

**MINUTES OF A REGULAR MEETING OF COUNCIL
MONDAY, OCTOBER 15, 2018
CALL TO ORDER 7:01 P.M.
COUNCIL CHAMBERS, CITY HALL**

COUNCIL MEMBERS PRESENT:

Mayor Aaron Stone	Councillor Steve Arnett (via telephone)
Councillor Cal Fradin	Councillor Joe Friesenhan
Councillor Rob Hutchins	Councillor Duck Paterson

STAFF PRESENT:

Guillermo Ferrero	Felicity Adams	Erin Anderson
Geoff Goodall	Clayton Postings	Joanna Winter
Sue Bouma		

CALL TO ORDER

Mayor Stone called this Regular Meeting of Council to order at 5:00 p.m.

CLOSED SESSION**CS 2018-388***Moved and seconded:*

That, in accordance with section 90(1) of the *Community Charter*, Council retire into closed session at 5:01 p.m. in order to consider items related to the following:

- 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 - section 90 (1) (a);
- 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 - section 90 (1) (e);
- the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose - section 90 (1) (i)

*Motion carried.***REGULAR OPEN MEETING**

Mayor Stone called this Meeting of Council to order at 7:01 p.m., recognizing the traditional territory of the Stz'uminus People.

AGENDA APPROVAL

CS 2018-389

Moved and seconded:

That Council approve the agenda for this Regular Meeting of Council for October 15, 2018 with the following amendments:

- Add item 8.3., "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 18) 2018, No. 1966"
- Move items 12.1., 12.2., 12.3., and 12.4. (correspondence related to the connection between Churchill Place and McKinley Road) to precede item 4.1., "Minutes of the Regular Meeting of Council held October 2, 2018"

Motion carried.

RISE AND REPORT

Council rose from Closed Session at 6:47 p.m. with report on the following:

- Resolution CE 2018-126 (final resolution as amended)

That Council:

1. Approve the employment contract with the Chief Administrative Officer as amended to reflect the 75th percentile; and
2. Authorize the Mayor and Corporate Officer to execute amended the agreement.

OPPOSED: Councillor Arnett

CORRESPONDENCE

Cynthia Damphousse

Petition to Keep a Permanent Connection between Churchill Place and McKinley Road

Ms. Damphousse questioned the reasoning behind the single lane access at the Rocky Creek/4th Avenue crossing and encouraged Council to consider keeping the temporary access road connection open during the winter months.

Moved and seconded:

CS 2018-390

That Council receive the correspondence and petition from Cynthia Damphousse, dated October 1, 2018, requesting that the Town keep a permanent connection between Churchill Place and McKinley Road.

Motion carried.

The Residents of McKinley Road, Davidson Road and Walkem Road

Opposition to Petition to Keep Open a Connection between Churchill Place and McKinley Road

Ms. Schaal spoke on behalf of the residents who opposed keeping the connection between Churchill Place and McKinley Road open,

and enquired about the possibility of safety and traffic concerns (sidewalks, crosswalks and speed) being addressed should the connection remain open.

Moved and seconded:

CS 2018-391

That Council receive the correspondence dated October 10, 2018 from residents of McKinley Road, Davidson Road and Walkem Road, opposing the petition to keep open a connection between Churchill Place and McKinley Road.

Motion carried.

Kelly Styles

Concerns about the Connection between Churchill Place and McKinley Road, and Request for Public Consultation

Ms. Styles enquired about the work completed to prepare the Timberwest logging road as an alternate route, and the reasoning for not using it as a primary option.

Moved and seconded:

CS 2018-392

That Council receive the correspondence, dated October 5, 2018, from Kelly Styles, expressing concern about the connection between Churchill Place and McKinley Road, and requesting public consultation on future use.

Motion carried.

Karen and Gary McBurney

Concerns regarding the Temporary Access Road between McKinley Road and Churchill Place

Ms. McBurney shared concerns about speed and safety on the temporary access road between McKinley Road and Churchill Place.

Moved and seconded:

CS 2018-393

That Council receive the correspondence dated October 9, 2018 from Karen and Gary McBurney, opposing the access road connecting Churchill Place and McKinley Road.

Motion carried.

A resident of McKinley Road expressed his concern about the temporary access road and noted that he had believed his neighbourhood was a cul-de-sac until the access road had been established.

Laura Reimer thanked Council for rearranging the agenda and requested assurance that extensive consultation would take place with the neighbourhood regarding future developments.

MINUTES

CS 2018-394

Moved and seconded:

That Council adopt the minutes of the Regular Meeting of Council held October 2, 2018.

Motion carried.

