



MINUTES OF A REGULAR MEETING OF COUNCIL

Tuesday, December 6, 2022

7:00 P.M.

Ladysmith Seniors Centre

630 2nd Avenue

Council Members Present:

Mayor Aaron Stone

Councillor Ray Gourlay

Councillor Amanda Jacobson

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

Julie Thompson

Matt O'Halloran

Sue Bouma

Andrea Hainrich

1. CALL TO ORDER

Mayor Stone called this Meeting of Council to order at 6:32 p.m., in order to retire immediately into Closed Session.

2. CLOSED SESSION

CS 2022-290

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

- (a) 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; and
- (e) 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.

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 2022-291

That Council approve the agenda for this Regular Meeting of Council for December 6, 2022, as amended to include a public submission for the following item, received after publication of the agenda:

- Item 8.1 "Development Variance Permit Application 3090-22-11: 636 John Wilson Place".

Motion Carried

5. RISE AND REPORT- Items from Closed Session

Council rose from Closed Session at 6:52 p.m. without report.

The following item from the Closed Meeting of Council held October 4, 2022 was reported:

CE 2022-069

That Council:

1. Appoint the following representatives to the Public Art Task Group for a two-year term ending September 30, 2024:
 - Shirley Louie, Stz'uminus First Nation;
 - Ora Steyn, Arts Council of Ladysmith and District;
 - Kathy Holmes, Arts Council of Ladysmith and District;
 - Lynda Baker, Parks, Recreation and Culture Advisory Committee;
 - Julia Noon, Community Youth Member;
 - Gordon Filewych, Parks, Recreation & Culture Advisory Committee;and
2. Rise and report on Recommendation No. 1 once all applicants have been notified.

6. MINUTES

6.1 Minutes of the Regular Meeting of Council held November 15, 2022

CS 2022-292

That Council approve the minutes of the Regular Meeting of Council held November 15, 2022.

Motion Carried

7. DELEGATIONS

7.1 Bikers Against Child Abuse

Tom Goudreau of Bikers Against Child Abuse (BACA) discussed the mission of this international organization and provided an overview of the services they provide for abused children, both locally and throughout the world.

Mayor Stone thanked him for his presentation, and for the work that BACA does.

7.2 Students Taking Action Against Racism

TJ Nyhan, representative from the Students Taking Action Against Racism (STAAR) group at Ladysmith Secondary School, provided an overview of racism in the community and advised Council that they could address racism through their hiring procedures, data collection, dialogue, policies and bylaws.

Mayor Stone thanked TJ for the presentation and expressed enthusiasm about working with TJ and the members of STAAR in the future.

8. DEVELOPMENT APPLICATIONS

8.1 Development Variance Permit Applications – 636 John Wilson Place & 437 Thetis Drive

CS 2022-293

That Council:

1. Issue Development Variance Permit 3090-22-11 to vary section 10.13.5.b) of "Town of Ladysmith Zoning Bylaw 2014, No. 1860" to increase the maximum permitted height of a principal building with

a roof pitch less than 4:12 from 7.5m to 7.7m, at 636 John Wilson Place (Lot 14 District Lot 103 Oyster District Plan EPP98461).

2. Issue Development Variance Permit 3090-22-12 to vary section 10.2.5.a) of "Town of Ladysmith Zoning Bylaw 2014, No. 1860" to increase the maximum permitted height of a principal building from 9.0m to 9.2m at 437 Thetis Drive (Lot 12 District Lot 52 Oyster District Plan VIP86055).

Motion Carried

9. COMMITTEE MINUTES

9.1 Poverty Reduction Task Group - November 9, 2022

CS 2022-294

That Council receive the minutes of the Poverty Reduction Task Group meeting held November 9, 2022.

Motion Carried

10. 2023 - 2027 FINANCIAL PLAN DISCUSSIONS - INTRODUCTION OF GENERAL CAPITAL PROJECTS

10.1 Presentation and Council Discussion

10.1.1 2023 Financial Plan – General Capital Plan

CS 2022-295

That Council confirm the current Financial Plan Policy to include the following:

- the allocation of 10% of the prior year municipal taxes to the general capital fund for 2023; and
- the allocation of 5% of the prior year municipal taxes to the infrastructure reserve for 2023.

Motion Carried

10.2 Public Input and Questions

There were no questions from the public.

11. REPORTS

11.1 2023 Utility Due Dates

CS 2022-296

That Council approve the following utility billing due dates:

- February 24, 2023, for the period October to December 2022;
- May 30, 2023, for the period January to March 2023;
- August 30, 2023, for the period April to June 2023; and
- November 29, 2023, for the period July to September 2023.

Motion Carried

11.2 Adjustment to Water Billing Account

CS 2022-297

That Council provide a partial bill adjustment in the amount of \$3,738.23 to billing Account No. 001-1322300 due to a water leak.

Motion Carried

11.3 High Street Watermain Noise Exemption

CS 2022-298

That Council exempt Milestone Equipment Contracting Inc. from Noise Suppression Bylaw 2003, No. 1478 for an approximate 5-week period of construction for the purposes of watermain replacement on High Street.

Motion Carried

OPPOSED: Councillor Jacobson

11.4 Transfer Beach Accessibility Improvements Contractor

CS 2022-299

That Council:

1. Amend the 2022-2026 Financial Plan to include an additional \$28,640 for the Transfer Beach paving and walkway project, with the funds to come from operational surplus; and
2. Waive the Purchasing Policy and award David Stalker Excavating Ltd. the work described in Attachment A "Quote for T.O.L. – Transfer Beach Accessibility Improvements" in the amount of \$115,783.

Motion Carried

12. BYLAWS

12.1 Bylaws for Adoption

12.1.1 "Noise Suppression Bylaw 2003, No. 1478, Amendment Bylaw 2022, No. 2125"

CS 2022-300

That Council adopt "Noise Suppression Bylaw 2003, No. 1478, Amendment Bylaw 2022, No. 2125".

Motion Carried

12.2 Bylaws for Introduction

12.2.1 "2023 Revenue Anticipation Borrowing Bylaw 2022, No. 2126"

CS 2022-301

That Council give first, second and third readings to "2023 Revenue Anticipation Borrowing Bylaw 2022, No. 2126".

Motion Carried

12.2.2 "Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2022, No. 2127"

CS 2022-302

That Council give first, second and third readings to "Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2022, No. 2127".

Motion Carried

12.2.3 "Sanitary Sewer Rate Bylaw 1999, No. 1299, Amendment Bylaw 2022, No. 2128"

CS 2022-303

That Council give first, second and third readings to "Sanitary Sewer Rate Bylaw 1999, No. 1299, Amendment Bylaw 2022, No. 2128".

Motion Carried

13. QUESTION PERIOD

A member of the public enquired about the potential replacement date of the Welcome to Ladysmith signs on the boundaries of Town.

Staff confirmed that the signs have been ordered through a grant funding process and will be replaced by the end of March 2023.

14. ADJOURNMENT

CS 2022-304

That this Regular Meeting of Council be adjourned at 8:58 p.m.

Motion Carried

CERTIFIED CORRECT

Mayor (A. Stone)

Corporate Officer (M. O'Halloran)