

The Regular Meeting of City Council was held in the Council Chamber, City Hall, 200 Craig Street, Duncan, BC at 7:30 p.m., April 10, 2006.

Present: Mayor Phil Kent; Councillors Ray Cadorette, Mike Caljouw, Paul Fletcher, Sharon Jackson, Ken Newcomb and Jesse Winfrey.

Also

Present: Paul Douville - City Administrator.

His Worship Mayor Kent opened the Council Meeting with an affirmation and called for order.

Approval of Agenda

Agenda

Movd. Councillor S. Jackson
Secd. Councillor J. Winfrey
THAT the Agenda for the April 10, 2006 Regular Meeting of City Council be approved.

Carried.

Adoption of Minutes

Minutes

Movd. Councillor K. Newcomb
Secd. Councillor M. Caljouw
THAT the Minutes of the Regular Meeting of City Council held March 27, 2006 be adopted.

Carried.

Introduction of Late Items

Late Item

The Administrator introduced a letter dated April 3, 2006 from Volunteer Cowichan regarding the proposed Royal Canadian Legion outdoor patio in Winery Mews. This item will be considered under "Unfinished Business".

Delegations

John Hood - Totem Print

Artist John Hood presented Council with a print of the Corky Baines Totem Pole. Mayor Kent received the print and thanked Mr. Hood for his beautiful work in this regard.

Geoff Millar - UBCM Tourism Funding Program

With the aid of a PowerPoint presentation, Geoff Millar, Economic Development Commission Manager, addressed Council regarding the UBCM Tourism Funding Program.

In September 2004, Premier Gordon Campbell announced this \$25 million program noting that the first round disbursements would be \$12.5 million. For the Cowichan Valley, the following funds are available from the \$12.5 million Phase 1 allocation by the UBCM:

CVRD	\$200,051.20
Duncan	\$ 38,904.80
Ladysmith	\$ 53,356.48
Lake Cowichan	\$ 25,728.50
North Cowichan	\$180,837.43
Total	<u>\$498,878.41</u>

Under the CVRD Regional Tourism Services proposed program, the 1st Phase work is estimated as follows:

Tourism Website	\$ 15,000.
Regional Tourism Signage Program	\$ 50,000.
Regional Visitor Services Program	\$ 35,000.
Total	<u>\$100,000.</u>

The intention is to fund these programs on the following basis:

CVRD	\$ 40,000
District of North Cowichan	\$ 32,500.
Ladysmith	\$ 15,000.
Duncan	\$ 7,500.
Lake Cowichan	\$ 5,000.
Total	<u>\$100,000.</u>

Mr. Millar requested Council to provide \$7,500. of their share of the UBCM Tourism Funding for this first step of Phase 1 of the Regional Tourism Program.

Movd. Councillor P. Fletcher
Secd. Councillor K. Newcomb

THAT the April 10, 2006 request from the CVRD for a contribution of \$7,500. of the City of Duncan's share of the UBCM Tourism Funding Program be referred to the Finance Committee.

Carried.

Mr. Millar was thanked for his presentation and he left the meeting.

Report of Chief Administrative Officer

Administrator's
Report

Mr. Douville reported on the following items:

- The larger paving projects will commence the first week of May with pre-grinding on Canada Avenue and the other budgeted roadways.
- 50 of the DBIAS banners are now installed and more are to be installed.
- Spring cleanup of parks and other public areas is in full swing.
- Curb painting, line painting, parking stall painting, etc. are now commencing.

Unfinished Business

Trans Canada
Highway Corridor
Management Plan -
Drinkwater Road to
Cowichan Bay Road

Movd. Councillor S. Jackson
Secd. Councillor R. Cadorette

THAT the e-mail dated April 6, 2006 from the Council of the Municipality of North Cowichan, wherein they advise of endorsing "in principle" the Trans Canada Highway Corridor Management Plan, be received, the contents noted and filed.

Carried.

