

**MINUTES OF A REGULAR MEETING OF COUNCIL
MONDAY, JUNE 5, 2017
CALL TO ORDER 5:02 P.M.
CITY HALL AND EAGLES HALL**

COUNCIL MEMBERS PRESENT:

Mayor Aaron Stone	Councillor Steve Arnett	Councillor Cal Fradin
Councillor Joe Friesenhan	Councillor Carol Henderson	Councillor Rob Hutchins
Councillor Duck Paterson		

STAFF PRESENT:

Guillermo Ferrero	Felicity Adams	Gerry Fukakusa
Geoff Goodall	Clayton Postings	Joanna Winter
Sue Bouma		

**CALL TO ORDER
(CITY HALL)**

Mayor Stone called this Meeting of Council to order at 5:02 p.m.

CLOSED SESSION**CS 2017-160**

Moved and seconded:

That, in accordance with section 90(1) of the *Community Charter*, Council retire into closed session at 5:05 p.m. in order to consider items related to the following:

- negotiations and related discussions respecting the proposed provision of a municipal service – 90(1)(k)
- potential lease of property – 90 (1) (e)
- sale of Town-owned property -- Section 90 (1) (e)

Motion carried.

**REGULAR OPEN
MEETING
(EAGLES HALL)**

Mayor Stone called this Regular Meeting to order at 7:01 p.m., recognizing the traditional territory of the Stz'uminus First Nation, acknowledging 5,500 years of history and stewardship and expressing gratitude to be here.

**AGENDA
APPROVAL****CS 2017-161**

Moved and seconded:

That Council approve the agenda for this Regular Meeting of June 5, 2017 as amended by the following additions:

- Item 13.2, Low Flush Toilet Rebate Program

Motion carried.

MINUTES

CS 2017-162

Minutes of the Regular Meeting of Council held May 1, 2017

Moved and seconded:

That Council approve the minutes of the Regular Meeting of Council held May 1, 2017.

Motion carried.

CS 2017-163

Minutes of the Special Meeting of Council held May 8, 2017

Moved and seconded:

That Council approve the minutes of the Special Meeting of Council held May 8, 2017.

Motion carried.

DELEGATIONS

Richard Gunn, Brian Smith and Vicky Stickwood-Hyslop

Sale of 900 Russell Road

Mayor Stone introduced the members of the delegation and noted that Council was open to hearing the delegation's opinions and concerns regarding the potential sale of 900 Russell Road, but that they would not be making any resolutions regarding this issue.

Members of the delegation thanked Council for the opportunity to express their concerns regarding the potential sale of 900 Russell Road and asked Council to consider making a more deliberate consultation on the size, shape and content of the new development and the area to determine whether selling it is the right thing to do. They expressed concern regarding the safety of people in the area due to new traffic flow situations, the need for multi-generational, multi-use outdoor recreation space in the area, and cited a staff report from 2005 which indicated that the Town at that time considered leaving the area as parkland.

Council thanked Mr Gunn, Mr. Smith and Ms. Stickwood-Hyslop for their presentation to Council and assured them that they would take their opinions under advisement as they made their deliberations.

PROCLAMATIONS

Orca Awareness Month

Mayor Stone proclaimed the month of June as Orca Month and encouraged Town of Ladysmith citizens to focus on the plight of the orca community, honour their presence in our waters, and speed up efforts to recover the population.

DEVELOPMENT APPLICATIONS

Development Variance Permit Application 3090-17-02 (520 Jim Cram Drive)

Moved and seconded:

CS 2017-164

That Council:

1. Issue Development Variance Permit 3090-17-02 (Lot 2, District Lot 108, Oyster District, Plan VIP88238) to permit parcel coverage to be varied from 38 per cent to 40 per cent on proposed lots 1, 2, 3, 4, 10, 11, 12, 13; and to permit finished floor area to be varied from 121m² to 139 m² for proposed lots 5, 6, 7, 8 and 9 at 520 Jim Cram Drive.
2. Authorize the Mayor and Corporate Officer to sign the Development Variance Permit.

Motion carried.

COMMITTEE REPORTS

Recommendations from the Municipal Services Committee Meeting Held May 8, 2017

Moved and seconded:

CS 2017-165

That Council direct staff to prepare a new Parks Usage Bylaw which reflects the comments provided with respect to definitions of graffiti and liquor.

Motion carried.

