



TOWN OF LADYSMITH
MINUTES OF A REGULAR MEETING OF COUNCIL
TUESDAY, APRIL 2, 2013 - 7:00 P.M.
COUNCIL CHAMBERS, CITY HALL

COUNCIL MEMBERS PRESENT:

Mayor Rob Hutchins
Councillor Bill Drysdale
Councillor Glenda Patterson

Councillor Steve Arnett
Councillor Gord Horth

Councillor Jillian Dashwood
Councillor Duck Paterson

STAFF PRESENT:

Ruth Malli
Erin Anderson

Sandy Bowden
John Manson

Felicity Adams
Joanna Winter

CALL TO ORDER

Mayor Hutchins called the meeting to order at 6:18 p.m. in order to retire into Executive (Closed) Session.

EXECUTIVE SESSION

CS 2013-95

It was moved, seconded and carried that Council retire into Executive (Closed) Session at 6:18 p.m. in order to consider the following items:

- law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment
- the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose

RISE AND REPORT

Council arose from Executive (Closed) Session with a report on the following:

- that the correspondence from the Town's solicitor regarding public and *in camera* (closed) meetings was referred to the April 15, 2013 Regular Meeting of Council.

Mayor Hutchins reconvened the Regular Meeting of Council at 7:00 p.m.

AGENDA APPROVAL

CS 2013-96

It was moved, seconded and carried that the agenda for the Regular Council Meeting of April 2, 2013 be adopted as amended by the following items:

Delete item 4.1

Add item 4.1 – Allen McDermid, President of Ladysmith Search and Rescue – Request for Donation of Retired Fire/Rescue Vehicle (10.1 on the original agenda).

Add item 12.1 – Association of Vancouver Island and Coastal Communities Convention Resolutions

MINUTES

CS 2013-97 It was moved, seconded and carried that the minutes of the Regular Council meeting held March 18, 2013 be approved as amended to record that Councillor Horth was opposed to Resolution CS 2013-75 (purchase of carbon offset credits from Cowichan Energy Alternatives).

CS 2013-98 It was moved, seconded and carried that the minutes of the Special Meeting of Council held March 25, 2013 be approved as circulated.

DELEGATION

Councillor Drysdale declared a conflict of interest with the following agenda item and excused himself from the meeting.

Allen McDermid, President, Ladysmith Search and Rescue

A. McDermid addressed Council in support of correspondence from Ladysmith Search and Rescue, requesting the donation of a Ladysmith Fire/Rescue vehicle that will be retired. Council expressed their appreciation for the efforts of Ladysmith Search and Rescue in serving the community.

CS 2013-99 It was moved, seconded and carried that the purchasing policy be waived and that the 1986 Ladysmith Fire/Rescue Ford Rescue Truck be donated to Ladysmith Search and Rescue for use as a command post and rescue vehicle.

Councillor Drysdale returned to the meeting.

PROCLAMATIONS

Mayor Hutchins proclaimed the week of May 19th to 25th, 2013 as “National Public Works Week” in the Town of Ladysmith, in recognition of the importance of public works in community life and the efforts of all the men and women in North America, including in the Town of Ladysmith, who provide and maintain civil infrastructure and services.

2013 TO 2017 FINANCIAL PLAN DELIBERATIONS

Review and Ongoing Discussions

The Director of Financial Services reviewed Council’s previous direction with respect to reducing expenses and increasing revenues, and provided options for Council’s consideration

Council gave the following direction to staff:

Revenues

- Report back to Council with a recommendation regarding full

- cost-recovery for the use of lights at the Town's playing fields.
- Increase building permit fees to be in line with other local governments in the area
- Increase tax certificate fees from \$15 to \$20 per certificate
- Review cemetery fees and bring a recommendation to Council regarding options

Expenses

- Remove \$10,000 budgeted for a citizen survey and determine other cost-effective ways of communicating with and engaging citizens
- Reduce the snow and ice removal materials and supplies budget by \$5,000 to \$15,000
- Provide Council with information about cost savings and the potential implications of eliminating one, two or three Parks Department summer staff
- Report back to Council with respect to cost savings through a possible extension of the shut-down period at the Frank Jameson Community Centre

The Capital budget will be reviewed at a Special Meeting of Council on April 8, 2013.

CS 2013-100

It was moved, seconded and carried that staff be authorized to commence renovations to the Public Works Department offices to a maximum amount of \$15,000.

Staff were requested to circulate copies of the budget presentation materials to Council to assist in deliberations.

Public Questions and Input

There were no questions or input from the members of the public present.

DEVELOPMENT APPLICATIONS

Councillor G. Patterson declared a conflict of interest with the following agenda item and excused herself from the meeting.

CS 2013-101

Development Variance Permit – 948 Malone Road (Lot 19, District Lot 96, Oyster District, Plan VIP57370)

It was moved, seconded and carried that staff be directed to proceed with the statutory notice for Development Variance Permit application 3090-13-01 for Lot 19, District Lot 96, Oyster District, Plan VIP57370 (948 Malone Road) to permit an addition to an existing dwelling.

