

The Regular Meeting of City Council was held in the Council Chamber, City Hall, 200 Craig Street, Duncan, BC at 7:30 p.m., June 27, 2005.

Present: Mayor Michael Coleman;  
Councillors Sharon Jackson, Phil Kent and Ken Newcomb.

Absent With Prior Notice: Councillors Mike Caljouw, Jenny Farkas and Geoff Maxwell.

Also

Present: Paul Douville, City Administrator.

His Worship Mayor Michael Coleman opened the Council Meeting with a prayer and called for order.

### **Approval of Agenda**

Agenda

Movd. Councillor P. Kent  
Secd. Councillor K. Newcomb  
THAT the Agenda for the June 27, 2005 Regular Meeting of City Council be approved.

Carried.

### **Adoption of Minutes**

Minutes

Movd. Councillor S. Jackson  
Secd. Councillor K. Newcomb  
THAT the Minutes of the Regular Meeting of City Council held June 13, 2005 be adopted.

Carried.

### **Introduction of Late Items**

Late Items

It was agreed that the following late items be included in this agenda:

- Letter dated June 24, 2005 from the City Square Manager, Duncan Business Improvement Area Society (DBIAS) regarding the proposed lease of a portion of Winery Mews to the Royal Canadian Legion Branch #53.
- Letter received June 27, 2005 from Royal Canadian Legion Branch #53 wherein they withdraw their application for use of a portion of Winery Mews between City Hall and the Canada Building.
- Cowichan Place resolution regarding the next steps proposal.
- Letter and next steps proposal dated June 25, 2005 from Trillium Business Strategies Inc. regarding funding for the next steps proposal.

### **Delegation**

Warren Chapman -  
Proposed Tree  
Protection Bylaw  
(Private Property)

For consideration was a letter dated June 15, 2005 from Warren Chapman advising of research that he and others have done regarding a proposed Tree Protection Bylaw. Mr. Chapman addressed Council and commenced by listing several benefits that trees provide to the community as a whole and the environment.

Mr. Chapman said that an inventory would be needed for determining heritage trees, threatened species, significant trees and protected trees. He noted that in particular that threatened species include all Dogwood, Garry Oak, Oregon Ash and Yew trees with a diameter of 20 centimeters (8" or more).

Mr. Chapman made reference to the tree preservation/protection bylaws in existence in the Town of Sidney and the District of North Saanich.

The delegate was advised by members of Council of the "Green Streets Project" in which the City is participating with the Cowichan Tribes. This project will identify the types of trees that Mr. Chapman outlined in his presentation and will recommend the placement of additional trees throughout the community.

Movd. Councillor S. Jackson  
Secd. Councillor P. Kent

THAT the June 15, 2005 presentation from Warren Chapman regarding a Tree Preservation Bylaw be referred to the General Purposes Committee.

Carried.

Councillor Newcomb dissenting.

Mr. Chapman was thanked for his presentation and he remained for the balance of the Council meeting.

#### **Report of the Chief Administrative Officer**

Administrator's  
Report

Mr. Douville reported on the following items:

- The Inflow and Infiltration project permanent patches are now in place. The one exception is the area on Canada Avenue at Evans Street which involves a new connection to the sanitary sewer force main.
- Street line painting is progressing weather permitting.
- Hydrants have been replaced on Coronation Avenue and the paving between Howard and Whistler should commence within the next couple of weeks.
- The report on Cowichan Place will be presented later in this meeting.

#### **Unfinished Business**

DBIAS - 2005  
Summer  
Festival  
Activities

Movd. Councillor K. Newcomb  
Secd. Councillor P. Kent

THAT Council authorize compliance with the requests for the 2005 Summer Festival outlined in the June 15, 2005 letter from the Duncan Business Improvement Area Society (DBIAS).

Carried.

Powel's Men's Wear  
Ltd. (Craig Street  
Brew Pub) -  
Building  
Encroachment  
Agreement

Movd. Councillor S. Jackson  
Secd. Councillor K. Newcomb

THAT the Council of the City of Duncan authorize execution of the Building Encroachment Agreement with Powel's Men's Wear Ltd. (Inc. No. 26398; Tenant: Craig Street Brew Pub) regarding the miniscule encroachment of their building onto the Craig and Government Streets sidewalks (Lot 1, except part in Plan 338 BL; and Lot 2, both of Section 17, Range 6, Quamichan District, Plan 2631);

AND THAT Powel's Men's Wear Ltd. be required to consolidate these two (2) lots prior to an Occupancy Permit being issued for the Craig Street Brew Pub.

Carried.

Councillor Kent dissenting.

Cowichan Sportsplex  
- Project Update

Movd. Councillor K. Newcomb  
Secd. Councillor S. Jackson

THAT the letter dated June 1, 2005 from the Cowichan Sportsplex, wherein they provide an update on their various projects, be received, the contents noted and filed.

Carried.