Movd. Councillor K. Newcomb

Secd. Councillor M. Caljouw

THAT the Council of the City of Duncan endorse "in principle" the Trans Canada Highway Corridor Management Plan - Drinkwater Road to Cowichan Bay Road, prepared by Urban Systems, and agree to continue to meet with the District of North Cowichan, Cowichan Tribes, the Cowichan Valley Regional District, the Ministry of Transportation and stakeholders (the working group) with a goal to refining and implementing the plan.

Carried.

Councillor Fletcher dissenting.

DBIAS - 2006
Budget

Movd. Councillor S. Jackson

Secd. Councillor J. Winfrey

THAT Council receive and approve the Duncan Business Improvement Area Society (DBIAS) 2006 Budget.

Carried.

Volunteer Cowichan
- Legion Outdoor
Patio (Winery Mews)

Movd. Councillor S. Jackson

Secd. Councillor M. Caljouw

THAT the April 3, 2006 letter from Volunteer Cowichan, wherein they express opposition to the Royal Canadian Legion Winery Mews Patio between City Hall and the Canada Building, be received, the contents noted and filed noting that:

- The public walkway width beside this patio will be 5 feet (usual public sidewalk width)
- The result of the poll that was previously conducted by City officials, regarding this patio area, was 19 "In Favour" and 2 "Opposed".

Carried.

Correspondence

BCBC - Crown
Corporation to
Ministry of Labour
and Citizen
Services

Movd. Councillor R. Cadorette

Secd. Councillor J. Winfrey

THAT the letter dated March 22, 2006 from the BC Buildings Corporation (BCBC) wherein they advise that they are being shifted from a Crown Corporation to the Ministry of Labour and Citizen Services, be received, the contents noted and filed.

Carried.

"Float Follies"
Book - Glenda
Osborne

Movd. Councillor K. Newcomb

Secd. Councillor S. Jackson

THAT the letter dated March 30, 2006 from Glenda Osborne, Author of "Float Follies", wherein she advises of the availability of her book, be received, the contents noted and filed.

Carried.

4th Annual Rick
Hansen Wheels in
Motion Day - June
11, 2006

It was noted that the City Square has been booked for the 4th Annual Rick Hansen Wheels in Motion Day on June 11, 2006.

Movd. Councillor P. Fletcher
Secd. Councillor M. Caljouw

THAT the Council of the City of Duncan authorize the temporary streets closures outlined in the April 3, 2006 letter from James Coleman (Duncan Wheels in Motion Organizing Committee) for the 11:30 a.m. - 2:30 p.m., June 11, 2006 (Sunday) Rick Hansen Wheels In Motion event subject to:

- The Duncan Wheels in Motion Organizing Committee being responsible for coordinating the event with the Duncan Business Improvement Area Society (DBIAS; City Square Manager; route marshalling, etc.).
- The Duncan Wheels in Motion Organizing Committee providing liability insurance for a minimum of \$2,000,000 per occurrence for this event. A certificate showing this coverage and indicating that the City of Duncan is an "Additional Insured Party" is to be provided to the City Administrator well in advance of the event.
- The Duncan Wheels in Motion Organizing Committee saving harmless the City of Duncan from any and all possible liability claims.
- The Duncan Wheels in Motion Organizing Committee advertising the proposed event in the local newspapers so that residents and others along the route have an opportunity to gain more information and provide comment to City Council if they desire to do so.
- The Duncan Wheels in Motion Organizing Committee meeting with officials of the churches on this route to determine the best method of avoiding possible conflicts with vehicle operators from their congregations.

Carried.

United Church -
Disabled Persons
Parking Stall

For consideration were the following items:

- Letter dated March 29, 2006 from the Duncan United Church
- Memo dated April 5, 2006 from the Commissionaire Sergeant

Movd. Councillor K. Newcomb
Secd. Councillor J. Winfrey

THAT in response to the March 29, 2006 letter from the Duncan United Church, Council authorize a Disabled Persons Parking Stall on the west-side of Jubilee Street immediately south of Ingram Street.