DELEGATIONS

Renee Hutchinson, Select Committee on Council Remuneration Remuneration Committee Report to Council

Renee Hutchinson, member of the Select Committee on Council Remuneration, made a presentation to Council regarding the committee's research. She reviewed the committee's membership, mandate and the municipalities they reviewed for their report, noting that their recommended increases would ensure the Town was compensating members of Council at a level similar to the comparison municipalities.

Council thanked Ms. Hutchinson for her presentation and the members of the committee for their work.

CS 2018-395

Moved and seconded:

That Council consider separately each recommendation from the Select Committee on Council Remuneration.

Motion carried.

CS 2018-396

Moved and seconded:

That Council amend "Council Remuneration and Expenses Bylaw 2001, No. 1427" to include wording that states that the daily meal allowances for Council will match those of staff.

Motion carried.

CS 2018-397

Moved and seconded:

That effective January 1, 2019, Council make Council remuneration whole in terms of the 1/3 tax exemption by establishing the Mayor remuneration at \$34,320 and Councillor remuneration at \$14,940.

Motion carried.

OPPOSED: Councillor Arnett

CS 2018-398

Moved and seconded:

That effective January 1, 2019, Council implement an annual remuneration increase based on the immediate three year average

of the Victoria Consumer Price Index up to a maximum of 2%.
Motion carried.

Moved and seconded:

CS 2018-399

That Council direct staff to provide corporate cell phones to Council members as well as include the members on the Town's corporate cell phone plan.

Motion carried.

Moved and seconded:

CS 2018-400

That Council include in the Financial Plan \$1,000 per term toward the purchase of a corporate tablet device for the Mayor and each Council member, with the dollar amount to be reviewed during the next term of Council.

Motion carried.

OPPOSED: Councillor Arnett

Moved and seconded:

CS 2018-401

That Council continue with the current practice of not providing health benefits to Council.

Motion carried.

Moved and seconded:

CS 2018-402

That Council reconvene a Select Committee on Council Remuneration in October 2019 to review Council remuneration in the municipalities used as a comparison basis, after the change in Canada Revenue Agency rules regarding the tax exemption on one third of the remuneration has been applied.

Motion carried.

Councillor Arnett expressed concern that the committee's report did not make reference to the resolutions by the Union of British Columbia Municipalities (UBCM) regarding Council remuneration. Staff assured Councillor Arnett that the UBCM resolutions had been shared with the committee.

BYLAWS – OFFICIAL COMMUNITY PLAN AND ZONING

Bylaw 1976 - Rezoning Application Thrift Store Addition - 920 1st Avenue (J. Anderson)
Subject Property: Lot 2, Block 30, District Lot 24, Oyster District, Plan 703A (920 First Ave.)

Moved and seconded:

CS 2018-403

That Council:

1. Proceed with third reading of Bylaw 1976 cited as "Town of Ladysmith Zoning Bylaw 2014, No.1860, Amendment Bylaw

- (No.19) 2018, No.1976”; and
2. Direct staff to refer Bylaw 1976 to the Ministry of Transportation and Infrastructure pursuant to the Transportation Act.

Motion carried.

Town of Ladysmith Zoning Bylaw 2014, 1860, Amendment Bylaw (No.20) 2018, No. 1978 (Cannabis Cultivation, Processing and Research)

Moved and seconded:

CS 2018-404

That Council:

1. Proceed with third reading of Bylaw 1978, cited as “Town of Ladysmith Zoning Bylaw 2014, 1860, Amendment Bylaw (No. 20) 2018, No. 1978”; and
2. Direct staff to refer Bylaw 1978 to the Ministry of Transportation and Infrastructure pursuant to the Transportation Act.

Motion carried.

Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 18) 2018, No. 1966 (900 Russell Road)

Moved and seconded:

CS 2018-405

That Council adopt Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 18) 2018, No. 1966.

Motion carried.

**COMMITTEE
REPORTS**

CS 2018-406

Recommendation from the Protective Services Committee

Moved and seconded:

That Council refer the recommendation from the Protective Services Committee regarding increasing the Town of Ladysmith’s Royal Canadian Mounted Police Detachment from 7 to 8 members to a future meeting of Council.

Motion carried.

REPORTS

CS 2018-407

Waterfront Area Plan: Transportation Review

Moved and seconded:

That Council consider separately each recommendation from the report entitled “Waterfront Area Plan: Transportation Review”.

Motion carried.

CS 2018-408

Moved and seconded:

That Council receive the Waterfront Area Plan: Transportation Review prepared by RF Binnie and Associates Ltd., dated September 21, 2018.

Motion carried.

Moved and seconded:

CS 2018-409

That Council confirm the inclusion of the Ludlow Road/Rocky Creek Road roundabout recommended by the Ludlow Roadway Driveways Feasibility Assessment in the Town's proposed new Development Cost Charges program.

