



MINUTES OF A REGULAR MEETING OF COUNCIL

Tuesday, September 26, 2023

7:00 P.M.

Ladysmith Seniors Centre

630 2nd Avenue

Council Members Present:

Mayor Aaron Stone

Councillor Ray Gourlay

Councillor Amanda Jacobson (via Zoom)

Councillor Tricia McKay (via Zoom)

Councillor Duck Paterson

Councillor Marsh Stevens (via Zoom)

Councillor Jeff Virtanen (via Zoom)

Staff Present:

Allison McCarrick

Erin Anderson

Chris Barfoot

Jake Belobaba

Ryan Bouma

Matt O'Halloran

Julie Thompson

Andrea Hainrich

1. CALL TO ORDER

Mayor Stone called this Meeting of Council to order at 5:31 p.m., in order to retire immediately into Closed Session.

2. CLOSED SESSION

CS 2023-215

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

- (1)(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;
- (1) (e) the acquisition, disposition or expropriation of land or improvements;
- (1) (g) litigation or potential litigation affecting the municipality;
- (1) (i) the receipt of advice that is subject to solicitor-client privilege; and
- (2)(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or between a provincial government and a third party.

Motion Carried

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

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

4. AGENDA APPROVAL

CS 2023-216

That Council approve the agenda for this Regular Meeting of Council for September 26, 2023, as amended to include the following items, received after publication of the agenda:

- 7.2. “Heart on the Hill Affordable Housing Project, 314 Buller Street”
Add presentation.
- 12.1.3 “2024 Permissive Tax Exemptions Bylaw 2023, No. 2158”
Replace the bylaw and amend the recommendation to reflect the current year in the bylaw citation.

Motion Carried

5. RISE AND REPORT- Items from Closed Session

Council rose from Closed Session at 6:34 p.m. without report.

6. MINUTES

6.1 Minutes of the Regular Meeting of Council held September 5, 2023

CS 2023-217

That Council approve the minutes of the Regular Meeting of Council held September 5, 2023.

Motion Carried

7. DELEGATIONS

7.1 Take a Hike Foundation

Liam Law of Take a Hike Foundation provided Council with an overview of the mental health services their Foundation provides to youth in the Nanaimo-Ladysmith public school district as well as in the Cowichan District and throughout the island and lower mainland.

Mayor Stone thanked Mr. Law for his presentation and shared his gratitude for what the program provides for youth in the community.

7.2 Heart on the Hill Affordable Housing Project, 314 Buller Street

Ben Checkwitch of Checkwitch Poiron Architects spoke to Council on behalf of Ladysmith Resources Centre Association (LRCA) regarding the screening requirement for the rooftop units at the Heart on the Hill Project located at 314 Buller Street.

8. DEVELOPMENT APPLICATIONS

8.1 Development Permit Amendment – 314 Buller Street

CS 2023-218

That Council issue Development Permit Amendment 3060-22-18 for 314 Buller Street (Lot A (DD B92367) of Block 76 District Lot 56 Oyster District Plan 703A, PID: 008-705-968) to authorize rooftop mechanical equipment on the existing building.

Motion Carried

9. 2024-2028 FINANCIAL PLAN DISCUSSIONS - REGIONAL RECREATION PROGRAM

9.1 Regional Recreation Budget Approval 2024 – Frank Jameson Community Centre

Erin Anderson, Director of Finance presented the proposed Regional Recreation Budget for 2024.

9.2 Public Input and Questions

There were no question from the public

CS 2023-219

That Council approve the 2024 budget for the Frank Jameson Community Centre as presented in the staff report dated September 26, 2023 and direct staff to submit it to the Cowichan Valley Regional District.

Motion Carried

10. COMMITTEE MINUTES

10.1 Community Planning Advisory Committee - September 6, 2023

CS 2023-220

That Council receive the minutes of the Community Planning Advisory Committee meeting held September 6, 2023.

