



LADYSMITH

**MINUTES OF A MEETING OF COUNCIL OF THE
TOWN OF LADYSMITH
HELD IN COUNCIL CHAMBERS AT CITY HALL ON
OCTOBER 17, 2011**

COUNCIL MEMBERS PRESENT:

Mayor Rob Hutchins
Councillor Jillian Dashwood
Councillor Bruce Whittington

Councillor Steve Arnett
Councillor Lori Evans

Councillor Scott Bastian
Councillor Duck Paterson

STAFF PRESENT:

Ruth Malli
Pat Durban

Sandy Bowden
Joanna Winter

Erin Anderson

CALL TO ORDER

Mayor Hutchins called the meeting to order at 7:05 p.m.

AGENDA APPROVAL

Mayor Hutchins requested Council's consideration of the following addition to the agenda:

7.3 Autothermal Thermophilic Aerobic Digesters

10.1 State of the Island Economic Summit

2011-439

It was moved, seconded and carried that the agenda for the Regular Meeting of Council for October 17, 2011 be adopted as amended.

MINUTES

2011-440

It was moved, seconded and carried that the minutes of the Regular Meeting of Council held October 4, 2011 be approved as circulated.

DELEGATIONS

D. Parhar and C. Parhar

Continuation of Hearing – Business Licence Application for Island Pacific Transport Ltd.

Town's Counsel Kristen Morley was in attendance to moderate the hearing. She provided information regarding several questions that had arisen during the course of the first part of the hearing on September 6, 2011. Counsel reminded Council that the purpose of this hearing is to determine whether or not Council wishes to uphold the Town's original decision not to approve the business licence application by Island Pacific Transport. It is not the purpose of this hearing to try and resolve the zoning issues regarding the property.

K. Morley pointed out that the definition of 'legal non-conforming building' is contained in Section 911 of the Local Government Act.

Discussion ensued, after which C. Parhar left the meeting.

2011-441

It was moved, seconded and carried that the discussion regarding the business licence application by Island Pacific Transport be referred to the *in camera* session of Council following the Regular Council meeting.

**STAFF / ADVISORY
COMMITTEE REPORTS**

Government Services Committee Recommendations (Meeting of October 4, 2011)

Housekeeping Amendments to the Waste, Recyclables and Organics Collection Bylaw

2011-442

It was moved, seconded and carried that staff be directed to proceed with preparing a bylaw to amend Town of Ladysmith Garbage, Recyclables and Organics Collection Bylaw 2005, No. 1588.

Giant Hogweed

2011-443

It was moved, seconded and carried that staff be requested to investigate and report back regarding the eradication of Giant Hogweed in the Town of Ladysmith.

Intersection at Colonia and Malone

2011-444

It was moved, seconded and carried that staff be requested to investigate the feasibility of a four-way stop, roundabout, or other traffic calming measure at the intersection of Colonia Drive and Malone Road and a three-way stop or other traffic calming measure at the intersection of Dunsmuir Crescent and Colonia Drive.

2011-445

It was moved, seconded and carried that staff be requested to investigate the safety of intersections at Christie Road and Fourth Avenue, Cemetery Hill, and, Walkem Road and Cloke Road.

2011-446

It was moved, seconded and carried that staff be requested to investigate the installation of stop sign warning notices north and southbound approaching the intersection of Fourth Avenue and Roberts Street.

Awards

2011-447

It was moved, seconded and carried that funds be set aside in the 2012 budget for an awards display case at the Frank Jameson Community Centre.

- 2011-448** **Concerns Regarding Recent Filming in Ladysmith**
It was moved, seconded and carried that correspondence from D. Phan expressing concerns about the effect on business of filming in Ladysmith be referred to staff for review and recommendation, in consultation with the Ladysmith Downtown Business Association, and the Parks, Recreation and Culture Commission.
- 2011-449** **Town Hall Meeting – I-Clicker Results**
It was moved, seconded and carried that the recorded audience response from the July 19, 2011 Town Hall meeting regarding the Liquid Waste Management Plan be referred to the Liquid Waste Management Committee for inclusion in the Public Consultation Report for the Liquid Waste Management Plan.
- 2011-450** It was moved, seconded and carried that staff be requested to prepare a report regarding options to amend the Animal Control Bylaw to permit chickens in backyards.
- 2011-451** It was moved, seconded and carried that the question of the licensing of cats be referred to a January 2012 meeting of Council.
- 2011-452** It was moved and seconded that a feasibility study be carried out on the establishment of a recreational vehicle park in the waterfront area.
- 2011-453** ***Amendment***
It was moved, seconded and carried that resolution 2011-452 be amended to replace the words "...in the waterfront area" with "...in the Town of Ladysmith".

