



## MINUTES OF A REGULAR MEETING OF COUNCIL

Tuesday, January 25, 2022

6:31 P.M.

City Hall Council Chambers

410 Esplanade

### Council Members Present:

Mayor Aaron Stone

Councillor Amanda Jacobson

Councillor Rob Johnson

Councillor Tricia McKay

Councillor Duck Paterson (via telephone)

Councillor Marsh Stevens

Councillor Jeff Virtanen

### Staff Present:

Allison McCarrick

Erin Anderson

Chris Barfoot

Jake Belobaba

Ryan Bouma

Donna Smith

Chris Geiger

Julie Thompson

Sue Bouma

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## 1. CALL TO ORDER

Mayor Stone called this Regular Meeting of Council to order at 6:31 p.m., in order to retire immediately into Closed Session.

## 2. CLOSED SESSION

### CS 2022-014

That, in accordance with section 90 of the *Community Charter*, Council retire into closed session 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);
- personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity - section 90(1)(b);
- labour relations or other employee relations - section 90(1)(c);
- the security of the property of the municipality - section 90(1)(d);

- 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);
- 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 - section 90(1)(f);
- litigation or potential litigation affecting the municipality - section 90(1)(g);
- the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose - section 90(1)(i);
- 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 - section 90(1)(k); and
- the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party - section 90(2)(b).

*Motion Carried*

### **3. OPEN MEETING AND ACKNOWLEDGEMENT (7:00 P.M.)**

Mayor Stone called the Regular Meeting of Council to order at 7:00 p.m., recognizing with gratitude that it was taking place on the traditional unceded territory of the Stz'uminus First Nation.

### **4. AGENDA APPROVAL**

#### **CS 2022-015**

That Council approve the agenda for this Regular Meeting of Council for January 25, 2022 as amended to include additional public submissions for item 7.1.

*Motion Carried*

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

Council rose from Closed Session at 6:54 p.m. with report on the following:

### **CE 2022-008**

That Council rise with report on closed session resolutions for the period January 2020 to December 2020 contained in Attachment A of the confidential staff report dated January 25, 2022 as follows:

- Routine resolutions highlighted in orange; and
- Resolutions highlighted in green and blue, shown below:
- **CE 2020-013 (February 18, 2020)**  
That Council defer consideration of the request from Ladysmith Search and Rescue to lease the existing vacant building at the Town's Bio Solids Treatment Facility until staff have determined the feasibility of the Town using the building for soil storage.
- **CE 2020-060 (May 5, 2020)**  
That Council grant permission to the COVID-19 Vulnerable Populations Cowichan Task Force to use 20 Buller Street for an Emergency Response Centre for the period of time encompassed by the Joint Provincial Framework, currently set as May 1 – June 30 2020, without the requirement of a Temporary Use Permit.  
OPPOSED: Councillors Johnson, Jacobson and Paterson
- **CE 2020-061 (May 5, 2020)**  
That Council advise the COVID-19 Vulnerable Populations Cowichan Task Force of their decision to authorize the proposed Emergency Response Centre at 20 Buller Street.
- **CE 2020-063 (May 5, 2020)**  
That Council authorize staff to proactively negotiate a Letter of Understanding with CUPE Local 401 mitigating potential impacts of COVID-19 to Town operations and employees.
- **CE 2020-065 (May 5, 2020)**  
That Council rise at 8:58 p.m. with report on item 4.1., "Vulnerable Population COVID-19 Update" at an appropriate time, and item 8.1, "Request for Proposal for the Chief Administrative Officer Executive Search/Recruitment".
- **CE 2020-077 (May 21, 2020)**  
That Council direct staff to invite Jerry Berry Consultants and Ravenhill Smith Search to a future closed Council meeting to present their recruitment services plan for Ladysmith's next Chief Administrative Officer.

- **CE 2020-108 (August 13, 2020)**  
That Council direct the consultants to proceed with reference checks for the preferred candidate for the CAO position.
- **CE 2020-112 (August 18, 2020)**  
That Council authorize the Mayor to present an offer to the preferred candidate for the Chief Administrative Officer position as provided to Council by JB Consultants Inc., subject to a successful meeting between the Mayor and the candidate on Friday, August 21, 2020.
- **CE 2020-153 (November 17, 2020)**  
FINAL RESOLUTION AS AMENDED BY CE 2020-154  
That Council preserve the possibility for inclusion of a track and train inside the Machine Shop.  
Motion Defeated  
OPPOSED: Mayor Stone and Councillors Johnson, McKay, and Paterson
- **CE 2020-154 (November 17, 2020)**  
AMENDS RESOLUTION CE 2020-153  
That resolution CE 2020-153 be amended to include "preserve the possibility for".  
Amendment Carried  
OPPOSED: Mayor Stone and Councillors Johnson and Paterson

*[Note for context only related to CE2020-153 & -154: On December 15, 2020, Council rose and reported on Resolution CE 2020-155 "That Council approve the inclusion of a track and train inside the Machine Shop."]*

## 6. MINUTES

### 6.1 Minutes of the Public Hearing and Regular Meeting of Council held January 11, 2022

#### CS 2022-016

That Council approve the minutes of the Public Hearing and Regular Meeting of Council held January 11, 2022.