Carried.

Standards for BC
Home & Property
Inspection

For consideration were the following items:

- Letter dated March 18, 2006 from the Canadian Association of Home & Property Inspectors (BC)
- Letter dated April 13, 2005 to Premier Gordon Campbell from the City Administrator

Movd. Councillor M. Caljouw

Secd. Councillor J. Winfrey

THAT the Council of the City of Duncan forward the March 28, 2006 letter from the Canadian Association of Home & Property Inspectors (BC), regarding needed training, registration and licensing of Home & Property Inspectors, to Premier Gordon Campbell requesting the comments of the Province of BC on this file.

Amendment Movd. Councillor J. Winfrey

Amendment Secd. Councillor M. Caljouw

AND THAT Premier Campbell be advised of the following:

- Home buyers in our community deserve this consumer protection
- Our municipality and dozens of other local governments wrote to him on this issue last year and are still waiting for BC Government action
- CAHPI (BC), the Province's largest Home Inspection Association, and one that trains and registers BC Home Inspectors, is ready to take on the licensing system for Home and Property Inspectors in BC so that home buyers in BC finally have the protection they need and deserve.

The Amendment was PUT and CARRIED.

The Main Motion, as amended, was PUT and CARRIED.

2006 Big Bike
Event for Heart
& Stroke

Movd. Councillor M. Caljouw

Secd. Councillor J. Winfrey

THAT City Council authorize the Heart & Stroke Foundation, Cowichan Branch to hold their 2006 Big Bike Event for Heart & Stroke on May 27 & 28, 2006 as requested in their March 28, 2006 letter, subject to the following:

- The RCMP, North Cowichan/Duncan Detachment being fully informed and involved as much as possible.
- 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.

- The Heart & Stroke Foundation of BC & Yukon (Duncan Branch) holding harmless the City of Duncan from any and all possible liability claims relating to this event.
- The City of Duncan being named as an "additional insured party" on a minimum \$2 million per occurrence liability insurance policy (proof of insurance requested).

Carried.

Salvation Army -
Red Shield Appeal

Movd. Councillor P. Fletcher
Secd. Councillor K. Newcomb

THAT the Council of the City of Duncan proclaim May 1, 2006 as "Kick-Off Day" for the Salvation Army Red Shield Appeal;

AND THAT the Salvation Army Flag be flown at City Hall during the week of May 1 - 7, 2006.

Carried.

Reports of Committees, COTW and Commissions

General Purposes Committee

For consideration were the notes of the April 3, 2006 meeting.

Chief Elected
Officials Forum

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

THAT Council authorize Mayor Phil Kent to attend the May 17 & 18, 2006 UBCM 2nd Chief Elected Officials Forum (\$375.00 + GST plus hotel at \$149.00 + taxes (17%).

Carried.

Queen Margaret's
School - 2010
Olympic/Paralympic
Live Sites Program

Movd. Councillor R. Cadorette
Secd. Councillor K. Newcomb

THAT the Council of the City of Duncan support in principle the "Spirit of 2010 Olympic/Paralympic Live Sites Program" funding application by Queen Margaret's School as outlined in their March 21, 2006 letter to Council.

Carried.

Paratransit 2006/07
Annual Operating
Agreement

Movd. Councillor S. Jackson
Secd. Councillor M. Caljouw

THAT Council authorize the Mayor and City Administrator to execute the 2006/07 Annual Operating Agreement (AOA) between the City of Duncan, BC Transit and Volunteer Cowichan for the Cowichan Valley Paratransit System.

Carried.

