



## MINUTES OF A SPECIAL MEETING OF COUNCIL

Tuesday, March 31, 2020

7:00 P.M.

This meeting was held electronically

### Council Members Present:

Mayor Aaron Stone  
Councillor Duck Paterson  
Councillor Amanda Jacobson  
Councillor Rob Johnson

Councillor Tricia McKay  
Councillor Marsh Stevens  
Councillor Jeff Virtanen  
Julie Thompson

### Staff Present:

Guillermo Ferrero  
Erin Anderson  
Geoff Goodall  
Chris Barfoot  
Jake Belobaba  
Joanna Winter  
Ian Paydli

Donna Smith  
Sue Glenn  
Christina Hovey  
Julie Thompson  
Mike Gregory  
Sue Bouma

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### 1. CALL TO ORDER

Mayor Stone called this Meeting of Council to order at 5:05 p.m., in order to retire immediately into closed session.

### 2. CLOSED SESSION

#### CS 2020-096

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

- Human Resources Matter - Section 90(1)(c)
- Litigation - Section 90(1)(g)
- Rise and report on closed session resolutions for the period June 2018 to December 2019 – Section 90

*Motion Carried*

**3. SPECIAL MEETING (7:00 p.m.)**

Council and staff showed their appreciation for the front line workers in Ladysmith by cheering, clapping and showing hearts. The Mayor then gave accolades to front line and healthcare workers, staff and the community for doing their best during this difficult time.

Mayor Stone called this Special Meeting of Council to order at 7:00 p.m., recognizing the traditional territory of the Stz'uminus People.

**4. AGENDA APPROVAL**

**CS 2020-097**

That Council approve the agenda for this Special Meeting of Council for March 31, 2020 as amended to include the following items:

- Item 10.2., "Operational Update"
- Item 12.2., "Correspondence from the Ladysmith Downtown Business Association regarding Downtown Security"
- Item 15, "Question Period"

*Motion Carried*

**5. RISE AND REPORT- Items from Closed Session**

Council rose from Closed Session at 6:24 p.m. with report on the following items:

- CE 2020-033  
That Council appoint Chris Geiger as Chief, Ladysmith Fire and Rescue, in accordance with "Town of Ladysmith Fire Department Bylaw 1965, No. 832", effective April 1, 2020.
- CE 2020-036  
That Council:
  1. Rise with report on routine Closed Session resolutions from the period June 2018 to December 2019 as contained in the attachment to the confidential staff report from the Manager of Legislative Services dated March 17, 2020.
  2. Rise with report on selected resolutions related to the business of Council as contained in the confidential staff report from the Manager of Legislative Services dated March 17, 2020.

CE 2019- 022	March 11, 2019	That Council approve the expropriation of Lot 5, District Lots 24 & 56, Oyster District, Plan 45800 (PID: 010-208-861).
CE 2019- 041	April 15, 2019	<p>That Council approve the request from the Stz'uminus First Nation to utilize 340 meters within the Park (as shown on Plan VIP84843) to reconstruct a former logging road to access logging blocks in Stz'uminus Woodlot W1713 with the following conditions:</p> <ol style="list-style-type: none"> <li>1. Direct staff to work with legal counsel to prepare a one-year, renewable, Parks Use Permit authorizing the construction and use of a logging road subject to receipt of a Band Council resolution from Stz'uminus First Nation that it will actively support the Town to obtain an agreement for the long-term use of existing roads in Woodlot W1713 for access to the Stz'uminus Woodlot and the Town's infrastructure and for public recreation purposes.</li> <li>2. Direct staff to request that Stz'uminus First Nation contribute to the construction of an alternate trail as soon as possible.</li> </ol> <p>OPPOSED: Councillors Jacobson and Virtanen</p>
CE 2019- 042	April 15, 2019	<p>That Council rise with report, at the appropriate time, on the following item:</p> <p>Resolution CE 2019-041</p> <p>That Council approve the request from the Stz'uminus First Nation to utilize 340 meters within the Park (as shown on Plan VIP84843) to reconstruct a former logging road to access logging blocks in Stz'uminus Woodlot W1713 with the following conditions:</p> <ol style="list-style-type: none"> <li>1. Direct staff to work with legal counsel to prepare a one-year, renewable, Parks Use Permit authorizing the construction and use of a logging road subject to receipt of a Band Council resolution from Stz'uminus First Nation that it will actively support the Town to obtain an agreement for the long-term use of existing roads in Woodlot W1713 for access to the Stz'uminus Woodlot and the Town's infrastructure and for public recreation purposes.</li> <li>2. Direct staff to request that Stz'uminus First Nation contribute to the construction of an alternate trail as soon as possible.</li> </ol> <p>OPPOSED: Councillors Jacobson and Virtanen</p> <p>Motion Carried</p> <p>OPPOSED to the Rise and Report Motion: Councillor Johnson</p>

