



TOWN OF LADYSMITH
MINUTES OF A MEETING OF COUNCIL
MONDAY, NOVEMBER 18, 2013
COUNCIL CHAMBERS, CITY HALL
CALL TO ORDER 6:30 P.M.
REGULAR OPEN MEETING 7:00 PM.

COUNCIL MEMBERS PRESENT:

Mayor Rob Hutchins	Councillor Jillian Dashwood	Councillor Bill Drysdale
Councillor Gord Horth	Councillor Duck Paterson	Councillor Glenda Patterson

COUNCIL MEMBERS ABSENT:

Councillor Steve Arnett

STAFF PRESENT:

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

CALL TO ORDER

Mayor Hutchins called this Regular Meeting of Council to order at 6:30 p.m. in order to retire immediately into a Closed Meeting.

CLOSED MEETING

CS 2013-398

It was moved, seconded and carried at 6:31 p.m. that Council retire into Closed Meeting in order to consider the following matters:

- 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
- 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
- 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

OPEN MEETING

The Open Meeting of Council resumed at 7:00 p.m.

AGENDA APPROVAL

CS 2013-399

It was moved, seconded and carried that the agenda for the Regular Council Meeting of November 18, 2013 be approved as amended by the following additions:

- 10.1 Lottery Telephone Fraud
- 10.2 Homelessness

DELEGATION

Carrie, Ally and Michaela Segreto and Jodi Scott, Ecole Davis Road School Parents' Advisory Council

Carrie, Ally and Michaela Segreto and Jodi Scott spoke to Council about community opposition to the proposed closure of Ecole Davis Road School by School District 68, and presented the most recent results and in-person petition they are currently circulating.

Council thanked the members of the delegation for their eloquent remarks and their dedication to the school.

MINUTES

CS 2013-400

It was moved, seconded and carried that the minutes of the Regular Meeting of Council held Monday, November 4, 2013 be approved.

PROCLAMATIONS

Mayor Hutchins proclaimed the month of November 2013 as "Adoption Awareness Month" in the Town of Ladysmith in recognition of the care, compassion and unselfish commitment of British Columbia adoptive families and the continuing need for adoptive families to nurture the growth and development of children.

DEVELOPMENT APPLICATIONS

CS 2013-401

It was moved, seconded and carried that staff be directed to prepare a rural industrial road standard for South Ladysmith; and

That staff be directed to proceed with statutory notice for Development Variance Permit application 3090-13-03 (10844 Westdowne Road) which proposes to vary the provision of works and services required under "Town of Ladysmith Subdivision and Development Servicing Bylaw 2013, No. 1834" to the rural standard noted above for the issuance of a Building Permit for a light industrial building at 10844 Westdowne Road.

OPPOSED: Councillors Horth and G. Patterson

STAFF REPORTS

CS 2013-402

Stuart Place/Walkem Road Walkway

It was moved, seconded and carried that staff be directed to conduct a consultation process to determine if the community wishes the Town to reopen the walkway between Stuart Place and Walkem Road, and that staff report back to Council in this regard.

Council requested that staff communicate first with the residents of homes bordering the walkway, given their past concerns.

- CS 2013-403** **Boundary Extension Proposal, Couverdon Real Estate**
It was moved, seconded and carried that staff be directed to prepare a process schedule for the consideration of the boundary extension proposal submitted by Couverdon Real Estate, including municipal elector approval by alternate approval process.
- CS 2013-404** It was moved, seconded and carried that Couverdon Real Estate be requested to host a community open house to present the boundary extension proposal to the Ladysmith community.
- CS 2013-405** **Workplace Bullying, Discrimination and Harassment Policy No.**
It was moved, seconded and carried that Workplace Bullying, Discrimination and Harassment Policy No. 07-2640-C dated November 1, 2013 be adopted as presented (replacing existing Policy No. 07-2640-C dated June 3, 2002) and that staff be directed to proceed with the training program currently underway.
- CS 2013-406** **Proposed Recyclables Collection with Multi-Material B.C.**
It was moved, seconded and carried that Council authorize the signing of the draft agreement with Multi-Material BC Society for the period of May 1, 2014 to March 31, 2015, with the following amendments to be submitted prior to the November 30, 2013 deadline:
- a. Replace Section 12.1 (Insurance Requirements) with the version recommended by MIABC (Appendix "D");
 - b. Request a cap to be placed on the maximum penalty amount to 5% of the total available incentive payment per year;
 - c. Amend the late filing penalty from \$500/day to \$100/day;
 - d. Amend the allowable contamination rate to reflect current industry levels (agreement sets the maximum contamination rate at 3%, Town staff suggest 5% for the first year); and,
 - e. Remove the clause that allows a customer to provide their own container; and that,
- Should staff not be successful in making the above noted amendments to the draft contract, the Mayor and City Manager negotiate a contract that incorporates as many amendments as possible.