Finance Committee

Warrant No.
3-2006

Movd. Councillor M. Caljouw
Secd. Councillor S. Jackson

THAT Warrant No. 03-2006 covering General Account cheque numbers

11215 - 111375 in the total amount of	\$319,370.63
- Payroll Account - Payroll #05 covering cheque numbers 3925 - 3959 & direct deposits in the amount of	48,948.95
- Payroll #06 covering cheque numbers 3960 - 3973 and direct deposits in the amount of	<u>37,924.89</u>
GRAND TOTAL	<u>\$368,319.58</u>

be ratified.

Carried.

Public Works Committee

For consideration were the notes of the April 3, 2006 meeting.

731 Coronation Avenue - Driveway Widening

Movd. Councillor K. Newcomb
Secd. Councillor S. Jackson
THAT the March 22, 2006 request from Kent Sandman, to have his driveway widened at 731 Coronation Avenue be denied, noting that this is a single-family residential area (i.e. low profile home occupations only are permitted).

Carried.

DBIAS Banners - Additional Banner Arms

Movd. Councillor K. Newcomb
Secd. Councillor R. Cadorette
THAT in order to accommodate the new DBIAS banners, banner arms be installed on the light standards along the railway tracks at a cost of \$3,500 noting that the DBIAS will contribute \$1,500 of this amount;
AND THAT \$2,000 be appropriated from the Christmas Decoration Reserve Account noting that these banner arms will also be used to display Christmas banners during the winter season.

Carried.

Solstice and Winter Banners - DBIAS

Movd. Councillor K. Newcomb
Secd. Councillor S. Jackson
THAT Council request the Duncan Business Improvement Area Society to consider another project to obtain Solstice and Winter theme banners for subsequent public display.

Carried.

Speed Limit and Rumble Strips on a Portion of Government Street

Movd. Councillor K. Newcomb
Secd. Councillor P. Fletcher
THAT the speed limit on Government Street between Station Street and Boundary Road be reduced from 50 kms/h (30 mph) to 30 kms/h (19 mph);
AND THAT warning rumble strips be installed on the asphalt surface on Government Street west of Boundary Road and east of Station Street to warn of the reduced speed zone and the pedestrian crosswalks in this area;

AND THAT the crosswalks in this area be painted wider with improved signage being erected.

Amendment Movd. Councillor M. Caljouw
Amendment Secd. Councillor S. Jackson

THAT the previous Motion be Amended by deleting proposition number 2 (i.e. not install rumble strips).

The Amendment was PUT and CARRIED.

The Main Motion, as amended, was PUT and CARRIED.

Planning & Priorities Committee

For consideration were the notes of the April 3, 2006 meeting.

120 Beech Avenue -
Possible Rezoning

Movd. Councillor S. Jackson
Secd. Councillor M. Caljouw

THAT Council advise Kevin Weaver that they would entertain a rezoning application from R-1 (Urban Residential) to RM-1 (Low Density Multi-Family Residential) to accommodate 2 duplexes and 1 single family dwelling at 120 Beech Avenue.

Carried.

Parks & Recreation Committee

For consideration were the notes of the April 3, 2006 meeting.

Centennial Heights
Parks Evaluation
Report

Movd. Councillor P. Fletcher
Secd. Councillor S. Jackson

THAT Council authorize proceeding with arborist evaluations where necessary and pruning as outlined in the March 16, 2006 Centennial Heights Parks Evaluation Report from the Operations Manager subject to 2006 Budget provisions.

Carried.

Communications Committee

For consideration were the notes of the April 3, 2006 meeting.

2006 At-A-Glance
Ferry Brochure

Movd. Councillor J. Winfrey
Secd. Councillor M. Caljouw

THAT the City not advertise in the 2006 "At-A-Glance Ferry Brochure" being produced by Pink Creative Concepts noting the DBIAS is planning to place a full-page ad in this publication (hopefully the inside cover).

Carried.

Building Statistics
Report - March 2006

Movd. Councillor K. Newcomb
Secd. Councillor M. Caljouw

THAT the Building Statistics Report for March 2006 be received, the contents noted and filed.

Carried.

Advisory Planning Commission

For consideration were the notes of the March 29, 2006 meeting.