CE 2019- 086	August 12, 2019	That Council approve as amended the draft letter of support provided by Town of Ladysmith staff in response to the Coast Salish Administrative Group request regarding Phase 4 of the Oyster Bay Village.
CE 2019- 006	January 7, 2019	That Council rise at 6:45 p.m. with report on the following: <ul style="list-style-type: none"> <li>• Resolution CE 2019-005</li> </ul> That Council authorize the return of the bid security for the Gill Road Lift Station tender on receipt from the bidder of a duly completed and signed release document prepared by the Town's legal counsel.
CE 2019- 015	February 27, 2019	That Council add the following amendment to the purchase offer for the Town-owned property at 674 Farrell Road: Subject to the Seller having satisfied itself, on or before April 30, 2019, that the cul de sac on the property does not have the status of a public highway under section 42 of the Transportation Act.
CE 2019- 087	August 12, 2019	That Council rise with report, when appropriate, on the following resolution: <ul style="list-style-type: none"> <li>• CE 2019-086</li> </ul> That Council approve as amended the draft letter of support provided by Town of Ladysmith staff in response to the Coast Salish Administrative Group request regarding Phase 4 of the Oyster Bay Village.
CE 2018- 080	August 15, 2018	That Council direct staff to add an addendum to the 4th Avenue Bridge Reconstruction tender which removes the alternate traffic specification and allows the crossing to be closed for the duration of the project. Motion carried. OPPOSED: Councillor Friesenhan
CE 2018- 081	August 15, 2018	That Council direct staff to negotiate with the owner of 1260 Churchill Place to establish a temporary full public access road on the property and/or to acquire the property.
CE 2018- 085	August 20, 2018	That Council receive for information the report from the Waterfront Area Plan Implementation Project Manager, dated August 20, 2018, regarding the status of the Lot 5 offer to purchase.

CE 2018- 089	August 20, 2018	That Council support: 1. The expansion of the Public Works/Engineering building to accommodate the relocation of Building Inspection and Bylaw services within the Infrastructure Services Department and the Development Services department, and 2. The relocation of the Building Inspection service and Bylaw service to the Infrastructure Services Department with the timing of this change to be determined, and 3. Short-term borrowing to finance this construction/renovation project.
CE 2018- 093	August 20, 2018	That Council authorize staff to discuss a potential partnership in the Town's bio-solids treatment plant, and report back to Council with a proposed agreement.
CE 2018- 095	August 20, 2018	MOTION RESCINDED by CE 2018-096 That Council direct staff to proceed with the purchase of 1260 Churchill Place for a price of up to \$900,000, and to expedite rezoning and subdivision of the property.
CE 2018- 096	August 20, 2018	That Council rescind resolution CE 2018-095, "That Council direct staff to proceed with the purchase of 1260 Churchill Place for a price of up to \$900,000, and to expedite rezoning and subdivision of the property." Motion carried. OPPOSED: Councillors Arnett and Paterson
CE 2018- 097	August 20, 2018	That Council direct staff to: 1. Offer to enter into a temporary access agreement with the owner of 1260 Churchill Place, together with an option to purchase the property with a term of up to six months; or, should the owner refuse the temporary access agreement, 2. Authorize staff to purchase 1260 Churchill Place for a price of up to \$900,000.
CE 2018- 109	September 17, 2018	That Council refer the matter of lot 5 expropriation to staff for investigation regarding the possibility of previous Supreme Court decisions recommending an expropriation amount that was significantly higher than the original appraisal conducted by the local government.
CE 2018- 123	October 15, 2018	That Council receive the verbal updates regarding item 5.1., "Outcome of Conversations between the Coast Salish Development Corporation and the Town of Ladysmith" and item 5.2., "Lot 5 Expropriation".