OPPOSED: COUNCILLOR DASHWOOD

Councillor Patterson returned to the meeting.

COUNCIL COMMITTEE REPORTS **Cowichan Valley Regional District 2013 Budget**
Mayor Hutchins provided Council with a summary of the final budget for 2013 approved by the Cowichan Valley Regional District. The effect in Ladysmith is an annual increase of approximately \$.25 for the average residential property in Ladysmith.

Council members reported on activities of their respective Commissions and community committees.

STAFF REPORTS
Mayor Hutchins declared a conflict of interest with the following agenda item and excused himself from the meeting. Deputy Mayor Dashwood assumed the Chair.

CS 2013-102 **Special Occasion Licence – Ladysmith Maritime Society Seafood Festival**
It was moved, seconded and carried that the request for a Special Occasion Licence from the Ladysmith Maritime Society for the Ladysmith Seafood Festival event to be held on Sunday May 19, 2013 at the Transfer Beach Amphitheatre be approved.

Mayor Hutchins returned to the meeting and resumed the Chair.

CS 2013-103 **Crown Land Referrals 1413402 and 1413408 – District Lots 651, 17G and 16G**
It was moved, seconded and carried that the following comments be provided to the Province of British Columbia regarding Crown land referrals 1413402 and 1413408:

- The Town has an interest in the clean-up of the Ladysmith Harbour to its original natural state.
- In November 2012, the Province and the Town released a report on the environmental conditions of the Ladysmith waterfront outlining the extent of the contamination and a range of costs for alternatives to address remediation. These costs are significant.
- Consideration of a Crown grant or Crown lease should be subject to the applicant's financial commitment to appropriately addressing the environmental condition of the land consistent with Ladysmith's land use vision.
- The Town has a lease over Lot 2016 (home of the Ladysmith Maritime Society Community Marina) which is adjacent to Lot 651.
- The Town has an interest in the development of Lot 651 for an expanded marina in partnership with the Stz'uminus First Nation.
- The Town has undertaken an award-winning Community

Sustainability Visioning Initiative which includes a Vision for the Waterfront.

- Enhanced marina development and public access to the foreshore is desirable.
- The Town intends to update the 1997 Waterfront Area Plan commencing in 2013. This proposal is not consistent with the current Waterfront Area Plan.
- The Town will be reconsidering its land use policy (Waterfront Area Plan) prior to any consideration of such a proposal. In summary, the consideration of a rezoning proposal for these lands would require submission of a proposed land use plan to address all land use considerations, design concept, commercial land absorption study, financial feasibility study, and confirmation that the site meets the standards of the *Environmental Management Act*. A context statement as to how the proposal responds to the Community Sustainability Visioning Initiative would also be required.
- The Town would be seeking payment of the outstanding taxes on these lands.

CORRESPONDENCE

CS 2013-104 **Richard Morencie, Ladysmith Chamber of Commerce
Dunsmuir Railway Car**
It was moved, seconded and carried that the Ladysmith Chamber of Commerce be advised that the Town is in full support of acquiring the Dunsmuir Railway Car, and of progress to date in this regard, in response to the correspondence from the Chamber of Commerce dated March 14, 2013.

BYLAWS

CS 2013-105 **Town of Ladysmith Building and Plumbing Bylaw 1994, No. 1119, Amendment Bylaw 2013, No. 1820**
It was moved, seconded and carried that Town of Ladysmith Building and Plumbing Bylaw 1994, No. 1119, Amendment Bylaw 2013, No. 1820 be adopted.

CS 2013-106 **Town of Ladysmith Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2013, No. 1821**
It was moved, seconded and carried that Town of Ladysmith Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2013, No. 1821 be adopted.

CS 2013-107 **Town of Ladysmith Sanitary Sewer Rates Bylaw 1999, No. 1299, Amendment Bylaw 2013, No. 1822**
It was moved, seconded and carried that Town of Ladysmith Sanitary Sewer Rates Bylaw 1999, No. 1299, Amendment Bylaw 2013, No. 1822 be adopted.

NEW BUSINESS

Association of Vancouver Island and Coastal Communities Resolutions

Councillor Arnett encouraged Council members attending the annual convention of the Association of Vancouver Island and Coastal Communities to consider supporting resolutions concerning abandoned and derelict vessels and membership amendments that would permit First Nations to become members of the Association.

QUESTION PERIOD

John Douglas was advised that the Town does have influence over proposed development on Crown waterfront lands through the rezoning process and Official Community Plan.

Ed Shirley was advised that the Cowichan Valley Regional District Grant-in-Aid to the Island Corridor Foundation will not be advanced unless the organization reaches an agreement with VIA Rail to Vancouver Island passenger rail service.

ADJOURNMENT

CS 2013-108

It was moved, seconded and carried that this meeting of Council be adjourned at 8:44 p.m.

CERTIFIED CORRECT

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)