Mandatory Standards  
for Home Inspectors

Movd. Councillor K. Newcomb  
Secd. Councillor P. Kent

THAT the following items of correspondence, regarding Mandatory Standards for Home Inspectors, be received, the contents noted and filed:

- Letter dated June 8, 2005 from the Honourable Gerry Armstrong, Deputy Minister - Ministry of Community Services
- Letter dated April 13, 2005 to Premier Gordon Campbell
- Letter dated June 14, 2005 from the Canadian Association of Home & Property Inspectors (BC)
- Letter dated March 29, 2005 from the Canadian Association of Home & Property Inspectors (BC).

Carried.

### **Correspondence**

BC Seniors Games -  
10 KM Road Race  
and Road Walk

Movd. Councillor P. Kent  
Secd. Councillor S. Jackson

THAT City Council authorize the Cowichan 2005 BC Seniors Games Society to stage a "10 KM Road Race and Road Walk" on Saturday, August 27<sup>th</sup>, 2005 on the roadways within the City as outlined in their June 10, 2005 letter;

AND THAT the Cowichan 2005 BC Seniors Games Society be requested to contact the District of North Cowichan for the portion of the route in their jurisdiction;

AND THAT this authorization be subject to the event not interfering with the movement of vehicular or pedestrian traffic

and subject to proper marshalling being provided throughout the route by the event coordinators;

AND THAT the Cowichan 2005 BC Seniors Games Society hold harmless the City of Duncan from any and all possible liability claims relating to this event;

AND THAT the City of Duncan be named as an "additional insured party" on a \$2 million per occurrence liability insurance policy.

Carried.

Neighbourhood  
Recreational House  
for Youth

Movd. Councillor S. Jackson

Secd. Councillor K. Newcomb

THAT the letter dated June 17, 2005 from Meaghan Beattie-Audet, Cowichan Valley Open Learning Co-Op student, regarding a Neighbourhood Recreational House for Youth, be referred to the Cowichan Centre Commission and to Community Service Clubs for consideration.

Carried.

Cowichan Valley Bar  
Association -  
Michael Coleman  
Recognition (FCM  
President)

Movd. Councillor K. Newcomb

Secd. Councillor P. Kent

THAT the June 17, 2005 letter from Glen Ridgway on behalf of the Cowichan Valley Bar Association, regarding recognition of Mayor Michael Coleman as recently elected President of the Federation of Canadian Municipalities, be referred to the Public Works Committee.

Carried.

### **Reports of Committees, COTW and Commissions**

#### General Purposes Committee

For consideration were the notes of the June 20, 2005 meeting.

Low Flush Toilet  
Rebate

Movd. Councillor S. Jackson

Secd. Councillor K. Newcomb

THAT the Council of the City of Duncan adopt the following policy:

THAT residents of the City of Duncan, that replace a 13 litre or 20 litre flush toilet in their home with a Low or Dual flush toilet, be provided with a rebate if they provide satisfactory evidence of the replacement and of the appropriate disposal/destruction of the old toilet;

AND THAT where the replacement toilet is a Low flush model the rebate shall be \$60 and where the replacement toilet is a Dual flush model the rebate shall be \$100;

AND THAT there be a lifetime maximum of two rebates per residence;

AND FURTHER THAT where new construction is occurring, property owners be provided with a rebate of the difference between the two rebates (\$40) when the new installation is a Dual flush (3/6) model with no maximum number of rebates.

Carried.

On a question, the Administrator advised that the Policy would apply for apartment and condominium unit residences. The Administrator was asked to provide a subsequent recommendation regarding the possibility of providing the rebate for toilet conversions in commercial premises.

McKinstry Road  
Traffic

Movd. Councillor S. Jackson  
Secd. Councillor K. Newcomb

THAT the letter dated June 8, 2005 from the Rivers Edge Strata Council, regarding alleged traffic problems on McKinstry Road between Al Wilson Grove and Trunk Road, be referred to the Public Works Superintendent for recommendation.

Carried.

Hotels, Motels &  
B & B Surcharge

Movd. Councillor P. Kent  
Secd. Councillor K. Newcomb

THAT the letter dated June 12, 2005 from John Richmond, regarding the possible implementation of a Hotels, Motels & B & B Surcharge, be referred to the Economic Development Commission of the Cowichan Valley Regional District for consideration and recommendation.

Carried.

Public Art Policy

Movd. Councillor S. Jackson  
Secd. Councillor K. Newcomb

THAT the Council of the City of Duncan adopt the Public Art Policy dated June 6, 2005.

Carried.

Legion - Use of  
Lane Between City  
Hall and the Canada  
Building

It was noted that the Royal Canadian Legion Branch #53 have temporarily withdrawn their request to use a portion of Winery Mews between City Hall and the Canada Building.

Movd. Councillor P. Kent  
Secd. Councillor S. Jackson

THAT the letter dated June 24, 2005 from the City Square Manager, DBIAS, regarding needed conditions for the proposed lease of space of Winery Mews to the Legion and the letter received June 27, 2005 from the Legion, wherein they temporarily withdraw their application, be received, the contents noted and filed.