Recommendation from the Heritage Revitalization Advisory Commission

Moved and seconded:

CS 2017-166

That a letter of appreciation be written to the property owners of 226 Kitchener Street, thanking them for their generosity and community spirit in sharing their "Lady Cynthia" rhododendron with the community and the world.

Motion carried.

REPORTS

Statement of Financial Information for the Year Ended December 31, 2016

Moved and seconded:

CS 2017-167

That Council approve the Statement of Financial Information for the Town of Ladysmith for the year ended December 31, 2016.

Motion carried.

Review of Commission and Committee Structure

Moved and seconded:

CS 2017-168

That Council direct staff to issue a Request for Proposals for a comprehensive review of the Town's Commission and Committee Structure for an amount not to exceed \$10,000, with the funds to come from the prior year's surplus, and to amend the Financial Plan accordingly.

Motion carried.

OPPOSED: Councillor Friesenhan

- CS 2017-169** *Moved and seconded:*
That Council refer to the next appropriate Municipal Services Committee meeting the task of confirming priorities and preferences with respect to the scope and outcome of the review of Commissions and Committees.
Motion carried.
- Rainbow Crosswalks**
Moved and seconded:
CS 2017-170 That Council direct staff to install a painted rainbow crosswalk across Captain Tristan de Koninck Way at Transfer Beach.
- *AMENDMENT***
Moved and seconded:
CS 2017-171 That Resolution CS 2017-171 be amended to read as follows:
That Council direct staff to install a painted rainbow crosswalk.
Amendment carried.
Motion as amended carried.
- Moved and seconded:*
CS 2017-172 That Council direct staff to install a painted rainbow crosswalk at First Avenue and Gatacre Street for a cost of \$1,200, and amend the Financial Plan accordingly.
Motion carried.
- Moved and seconded:*
CS 2017-173 That Council direct staff to endeavour to complete the rainbow crosswalk during the month of June 2017.
Motion carried.
- Ryan Place Greenbelt Arborist Report**
Moved and seconded:
CS 2017-174 That Council direct staff to refer the arborist management plan for the Ryan Place Greenbelt to the Parks, Recreation and Culture Advisory Committee and the Invasive Species Committee for review and comment relating to the development of future tree management plans for the Town.
Motion carried.
- Moved and seconded:*
CS 2017-175 That Council direct staff to continue to include a tree management plan for Town-owned properties in the 2018-2022 Operational

and Capital Financial Plans.
Motion carried.

Parks Usage Bylaw Hours of Use

Moved and seconded:

CS 2017-176

That Council direct staff to include proposed hours of use in the updated Parks Usage Bylaw and refer the proposed schedule, as outlined in the staff report dated June 5, 2017, to the Parks, Recreation and Culture Advisory Committee for comment.

Motion carried.

BYLAWS

Town of Ladysmith Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2017, No. 1930

Moved and seconded:

CS 2017-177

That Council give first three readings to Town of Ladysmith Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2017, No. 1930.

Motion defeated.

OPPOSED: All members of Council

Moved and seconded:

CS 2017-178

That Council refer Town of Ladysmith Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2017, No. 1930 to staff to address questions related to section numbering, time limit for residents to repair leaks, and a missing word in section 38.5.

Motion carried.

CORRESPONDENCE

Councillor Paterson declared a conflict of interest with the following agenda item due to his association with the Ladysmith Kinsmen Club and left the meeting.

Ladysmith Kinsmen Club

Downtown Washroom Proposal

Moved and seconded:

CS 2017-179

That Council direct staff to refer the proposed washroom concept as provided by the Ladysmith Kinsmen Club in their letter dated March 27, 2017 to the Advisory Design Panel (ADP) and the Heritage Revitalization Advisory Commission (HRAC) for comment, seeking feedback on the exterior design of the building.

Motion carried.

Moved and seconded:

CS 2017-180

That Council refer the proposed washroom concept as provided by the Ladysmith Kinsmen Club in their letter dated March 27,

2017, to the Ladysmith Chamber of Commerce and the Ladysmith Downtown Business Association for their comment.
Motion carried.

Councillor Paterson returned to the meeting.

Ladysmith Chamber of Commerce Golf Classic

Moved and seconded:

CS 2017-181

That Council sponsor a hole at the Ladysmith Chamber of Commerce Tournament on June 16, 2017.

Motion carried.

Ladysmith Softball Association

Request to Waive Trolley and Driver Fee for U12C Girls Softball Regional Championship, June 16-18, 2017

Moved and seconded:

CS 2017-182

That Council waive all of the fee to provide a trolley and driver to shuttle participants and fans of the U12C Girls Softball Regional Championship from a main parking location to the Aggie Fields and back from 5:00 p.m. to 9:00 p.m. on Friday, June 16, and from 7:30 a.m. to 7:30 p.m. on Saturday, June 17 and Sunday, June 18.