Official Community
Plan Review

Movd. Councillor S. Jackson
Secd. Councillor R. Cadorette

THAT as recommended by the Advisory Planning Commission, City Council retain Urban Aspects Consulting Group Ltd. for \$65,826, including GST and expenses, for the Official Community Plan process, noting that perhaps more and shorter workshops would be required and that the timeline needs to be revised.

Carried.

Natural Steps On-
Line Course

Movd. Councillor S. Jackson
Secd. Councillor M. Caljouw

THAT as recommended by the Advisory Planning Commission, Council authorize 4 APC members (Jeff Downie, Kathy Coster, Rob Conway and Kate Miller) to participate in the "Natural Steps On-line Course" for \$120.00 each;

AND THAT these 4 APC members be requested to report back to the balance of the APC members and to City Council upon completion of the on-line course.

Movd. Councillor P. Fletcher
Secd. Councillor K. Newcomb

THAT the resolution, regarding APC Members participation in the "Natural Steps On-Line Course", be referred to the General Purposes Committee.

Carried.

Councillor Caljouw dissenting.

Reports from Council Members

Council Reports

Councillor Cadorette reported on the following items:

- On March 29, 2006, he attended the Canadian Cancer Society Daffodil Luncheon held at the Eagles Hall. The event was very well attended. Special thanks were extended to the RCMP and the Eagles Ladies Auxiliary for serving lunch.
- On March 30, 2006, he attended a Special Board Meeting of the Duncan-Cowichan Chamber of Commerce. The topic of discussion was the relocation of the Visitor Info Centre. Council can expect a presentation from the Chamber on this subject in the near future at the Committee level.
- On March 31 and April 1, 2006, he attended the Vancouver Island Regional

Library Board meeting in Nanaimo.

- On April 4, 2006, he attended the Regular Board meeting of the Duncan-Cowichan Chamber of Commerce. The Chamber has an enthusiastic Board group and is working diligently to enhance quality networking/learning experiences for its members. There are new members joining every month.

Councillor Jackson reported that on April 8, she participated in the Lions District Convention as Deputy Mayor.

She reminded the viewing audience and everyone in attendance to attend the Public Meeting regarding the 2006 Budget from 5:00 p.m. to 7:00 p.m. in the Council Chamber on April 12, 2006.

Councillor Jackson reported that the Association of Vancouver Island & Coastal Communities (AVICC) presented Councillor Caljouw with a Certificate of Appreciation at the April 7 - 9, 2005 Convention for his more than 25 years of service on City Council. Councillor Caljouw now has 31 years of service.

Councillor Newcomb reported on the April 3, 2006 tour of Aquatic Facilities in Courtenay and Nanaimo by the Pool Design Select Committee regarding the proposed new aquatic facility. He said this was a very worthwhile venture.

Mayor Kent reported that he, Councillor Caljouw, Councillor Winfrey and Mr. Douville attended the April 7, 8 & 9, 2006 AVICC Convention in Oak Bay. He said that this Convention dovetailed with the 100th Anniversary Celebration of the District of Oak Bay.

Bylaws

Official Community
Plan Bylaw No.
1762, Amendment
Bylaw No. 1998,
2006 (Riparian
Areas Regulations
Development Permit
Area)

Movd. Councillor K. Newcomb
Secd. Councillor S. Jackson
 THAT "Official Community Plan Bylaw
No. 1762, Amendment Bylaw No. 1998, 2006" be
reconsidered, finally passed and adopted
(Riparian Areas Regulations Development
Permit Area).

Carried.

City of Duncan Off-
Street Parking and
Loading Bylaw No.
1784, 1996,
Amendment Bylaw No.
2000, 2006

Movd. Councillor J. Winfrey
Secd. Councillor S. Jackson
 THAT Council give leave to Councillor
K. Newcomb to introduce "City of Duncan
Payment In Lieu of Parking Bylaw No. 1784,
1996 Amendment Bylaw No. 2000, 2006".