*Motion Carried*

## 7. DEVELOPMENT APPLICATIONS

### 7.1 Development Variance Permit Application – 303 Chemainus Road

#### CS 2022-017

That Council issue Development Variance Permit 3090-21-14 to vary the following regulations within the Marine Residential Moorage (W-1) and the Marine Park and Recreation (W-P) zones to facilitate construction of a dock in the Ladysmith Harbour adjacent to the upland property at 303 Chemainus Road:

1. The maximum surface area of dock structures in the W-1 zone from 20m<sup>2</sup> to 138m<sup>2</sup>;
2. The maximum height of dock structures in the W-1 zone from 2.0m to 3.1m;
3. The maximum dock length in the W-1 zone from 30m to 77m;
4. The minimum setback from the Marine Harvesting (W-4) zone in the W-1 zone from 125m to 19m;
5. The minimum clearance above the seabed in the W-1 zone from 2.0m to 1.8m; and
6. The minimum setback from the seaward extension, perpendicular to the shoreline of an adjacent upland side parcel line in the W-P zone from 6m to 0m.

*Motion Carried*

OPPOSED: Councillor Stevens

## 8. REPORTS

### 8.1 Water Billing Adjustments - Methuen

#### CS 2022-018

That Council direct staff to adjust the water billing amounts to zero for Account Nos. 1314000, 0667000, 0666000, 1313100, 0665000, 1317000, 1317100, and 1313000 for 2021 Q4 (October to December 2021) and 2022 Q1 (January to March).

*Motion Carried*

### 8.2 Fire Department Aerial Device

#### CS 2022-019

That Council:

1. Increase the proposed 2022-2026 Financial Plan budgeted amount for the Fire Department Aerial Device Truck (Ladder Truck) to \$2.1 million dollars with the additional funds to be borrowed;

2. Direct staff to proceed with the required process for an Alternative Approval Process;
3. Provide early budget approval in order to facilitate an Alternative Approval Process; and
4. Upon successful completion of an Alternative Approval Process authorize staff to waive the Town's Purchasing Policy and direct award the bid to Fort Garry Fire Trucks in the amount of \$1,899,775 plus applicable taxes.

*Motion Carried*

### **CS 2022-020**

By unanimous consent Council recessed the meeting at 8:13 p.m. for a short break and reconvened at 8:20 p.m.

### **8.3 4th Avenue Reconstruction Update**

#### **CS 2022-021**

That Council direct staff to include in the 2022-2026 Financial Plan the 4<sup>th</sup> Avenue Improvement Project (Root Street to White Street) at a cost of \$1,880,000, with the additional funding to come from the Water Reserve for \$300,000 and the Gas Tax/Canada Community Building Fund up to \$158,000.

*Motion Carried*

## **9. BYLAWS**

### **9.1 Bylaw Status Sheet**

## **10. NEW BUSINESS**

### **10.1 Cowichan Valley Regional District Application for UBCM Community Emergency Support Services Grant**

#### **CS 2022-022**

That Council support the Cowichan Valley Regional District proposal to apply for, receive and manage the UBCM Community Emergency Preparedness Fund Emergency Support Services grant funding on behalf of the Town of Ladysmith.

*Motion Carried*

**11. UNFINISHED BUSINESS**

**11.1 Councillor Johnson's Motion Regarding a Permanent Memorial**

**CS 2022-023**

That Council direct staff to prepare a report for consideration at a future Council meeting, including options and budget for the creation of a permanent memorial such as a wall of honour, listing Citizens of the Year in the Town of Ladysmith and others that have brought honour to, or improved our community.

*Motion Carried*

**12. QUESTION PERIOD**

There were no questions submitted by the public.

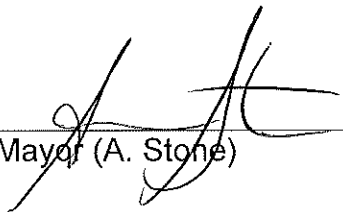
**13. ADJOURNMENT**

**CS 2022-024**

That this Regular Meeting of Council adjourn at 9:06 p.m.

*Motion Carried*

CERTIFIED CORRECT:

  
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Mayor (A. Stone)

  
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Corporate Officer (D. Smith)