments a third time.

No comments were made.

Mayor Hutchins called for any written submissions. No letters were forthcoming.

Hearing no further comments, Mayor Hutchins declared that the Public Hearing for Bylaw 1694 and Bylaw 1695 was closed. (7:05 p.m.).

BYLAWS (OCP/ZONING)

2009-514: It was moved, seconded and carried that Town of Ladysmith Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No. 26), 2009, No. 1694 be read a third time and adopted.

2009-515: It was moved, seconded and carried that Area 'G' Zoning Bylaw 1180, 1988 Amendment Bylaw (No. 1), 2009 No. 1695 be read a third time and adopted.

PROCLAMATIONS

Mayor Hutchins proclaimed: October, 2009 as "Foster Family Month"; November 2 to 6, 2009 as "National Technology Week"; November 14, 2009 as "World Diabetes Awareness Day" and November, 2009 as "Diabetes Awareness Month".

COUNCIL / COMMITTEE REPORTS

Councillor S. Bastian reported that he recently attended the Youth Advisory Committee and that terms of reference were discussed and they confirmed the local agencies that would be involved with the committee.

Councillor S. Arnett stated that he attended an Economic Development Commission "brain storming" session and the regular monthly meeting where priorities were discussed. He reported that members of the Community Gardens Task Force made a presentation to the Parks, Recreation and Culture Commission on September 17, 2009.

Councillor D. Paterson advised that the Celebrations Committee will be holding their Annual General Meeting on November 5, 2009. He also noted that Festival of Lights will put up lights on October 18, 2009 in order that First Avenue be lit up on October 31, 2009 when the Olympic Torch comes through Ladysmith.

GOVERNMENT SERVICES COMMITTEE RECOMMENDATIONS

2009-516: It was moved, seconded and carried that approval in principle be given to establish the Ladysmith Community Garden on the open space on High Street and Second Avenue (behind the ballpark) subject to confirmation that the Community Commons Committee is no longer interested in the site and further that staff report to Council on the costs associated with the request from the Community Gardens Task Force for water service and vehicle access to the site.

2009-517: It was moved, seconded, carried that the correspondence from R. Balboni, regarding the use of rain barrels, be referred to the Environment Commission for review and report and if deemed appropriate referred to the budget process.

2009-518: It was moved, seconded and carried that the Mayor and Corporate Officer be authorized to sign the First Responder Agreement (Consent and Indemnity) between the Province of British Columbia and the Ladysmith Fire Rescue Service.

2009-519: It was moved, seconded and carried that staff be directed to review the condition of Arbutus trees at Transfer Beach and Aggie Field to determine what action can be taken to confirm the health of the trees and the potential issue of removal of trees.

Councillor L. Evans advised that she attended the Union of British Columbia Conference and that she will provide information on the sessions to individual Council members. She also noted that the Heritage Revitalization Advisory Commission unveiled the Extension Mine Explosion Memorial Plaque on October 3, 2009.

Councillor B. Whittington informed Council that he attended the Liquid Waste Management Committee meeting where the consultants reviewed community feedback, presented options and discussed next steps. He also stated that the Health Advisory Committee reported that the Health Fair will take place on November 9, 2009. He commented that he attended the Climate Change workshop and found it very informative. Councillor Whittington distributed information from the Vancouver Island Regional Library regarding the 2009 budget and the 2010 shortfall.

REPORTS

FUNDING ASSISTANCE APPLICATION FOR RENOVATIONS TO SENIORS CENTRE (HIGH STREET) THROUGH "NEW HORIZONS FOR SENIORS PROGRAM"

2009-520: It was moved, seconded and carried that staff be authorized to apply for funding under the Federal Government's "New Horizons for Seniors Program" to assist with the funding for the proposed renovations to the Seniors Centre located on High Street for up to \$25,000.

PERMISSIVE TAX EXEMPTION BYLAW 1699

2009-521: It was moved, seconded and carried that Town of Ladysmith Permissive Tax Exemption Bylaw 2009, No. 1699 be read a first, second and third time.

APPLICATION TO HOST A LOCAL GOVERNMENT MANAGEMENT INTERN

2009-522: It was moved, seconded and carried that staff be requested to submit an application to the Local Government Management Internship Program for 2010/2011, in partnership with the Stz'uminus First Nation; and that the associated cost of \$38,200 be approved.

FIRE CHIEF'S REPORT

2009-523: It was moved, seconded and carried that the Fire Chief's Report for August, 2009 be received.

BUILDING INSPECTOR'S REPORT

2009-524: It was moved, seconded and carried that the Building Inspector's Report for August 2009 be received.

CORRESPONDENCE

POUND REPORT

2009-525: It was moved, seconded and carried that the Pound Report for August 2009 from Coastal Animal Control Services of BC Ltd. be received.

PUBLIC AWARENESS FOR DIABETES

2009-526: It was moved, seconded and carried that the letter from B. Pettit dated September 16, 2009 be received and that the lights illuminating the Town of Ladysmith sign at Bob Stuart Park be converted to blue lights from November 1, 2009 to November 25, 2009 to bring public awareness to "Diabetes Prevention Month" November, 2009.

FEDERATION OF CANADIAN MUNICIPALITIES - GRANT

2009-527: It was moved, seconded and carried that:

- a) the grant for the Ladysmith Waterfront Brownfield Study in the amount of \$69,730 be received and that a letter of thanks for the grant be forwarded to the Federation of Canadian Municipalities Green Municipal Fund Council.
- b) the Mayor and Corporate Officer be authorized to sign the agreement on behalf of the Town.
- c) the 5 Year Financial Plan be amended accordingly.

OLYMPIC TORCH RELAY - COMMUNITY CELEBRATION GRANT

2009-528: It was moved, seconded and carried that:

- a) the grant for the Olympic Torch Relay community celebration in the amount of \$8,000 be received and that a letter of thanks for the grant be forwarded to the Ministry of Tourism, Culture and the Arts;
- b) the Mayor and Corporate Officer be authorized to sign the agreement on behalf of the Town.
- c) the 5 Year Financial Plan be amended accordingly.

BYLAWS

2009-529: It was moved, seconded and carried that Town of Ladysmith Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No. 20), 2008, No. 1656 be adopted.

2009-530: It was moved, seconded and carried that Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No. 68), 2008, No. 1657 be adopted.

2009-531: It was moved, seconded and carried that Town of Ladysmith Fire Department Bylaw 1985 No. 832 Amendment Bylaw 2009, No. 1698 be read a first, second and third time.

EXECUTIVE SESSION

The Executive Session of Council resumed at 7:55 p.m.

RISE AND REPORT

Council rose and reported from the Executive Session with the following resolutions:

-That staff be requested to advertise for two positions on the Economic Development Commission, and that the advertisement reference interest in tourism.

-That Council give first three readings to Fire Department Bylaw 1985, No. 832 Amendment Bylaw 2009, No. 1698 to delete Section 4(f) of Bylaw No. 832 (mandatory retirement age for firefighters) at the Council meeting held on October 5, 2009, and authorize Staff to circulate Policy No. 14-7200-C (Retirement Age for Firefighters) to all Staff as per the current procedure and that the policy and the bylaw be approved at the October 19, 2009 Council meeting.

ADJOURNMENT

2009-532: It was moved, seconded and carried that the meeting be adjourned at 9:20 p.m.

CERTIFIED CORRECT:

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)