CE 2018- 125	October 15, 2018	MOTION DEFEATED UNANIMOUSLY That Council appoint representatives of the Ladysmith Maritime Society to serve as Directors on the Board of DL 2016 Holdings Corporation, in accordance with the articles of the corporation.
CE 2019- 078	July 8, 2019	That Council receive for information the update on the Parks Use Permit to be issued to Stz'uminus First Nation to permit use of a reactivated logging road that runs across a portion of Town property.
CE 2019- 091	August 19, 2019	That Council direct staff to move to the design phase of the Strategic Plan.
CE 2019- 114	October 21, 2019	That Council authorize staff to: 1. Negotiate the terms of short term scouting and photography for the Resident Alien television show production; 2. Request a delay for up to two weeks in order to properly inform the community; and 3. Communicate the crew's plans to business and building owners in the vicinity of the photography shoots.
CE 2019- 004	January 7, 2019	That Council: 1. Receive the staff report regarding the request from the Stz'uminus First Nation to utilize the Town park as shown on Plan VIP 84843 to reconstruct a road to access logging blocks in lands beyond the park area 2. Refer the matter of issuing a Parks Use Permit authorizing the construction of a logging road to the next Naut'sa Mawt Steering Committee meeting for discussion and clarification, and report back to Council.
CE 2019- 025	March 11, 2019	That Council rise with report, at an appropriate time, on the following item: Resolution CE 2019-022 That Council approve the expropriation of Lot 5, District Lots 24 & 56, Oyster District, Plan 45800 (PID: 010-208-861).

CE 2019- 032	March 18, 2019	<p>That Council rise at 5:32 p.m.with report on the following: Resolution CE 2019-029 That Council reappoint the following existing members of the Town Parks, Recreation &amp; Culture Advisory Committee for a one-year term ending June 30, 2020 (three positions available):</p> <ul style="list-style-type: none"> <li>• Gord Horth</li> <li>• Tara Pollock</li> <li>• Tim Richards</li> </ul> <p>Resolution CE 2019-030 That a sub-committee of Council schedule interviews with the applicants to the Town Parks, Recreation &amp; Culture Advisory Committee for a two-year term ending June 30, 2021 (two positions available), after the sub-committee approves interview questions and process.</p> <p>Resolution CE 2019-031 That Council appoint the following three members to the Council sub-committee responsible for interviewing the applicants to the Town Parks, Recreation &amp; Culture Advisory Committee:</p> <ul style="list-style-type: none"> <li>• Councillor McKay</li> <li>• Councillor Stevens</li> <li>• Councillor Paterson</li> </ul>
CE 2019- 069	June 10, 2019	<p>That Council direct the Chief Administrative Officer to communicate with the administrator of the Around Town – Ladysmith Community Facebook board formally requesting the removal of any and all member comments which pose risk to the health and safety of Town of Ladysmith employees.</p>

## 6. MINUTES

### 6.1 Minutes of the Regular Meeting of Council held March 3, 2020

#### CS 2020-098

That Council approve the minutes of the Regular Meeting of Council held March 3, 2020.

*Motion Carried*

### 6.2 Minutes of the Special Meeting of Council held March 10, 2020

#### CS 2020-099

That Council approve the minutes of the Special Meeting of Council held March 10, 2020.

*Motion Carried*

**6.3 Minutes of the Special Meeting of Council held March 16, 2020  
CS 2020-100**

That Council approve the minutes of the Special Meeting of Council held March 16, 2020.

*Motion Carried*

**7. DEVELOPMENT APPLICATIONS**

Councillor Stevens declared a conflict of interest with the next two agenda items, citing as reasons: his position as chair of the Ladysmith Resources Centre Association Building Committee (item 7.1.); and his ownership of contiguous property (item 8.1.). He recused himself from the meeting during discussion of both items.

**7.1 Development Permit Application – Multi-family Residential  
Development at 314 Buller Street (Ladysmith Resources Centre  
Association)**

**CS 2020-101**

That Council:

1. Issue Development Permit 3060-20-01 for a multi-unit dwelling at 314 Buller Street (PID: 008-705-968).
2. Authorize the Mayor and Corporate Officer to sign Development Permit 3060-20-01.

*Motion Carried*

**8. BYLAWS - OFFICIAL COMMUNITY PLAN AND ZONING**

**8.1 OCP and Zoning Bylaw Amendment Application: 202/204 Dogwood  
Drive**

**CS 2020-102**

That Council adopt "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 30) 2019, No. 2029".