Motion carried.

Moved and seconded:

CS 2018-410

That Council direct staff to include the extension of the median on Ludlow Road as recommended by the Ludlow Road Driveways Feasibility Assessment in the 2019-2023 Financial Plan for discussion.

Motion carried.

Moved and seconded:

CS 2018-411

That Council direct staff to discuss the identified highway intersection improvements with MOTI, including the pedestrian overpass included in the Waterfront Area Plan.

Motion carried.

Moved and seconded:

CS 2018-412

That Council refer the Grade Crossing Safety Assessment dated September 21, 2018 to the Island Corridor Foundation.

Motion carried.

Proposed Lot 108 Multi-use Trail

Moved and seconded:

CS 2018-413

That Council receive the updated information from the Lot 108 working committee (Rotary, Lions, Eagles, Kinsmen and Mid Isle Soccer) regarding the proposed multi-use trail.

Motion carried.

Child Care Space Grant

Moved and seconded:

CS 2018-414

That Council:

- Direct staff to work with community partners, including the CVRD, toward developing applications for the UBCM Community Child Care Planning and Community Child Care Space Creation Program, and the Childcare BC New Spaces Fund;
- Request staff to provide Council with the recommendations from the community partners on ways this new funding

opportunity can create new child care spaces in the community.

Motion carried.

Boys and Girls Clubs of Central Vancouver Island Memorandum of Understanding

Moved and seconded:

CS 2018-415

That Council refer the “Boys and Girls Clubs of Central Vancouver Island Memorandum of Understanding” to the Parks, Recreation and Culture Advisory Committee for review.

Motion carried.

BYLAWS

Town of Ladysmith Smoking Regulation Bylaw 2018, No. 1936

Moved and seconded:

CS 2018-416

That Council adopt “Town of Ladysmith Smoking Regulation Bylaw 2018, No. 1936”.

Motion carried.

2019 Permissive Tax Exemptions Bylaw 2019

Moved and seconded:

CS 2018-417

That Council:

1. Adopt the 2019 Permissive Tax Exemption Bylaw 2018, No. 1972; and
2. Adopt the Permissive Tax Exemption Bylaw (Partnering Agreements) 2018, No. 1979.

Motion carried.

Moved and seconded:

CS 2018-418

That Council rescind resolution CS 2018-417,
“That Council:

1. Adopt the 2019 Permissive Tax Exemption Bylaw 2018, No. 1972; and
2. Adopt the Permissive Tax Exemption Bylaw (Partnering Agreements) 2018, No. 1979.”

Motion carried.

Moved and seconded:

CS 2018-419

That Council adopt the Permissive Tax Exemption Bylaw (Partnering Agreements) 2018, No. 1979.

Motion carried.

Moved and seconded:

CS 2018-420

That Council adopt the 2019 Permissive Tax Exemption Bylaw 2018, No. 1972.

Motion carried.

OPPOSED: Councillors Fradin and Friesenhan

**Town of Ladysmith Financial Plan Bylaw 2018, No. 1956
Amendment Bylaw 1980**

Moved and seconded:

CS 2018-421

That Council adopt the 2018-2022 Financial Plan Amendment Bylaw, cited as "Town of Ladysmith Financial Plan Bylaw 2018, No. 1956 Amendment Bylaw 1980".

Motion carried.

**Business Licence Bylaw Amendment: Cannabis Cultivation,
Processing and Research**

Moved and seconded:

CS 2018-422

That Council adopt "Business Licence Bylaw No. 1513, 2003, Amendment Bylaw (No. 2) 2018, No. 1981".

Motion carried.

NEW BUSINESS

DL 2059 – Application for Crown Lease

Moved and seconded:

CS 2018-423

That Council receive the correspondence from the province of BC advising that the Town's application for a crown lease of DL 2059 has not been approved.

Motion carried.

DL 2016 Holdings Corporation Annual General Meeting

Moved and seconded:

CS 2018-424

That Council remove item 13.2., "DL 2016 Holdings Corporation Annual General Meeting" from the agenda.

Motion carried.

QUESTION PERIOD

Members of the public thanked retiring councillors for their service to the community and enquired about plans to enforce the smoking bylaw.

Council and members of the public commended Councillor Rob Hutchins for his leadership and service over the past twenty-five years and noted how he had shaped the community. Councillor Hutchins expressed gratitude that his son had been a member of the audience in his first Council meeting twenty-five years ago, as well as at this, his last.

ADJOURNMENT

CS 2018-425

Moved and seconded:

That this Regular Meeting of Council adjourn at 8:39 p.m.

Motion carried.

CERTIFIED CORRECT:

Mayor (A. Stone)

Corporate Officer (J. Winter)