Carried.

Movd. Councillor K. Newcomb

Secd. Councillor M. Caljouw

THAT "City of Duncan Off-Street Parking and Loading Bylaw No. 1784, 2006, Amendment Bylaw No. 2000, 2006" be read for the first time.

Carried.

Movd. Councillor S. Jackson

Secd. Councillor R. Cadorette

THAT "City of Duncan Off-Street Parking and Loading Bylaw No. 1784, 2006, Amendment Bylaw No. 2000, 2006" be read for the second time.

Carried.

Movd. Councillor M. Caljouw

Secd. Councillor S. Jackson

THAT "City of Duncan Off-Street Parking and Loading Bylaw No. 1784, 2006, Amendment Bylaw No. 2000, 2006" be read for the third time.

Carried.

Question Period - Council

Question Period

Councillor Fletcher asked the Administrator why the clock in the City Hall clock tower is not functioning. Subsequent to the meeting, the Administrator determined that the clock has been stopped for maintenance purposes and should be up and running in the not-to-distant future.

New Business

World Water Day

Movd. Councillor P. Fletcher

Secd. Councillor S. Jackson

WHEREAS March 22 was World Water Day;
AND WHEREAS one in six people in the world do not have access to clean drinking water;

AND WHEREAS the UN Conference on Water in 1977 in Mar del Plata affirmed the right of all persons to access clean drinking water in order to satisfy their fundamental needs;

AND WHEREAS current World Bank loans for water services in developing countries, frequently require the privatization of those services or an increase in water prices, thereby jeopardizing citizens' access to safe drinking water;

AND WHEREAS Canadian municipalities are stewards of public water and can use their important role to keep community water systems in public hands and influence both provincial and federal governments in the fight to protect public water;

THEREFORE BE IT RESOLVED THAT this Council recognize and affirm that:

- Water is a sacred gift that connects all life
- Access to clean water is a basic human right
- The value of Earth's fresh water to the common good takes priority over any possible commercial value
- Fresh water is a sacred legacy, a public trust and a collective responsibility;

BE IT FURTHER RESOLVED THAT this Council call upon the federal government to urge to World Bank to ensure access to clean, affordable water for the world's poor, and strengthen the role of the public sector and individual communities in setting water policies and delivering and regulating water services.

Carried.

466 Chesterfield
Street - DVP
Application

For consideration were the following items:

- Report dated March 28, 2006 from the Building Inspector
- DVP Application dated March 13, 2006 from Tony van de Mortel.

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

THAT as recommended by the Building Inspector and noting the Contractor error in constructing single-family dwelling #3 at the strata development at 466 Chesterfield Avenue (Strata Lot 3, Section 17, Range 7, Quamichan District, Strata Plan VIS5552), Council authorize the commencement of the Development Variance Permit process to consider reducing the rear-yard setback from 7.5 metres (24.6 ft.) to 7.32 metres (24 ft.), which is a difference of .18 metres (.6 ft.), and reducing the side-yard setback from 1.5 metres (4.9 ft.) to 1.47 metres (4.82 ft.), which is a difference of .03 metres (1 3/16").

Carried.

Special Council
Meeting

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

THAT the Council of the City of Duncan resolve into Special Meeting (Committee of the Whole) to consider property issues;

AND THAT persons other than Council Members, the Corporate Officer and the Municipality of North Cowichan Administrator, Jim Dias, be excluded from this meeting (Sections 90, 91 and 92 - Community Charter).

Carried.

At 9:35 p.m., City Council resolved into Special Meeting.

At 10:40 p.m., the following Motion was Put:

Adjournment

Movd. Councillor S. Jackson

Secd. Councillor M. Caljouw

THAT the Special Meeting of City

Council rise;

AND THAT this meeting do now adjourn.

Carried.

Phil Kent
Mayor

Paul Douville
Corporate Officer