*Motion Carried*

Councillor Stevens returned to the meeting.



**9. COMMITTEE MINUTES**

**9.1 Committee of the Whole Recommendations to Council**

**CS 2020-103**

That Council:

1. Approve the Budget Transfer Policy 05-1680-B, as presented.
2. Direct staff to prepare an amendment to the "Town of Ladysmith Fees and Charges Bylaw 2008, No. 1644" to include:
  - A. False Alarms per calendar year:
    - i. First False Alarm – warning letter
    - ii. Second False Alarm - \$100.00
    - iii. Third and subsequent False Alarms - \$250.00
  - B. Online banking payments – transfers between accounts, per calendar year:
    - i. First transfer – warning letter
    - ii. Second transfer – warning letter
    - iii. Third and subsequent transfers – a fee of 10% of the requested transferred amount with a minimum of \$5.00 to a maximum of \$25.00
3. Direct staff to review the draft bylaw originally initiated by the Green Streets Committee, as well as other options for tree protection in Ladysmith, and report back to Council.

*Motion Carried*

**10. REPORTS**

**10.1 Public Art Banners Selection**

**CS 2020-104**

That Council:

1. Approve the recommendations of the Public Art Banners Assessment Committee for the 2020 Community Banner Program to produce banners based on the following submissions:
  - a. Tree of Life
  - b. Protecting Plants Protects our Lives
  - c. Ladysmith Plantodentron; and
2. Direct staff to proceed with the ordering and placement of the banners as outlined in the 2020 Banner Map previously approved by Council.

*Motion Carried*

OPPOSED: Councillor Johnson

## **10.2 Operational Update**

The management team provided Council with operational updates for each department. The CAO commended Council for their support during these difficult and unprecedented times, and the Mayor thanked staff for their responsiveness and commitment during the ongoing pandemic situation.

## **11. BYLAWS**

### **11.1 Council Remuneration Bylaw Amendment**

#### **CS 2020-105**

That Council adopt "Town of Ladysmith Council Remuneration Bylaw 2018, No. 1986, Amendment Bylaw 2020, No. 2034".

*Motion Carried*

OPPOSED: Councillors Jacobson and Johnson

## **12. CORRESPONDENCE**

### **12.1 Steve Arnett: Boil Water Advisory Issues**

#### **CS 2020-106**

That Council receive the correspondence from Steve Arnett, dated March 6-9, 2020, regarding the Boil Water Advisory situation.

*Motion Carried*

OPPOSED: Councillor Paterson

### **12.2 Correspondence from the Ladysmith Downtown Business Association regarding Downtown Security**

Staff discussed conversations held with the RCMP regarding the increased need for downtown security, as well as discussions held with the Regional Emergency Operations Centre, who have been experiencing similar issues. Staff noted they would continue having discussions with the Ladysmith Downtown Business Association regarding the possibility of engaging Citizens on Patrol, as well as requesting assistance from the Province.

#### **CS 2020-107**

That Council reallocate funds that were earmarked for the cancelled AVICC conference to fund security solutions for the downtown core.

*Motion Defeated*

OPPOSED: Councillors Jacobson, McKay, Stevens, Virtanen

**CS 2020-108**

That Council direct staff to continue to work with the Ladysmith Downtown Business Association on ways the Town may assist with security concerns during COVID-19 and report back to Council if there are any financial implications.

*Motion Carried*

**13. NEW BUSINESS**

**13.1 Union of British Columbia Municipalities (UBCM) Resolutions Process**

**CS 2020-109**

That Council receive for information the correspondence from the Union of British Municipalities (UBCM), dated March 4, 2020, regarding a review of the resolutions process.

*Motion Carried*

**14. QUESTION PERIOD**

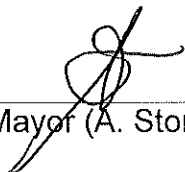
Members of the public emailed questions regarding needs of local charities as well as details regarding plans for Parks and Recreation activities. A member of the public expressed recognition for outgoing Fire Chief, Ray Delcourt, and welcomed incoming Fire Chief, Chris Geiger.

**15. ADJOURNMENT**

**CS 2020-110**

That this Special Meeting of Council adjourn at 8:12 p.m.

*Motion Carried*

  
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Mayor (A. Stone)

  
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Corporate Officer (J. Winter)