Carried.

Cowichan Valley  
Pesticide Reduction  
Strategy

Movd. Councillor S. Jackson  
Secd. Councillor P. Kent

THAT the Council of the City of Duncan agree "In Principle" with the "Cowichan Valley Pesticide Reduction Strategy";

AND THAT the Cowichan Valley Regional District be advised that the City of Duncan operates under its own Integrated Pest Management Program (IPM) and only marginally uses pesticides (i.e. includes herbicides) and does not use pesticides for non-essential purposes.

Carried.

Planning & Priorities Committee

For consideration were the notes of the June 20, 2005 meeting.

Development Permit  
Fee - Cosmetic  
Improvements

Movd. Councillor P. Kent  
Secd. Councillor S. Jackson

THAT an amendment to the Fees and Charges Bylaw No. 1759, 1995 be processed establishing a \$10.00 fee for cosmetic improvements to structures within Development Permit Areas (e.g. canopies, facades and painting);

AND THAT a \$100.00 fine be established for not securing a Development Permit in this regard;

AND THAT the City offer to provide professional advice to proponents who wish to cosmetically improve their structures.

Carried.

Craig Street  
Revitalization  
Project

Movd. Councillor P. Kent  
Secd. Councillor S. Jackson

THAT the Council of the City of Duncan correspond with the property and business owners on Craig Street between Government and Kenneth Streets outlining the following:

- The preferred option is Option 1
- Cost sharing will be 60-City/40-Property Owners for this project and subsequent projects
- Amendments and input to the concept are welcome
- Should the City proceed with the concept (legal approval of property owners required)?  YES  NO
- Respond within 2 weeks.

Carried.

Cowichan Place  
and Next Steps  
Proposal

Movd. Councillor S. Jackson  
Secd. Councillor P. Kent

THAT in view of the considerable support of the Cowichan Place Development Concept Plan received throughout the extensive public consultation process, the Council of the City of Duncan recommends "In Principle" that further planning and development commence immediately as per the recommended next steps as outlined in Attachment "A".

(Note: Council will be provided with a project timeline, cost estimate and proposed cost-sharing arrangement among the five (5) partners for subsequent consideration for approval by City Council.)

Carried.

Movd. Councillor P. Kent  
Secd. Councillor S. Jackson

THAT the budget for the Cowichan Place Development Concept Plan and the "Next Steps Proposal" be increased from \$6,000.00 (already expended) to a maximum of \$30,000.00."

Carried.

## Miscellaneous

Councillor Kent reported on the following items:

- At the June 23, 2005 meeting of the TCH Corridor Traffic Management Plan Study Steering Committee, the final report was ratified. He said a presentation will be made to City Council and the principals of the other partners as soon as possible. He said the goal is to have a public Open House on this issue in early September.
- Also on June 23, 2005, he attended the District of North Cowichan Public Open House at Alexander School regarding the James/Dingwall/Alexander Streets neighbourhood plan discussion.

On behalf of Councillor Maxwell, Mayor Coleman reported that the recent Cowichan Valley Garden Tour, raised \$10,172.00 for "Cowichan Family Life". He advised that the Alexander Resource Centre is now in operation noting that over 500 families are involved and receiving advice and assistance.

Mayor Coleman reported on the following items:

- On June 15, he participated in the Awards Ceremony for the Malaspina University College Cowichan Campus Graduation Ceremonies.
- On June 23, he and members of Council participated in the Parking Management Philosophy Workshop.
- On June 25, he represented the City of Duncan in the Chemainus Parade.
- On June 25, he participated in the Rotary Club 75<sup>th</sup> anniversary celebration.

He wished everybody a happy Canada Day, which is occurring on Friday of this week.

## Special Meeting

Movd. Councillor S. Jackson

Secd. Councillor P. Kent

THAT the Council of the City of Duncan resolve into Special Meeting (Committee of the Whole) to discuss legal and personnel issues;

AND THAT persons other than Council Members and the Corporate Officer be excluded from this meeting (Section 242.3 - Local Government Act).

Carried.

At 8:40 p.m., City Council resolved into Special Meeting.

At 9:14 p.m., the following Motion was PUT:

Movd. Councillor S. Jackson

Secd. Councillor K. Newcomb

THAT this meeting of City Council rise and Report to City Council.

Carried.

Director of Finance Movd. Councillor P. Kent  
 - Confirmation Secd. Councillor K. Newcomb

THAT Peter de Verteuil be confirmed as full-time permanent Director of Finance/Deputy Administrator for the City of Duncan (6 months probationary period ended June 5, 2005);

AND THAT his starting annual salary be increased from \$70,000 to \$76,000 effective July 1, 2005 (note: subject to possible subsequent 2005 increase).

Carried.

Adjournment

At 9:15 p.m., the meeting adjourned.

Movd. Councillor S. Jackson  
 Secd. Councillor P. Kent

THAT this meeting of City Council do now adjourn.

Carried.

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Michael Coleman  
 Mayor

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Paul Douville  
 Corporate Officer