CORRESPONDENCE

Trina Allain, Natalie Cherchas and Doug Scott, David Liefertz, Michelle Liefertz, Erin Marshall, Lorena Mueller, Graeme Rouse, Jodi Scot, Carrie Segreto, Joy Sheldon-Maxwell, Randy Wilson

CS 2013-407 **Proposed Closure of Davis Road School**
It was moved, seconded and carried that all petitions and correspondence protesting the proposed closure of Ecole Davis Road School be received and forwarded to the Board of School District 68 for consideration in its upcoming deliberations.

CS 2013-408 **Cathleen McMahon, Ladysmith Downtown Business Association
Request for Waiving of Trolley Rental Fee**
It was moved, seconded and carried that the trolley rental fee be waived for the Old Tyme Christmas event on Friday, December 6, 2013.

CS 2013-409 **Teresa McKinley, Ladysmith Tour de Rock Committee
Request for Waiving of Trolley Rental Fee and Travel Outside Town
Boundaries**
It was moved, seconded and carried that staff be requested to obtain additional details regarding the exact date and length of the proposed Cowichan Winery Tour de Rock Fundraiser from the Ladysmith Tour de Rock Committee, and to report back to Council with this information, as well as estimated costs of waiving the trolley fee for the event as requested in the correspondence from Committee member Teresa McKinley.

CS 2013-410 **Pembina Institute
Joint Letter to Provincial Government – Energy Efficient Building
Regulations**
It was moved, seconded and carried that Council endorse the joint letter proposed by the Pembina Institute in supporting local governments on energy efficient building regulations to achieve climate targets.

NEW BUSINESS

Lottery Telephone Fraud
Councillor G. Patterson advised Council members of a fraud concerning a purported lottery win.

Council members discussed inaccuracies in a recent Nanaimo newspaper article about the homeless in Ladysmith. Councillor Dashwood is preparing a response to the article.

UNFINISHED BUSINESS

CS 2013-411 **Ladysmith Archives Operating Agreement and Licence of Occupation**
It was moved, seconded and carried that the Mayor and Corporate Officer be authorized to execute the Operating Agreement and Licence of Occupation with the Ladysmith and District Historical Society for the period November 1, 2013 to October 31, 2018.

QUESTION PERIOD

R. Armour, Ladysmith Chronicle, was provided with a copy of the Town's resolution and correspondence from June 2013 regarding the proposed School District 68 Facilities Plan and the reconfiguration and possible closure of local schools.

J. Tieleman, Ladysmith Downtown Business Association, expressed his appreciation to Council for waiving the trolley rental fee and supporting the Old Tyme Christmas event on December 6, 2013.

R. Johnson thanked staff for providing information about a proposed Marine Park and was advised that the waiving of a Public Hearing is a rare occurrence.

CLOSED MEETING

CS 2013-412

It was moved, seconded and carried at 8:10 p.m. that Council retire into Closed Meeting after a two minute recess.

ARISE AND REPORT

Council arose from the Closed Meeting with report on the following items:

- The sale price of the Town-owned property located at 520 Jim Cram Drive will be reduced from \$749,000 to \$699,000
- Council made appointments to Town Advisory Commissions and Committees

ADJOURNMENT

CS 2013-413

It was moved, seconded and carried that this meeting of Council be adjourned at 8:38 p.m.

CERTIFIED CORRECT:

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)