AMENDMENT

Moved and seconded:

CS 2017-183

That Resolution CS 2017-184 be amended to read as follows:
That, subject to staff confirmation of adequate trolley fee funding for the Old Time Christmas and Festival of Lights events, Council waive all of the fee to provide a trolley and driver to shuttle participants and fans of the U12C Girls Softball Regional Championship from a main parking location to the Aggie Fields and back from 5:00 p.m. to 9:00 p.m. on Friday, June 16, and from 7:30 a.m. to 7:30 p.m. on Saturday, June 17 and Sunday, June 18.
Amendment carried.

Motion as amended carried.

Moved and seconded:

CS 2017-184

That Council contribute 221 Town pins for the U12C Girls Softball Regional Championship participant gift bags.

Motion carried.

NEW BUSINESS

Derelict and Abandoned Vessels Private Members Bill

Moved and seconded:

CS 2017-185

That Council adopt the following resolution as requested by Shiela

Malcomson, M.P.:

That Council encourages Parliament to adopt Bill C-352, "An Act to amend the Canada Shipping Act, 2001 and provide for the development of a national strategy for abandoned vessels", which would fix vessel registration, pilot a vessel turn-in program, create good green jobs by supporting local marine salvage businesses and vessel recycling, and make Coast Guard responsible for directing the removal of abandoned vessels.

Motion carried.

Low Flush Toilet Rebate Program

Moved and seconded:

CS 2017-186

That Council refer the Low Flush Toilet Rebate Program to staff for review with respect to changes to toilet capacity and any other developments that could affect the program.

Motion carried.

UNFINISHED BUSINESS

Provincial Response to the 2016 Resolution to Amend Eligibility Criteria for Community Gaming Grants Put Forward by Council and Endorsed by the UBCM Membership at Convention

Moved and seconded:

CS 2017-187

That Council receive for information the Provincial response to the 2016 resolution to amend eligibility criteria for community gaming grants put forward by Council at the UBCM Convention.

Motion carried.

QUESTION PERIOD

Members of the public enquired about the possibility of receiving assurances that 900 Russell Road would not be sold, the practice of reading out resolutions for members of the public to fully understand, the plan for future south end outdoor recreation areas, the traffic flow logistics with the possibility of increased development on 900 Russell Road, and the possibility of keeping the flat area of the 900 Russell Road property as the 15% parkland.

CLOSED SESSION

CS 2017-188

Moved and seconded:

That this meeting of Council recess at 9:10 p.m., and that it reconvene in closed session at City Hall.

Motion carried.

RISE AND REPORT

Council rose at 10:36 p.m. with report on the following:

- Resolution CE 2017-103, that Council approve construction of a double channel enclosed bio-solids composting facility with

bio-filter, for an estimated cost of \$1,871,459, subject to staff confirming costs based on receipt of actual plans.

- Resolution CE 2017-109, that Council direct staff to notify the Ministry of Forests, Lands and Natural Resources Operations that at this time it does not wish to pursue the dedication of a realigned Thicke Road.
- Resolution CE 2017-110, that Council direct staff to list the Town-owned property at 674 Farrell Road as an exclusive listing with Lorne Gait and Jill Dashwood of Royal LePage Nanaimo Realty, with an asking price of \$200,000. (Councillor Paterson opposed)
- Resolution CE 2017-111, that Council:
 - Direct the Mayor and Corporate Officer to execute a lease agreement with Active Solutions for the use of the vacant space at Frank Jameson Community Centre for a term of three years, with two one-year options to renew;
 - Direct staff to give notice of the Town's intent to lease space at the Frank Jameson Community Centre in accordance with the *Community Charter*;
 - Authorize the use of up to \$12,000 in gas tax funds to complete the capital improvements required to expand the fitness centre space, and amend the 2017-2021 Financial Plan accordingly.
- Resolution CE 2017-114, that Council has accepted an offer to purchase the Town-owned property at 900 Russell Road, to be reported once Council's conditions have been met and the deposit has been received. (Councillor Arnett opposed)

ADJOURNMENT

CS 2017-189

Moved and seconded:

That this regular meeting of Council adjourn at 10:36 p.m.

Motion carried.

CERTIFIED CORRECT:

Mayor (A. Stone)

Corporate Officer (J. Winter)