Original motion carried as amended.
- 2011-454** **Chamber of Commerce Visitor Information Centre Lease**
It was moved, seconded and carried that the agreement to support the operation of the Ladysmith Visitor Information Centre at 411B First Avenue be renewed, providing \$35,000 towards rent, for one year commencing January 1, 2012, with an option to renew for an additional year.
- 2011-455** **Autothermal Thermophilic Aerobic Digesters**
It was moved, seconded and carried that Council receive the report from Acuren Group Inc. regarding the results of testing on the Autothermal Thermophilic Aerobic Digesters in the Town's Waste Water Treatment Plant; and that staff be authorized to go to tender for the supply of a centrifuge and include its installation

in the existing contract with Knappett Inc. for work being carried out on the Waste Water Treatment Plant; and that staff be authorized to include the construction of a Sodium Hypochlorite storage area in the Knappett contract.

CORRESPONDENCE

2011-456

S/Sgt. Roger Plamondon, Ladysmith RCMP Detachment Quarterly Mayor's Report – July – September 2011

It was moved, seconded and carried that the Ladysmith RCMP Detachment quarterly Mayor's report for the period July to September 2011 be received.

BYLAWS

2011-457

Town of Ladysmith Permissive Tax Exemption Bylaw 2011, No. 1775

It was moved, seconded and carried that Town of Ladysmith Permissive Tax Exemption Bylaw 2011, No. 1775 be adopted.

2011-458

Town of Ladysmith Permissive Tax Exemption Bylaw 2011, No. 1776

It was moved, seconded and carried that Town of Ladysmith Permissive Tax Exemption Bylaw 2011, No. 1776 be adopted.

2011-459

Town of Ladysmith Development Cost Charges Reduction Bylaw 2011, No. 1781

It was moved, seconded and carried that Town of Ladysmith Development Cost Charges Bylaw 2011, No. 1781, be adopted.

2011-460

Town of Ladysmith Building and Plumbing Bylaw 1994, No. 1119, Amendment Bylaw 2011, No. 1782

It was moved, seconded and carried that Town of Ladysmith Building and Plumbing Bylaw 1994, No. 1119 Amendment Bylaw 2011, No. 1782, be adopted.

2011-461

Town of Ladysmith Garbage, Recyclables and Organics Collection Bylaw (2005) No. 1588, Amendment Bylaw (2011) No. 1783

It was moved, seconded and carried that Town of Ladysmith Garbage, Recyclables and Organics Collection Bylaw (2005) No. 1588, Amendment Bylaw (2011), No. 1783 be read a first, second and third time.

NEW BUSINESS

State of the Island Economic Summit

Councillor Arnett agreed to bring information back to Council regarding proceedings at the Vancouver Island Economic Summit, and encouraged members of Council to attend.

QUESTION PERIOD

M. Peterson, Ladysmith Chronicle, announced that he will be leaving his position as editor. Council thanked him for his

contributions to the newspaper and the community and wished him success in his new career.

R. Johnson suggested that the Economic Development Commission and the Heritage Revitalization Advisory Commission be consulted regarding filming in Ladysmith.

EXECUTIVE SESSION

2011-462

It was moved, seconded and carried at 8:18 p.m. that Council retire into Executive Session after a two-minute recess, 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
- the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose

ARISE AND REPORT

Council arose from Executive Session with report on the following item:

- Based upon the evidence presented by the Town and Mr. Parhar in the hearings held on September 6 and October 17, 2011, due to the structure on the site that is in contravention of the zoning bylaw, the Town's original decision to deny a business licence to Island Pacific Transport is upheld.

ADJOURNMENT

2011-463

It was moved, seconded and carried that this meeting of Council be adjourned at 10:00 p.m.

Mayor (R. Hutchins)

CERTIFIED CORRECT

Corporate Officer (S. Bowden)