Motion Carried

10.2 Committee of the Whole Recommendations - September 12, 2023

CS 2023-221

That Council:

1. Direct staff to prepare an amendment to the “Town of Ladysmith 2023-2027 Financial Plan Bylaw, 2023 No. 2141” to reflect the changes outlined in the staff report dated September 12, 2023 from the Director of Financial Services.
2. Direct staff to amend the “Town of Ladysmith Fees & Charges Bylaw 2008, No.1644” to include a charge of \$1 per hour for the first two hours and \$2 per hour thereafter for Electric Vehicle Charging.
3. Establish a Rain Barrel Rebate program starting in 2024 to rebate 50 percent to the maximum of \$75 of the cost of one new rain barrel purchased after January 1, 2024, manufactured from a BPA-free Polyethylene material and with the minimum barrel size of 189 litres; and create an annual Rain Barrel Rebate budget of \$7,500 by cancelling and redirecting the budgeted funds from the Low Flow Toilet Rebate program.
4. Not provide Wi-Fi at Aggie Hall.
5. Amend the Town’s Per Diem policy to align the rates with the Provincial Government and to escalate as per the Provincial rates for Council, Staff and Fire Department members.
6. Defer discussion of a possible service agreement for Ladysmith Days to a Closed Meeting of Council.
7. Direct staff to return to a future Committee of the Whole meeting with policy options for allowing livestock, under permit, for plant or weed control.

Motion Carried

11. REPORTS

11.1 2024 Council Meeting Schedule

CS 2023-222

That Council confirm the schedule of regular Council and Committee of the Whole meetings for 2024, as attached to the September 26, 2023 staff report, and direct staff to advertise the schedule in accordance with Section 127 of the *Community Charter*.

Motion Carried

11.2 Rural Economic Diversification and Infrastructure Program (REDIP)

CS 2023-223

That Council direct staff to include in the 2024-2028 Financial Plan \$125,000 for the planning of a mountain bike trail network with the funds to come from the Rural Economic Diversification and Infrastructure Program for \$100,000 and the remainder to come from prior year surplus.

Motion Carried

11.3 2023/2024 Disaster Risk, Climate Adaption Grant Funding

CS 2023-224

That Council direct staff to:

1. Include in the 2024-2028 Financial Plan funding for the Decommissioning of old weirs on the lower portion of Holland Creek, with the funding to come from grants; and
2. Apply for grant funding under the UBCM Community Emergency Preparedness Fund, Disaster Risk Reduction - Climate Adaption stream for the Decommissioning of old weirs on the lower portion of Holland Creek and commit to cover any unexpected ineligible costs and project overruns.

Motion Carried

11.4 Encroachment Agreements – Signing Authority

CS 2023-225

That Council:

1. Authorize the Mayor and Corporate Officer to sign an encroachment agreement for 12 Roberts Street to allow for an overhanging building canopy and lights;
2. Authorize the Mayor and Corporate Officer to sign an encroachment agreement for 32 High Street to allow for a projecting sign;
3. Authorize the Mayor and Corporate Officer to sign an encroachment agreement for 225 High Street to allow for a projecting sign; and
4. Direct staff to bring back policy updates to establish routine signing authority for encroachment agreements.

Motion Carried

12. BYLAWS

12.1 Bylaws for Introduction

12.1.1 “Town of Ladysmith Fees and Charges Bylaw 2008, No. 1644, Amendment Bylaw 2023, No. 2151”

CS 2023-226

That Council give first, second and third readings to “Town of Ladysmith Fees and Charges Bylaw 2008, No. 1644, Amendment Bylaw 2023, No. 2151”.

Motion Carried

12.1.2 "Town of Ladysmith Financial Plan Bylaw 2023, No. 2141, Amendment Bylaw 2023, No. 2157"

CS 2023-227

That Council give the first, second and third readings to "Town of Ladysmith Financial Plan Bylaw 2023, No. 2141, Amendment Bylaw 2023, No. 2157".

Motion Carried

12.1.3 "2024 Permissive Tax Exemptions Bylaw 2023, No. 2158"

CS 2023-228

That Council give first, second and third readings to "2024 Permissive Tax Exemptions Bylaw 2023, No. 2158".

Motion Carried

OPPOSED: Councillors Stevens and Jacobson.

12.2 Bylaw Status Sheet

13. NEW BUSINESS

Council discussed the recent Union of British Columbia Municipalities (UBCM) convention and discussed some of the conversations and discussions that took place over the week.

14. QUESTION PERIOD

A member of the public asked about cemetery fees and the removal of the weir on the Holland Creek Trail as presented in the Council Agenda.

15. ADJOURNMENT

CS 2023-229

That this Regular Meeting of Council be adjourned at 8:06 p.m.

Motion Carried

CERTIFIED CORRECT

Mayor (A. Stone)

Corporate Officer (M. O'Halloran)