

The Regular Meeting of City Council was held in the Council Chamber, City Hall, 200 Craig Street, Duncan, BC at 7:30 p.m., May 8, 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 K. Newcomb

THAT the Agenda for the May 8, 2006 Regular Meeting of City Council with the addition of an appointment to the Totems Committee Chair under "New Business" be approved.

Carried.

Adoption of Minutes

Minutes

Movd. Councillor M. Caljouw

Secd. Councillor J. Winfrey

THAT the Minutes of the Regular Meeting of City Council held April 24, 2006 be adopted.

Carried.

Public and Statutory Hearings and Third Reading or Adoption of Bylaws Where Applicable After Each Hearing

466 Chesterfield Avenue -
Development
Variance Permit

For consideration were the following items:

- Development Variance Permit Application from Tony van de Mortel
- Letter dated April 18, 2006 to property owners/occupants within 200' of 466 Chesterfield Street
- Resolution adopted by City Council on April 10, 2006:

"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")."

At the request of Mayor Kent, Mr. Douville advised that all legal notices were distributed, as required by the Local Government Act, outlined the required variance and advised that no letters were received for or against the proposal.

Mayor Kent called for further input three times and none was forthcoming.

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

THAT the Public Hearing now close.

Carried.

Movd. Councillor M. Caljouw
Secd. Councillor R. Cadorette

THAT a Development Variance Permit be approved for Strata Lot 3, Section 17, Range 7, Quamichan District, Strata Plan VIS5552) (466 Chesterfield Avenue) 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.

Delegations

Duncan-Cowichan
Festival Society

Representing the Duncan-Cowichan Festival Society, Chris Menu, Executive Director, addressed Council. He presented their annual requests for the 2006 Summer Festival scheduled for July 9 - 15, 2006. He noted that the Society normally simply mails this letter and they thought it would be better to present it personally so that the new Councillors could get to know Jim Painter, the President, who was also present at this meeting and himself as the Executive Director.

Mr. Menu noted that this is the 27th Annual Summer Festival and he expressed much appreciation to the City Council for their ongoing support. They also expressed appreciation to the Public Works crew members, the Administration and Commissionaires for their support and work on their Festival.

Noting that there is now a new parade route, which avoids Trunk Road and Government Street, Mr. Menu advised all property owners and tenants along the new route would be advised well before the July 15 parade. He also advised that Parade Marshalls will be stationed at the various intersections to permit pedestrian and vehicular traffic across the parade route should there be a

lull in the passing parade.

Mr. Menu noted that entertainment has been lined up for the entire week with one of the highlights being Del Richards and his Big Band sound.

Mr. Menu 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 summer students started work on May 1 and will provide manpower for a higher level of maintenance. He noted that the students were provided with an excellent 2-hour safety orientation session prior to commencing work.
- The concrete pavers in the Craig Street portion of the City Square have now all been removed and replaced with stamped concrete by Duncan Paving.
- Large utility services are currently underway for the Cowichan Gaming Centre on Cowichan Tribes Lands at the TCH and Cowichan Way, the Teasdale subdivision off of Sherman Road and other major developments.
- The tennis courts in Rotary Park will be surface painted soon and the playing lines will be installed.
- New paving work on Canada Avenue, Islay Street and Coronation Avenue was completed last week by Duncan Paving.

Unfinished Business

Concept of Regional
Seniors Advocacy
Offices

Movd. Councillor S. Jackson

Secd. Councillor K. Newcomb

THAT the letter dated May 1, 2006 from the Premier of BC, the Honourable Gordon Campbell, in reply to our March 30, 2006 letter, regarding the concept of Regional Seniors Advocacy Office, be received, the contents noted and filed.

Carried.

Mr. Douville was asked to forward both of these letters to the local Seniors Advisory Committee.

Correspondence

Elk's - Summer
Festival Beer
Garden

Movd. Councillor S. Jackson

Secd. Councillor M. Caljouw

THAT the Council of the City of Duncan indicate that they have no objection to the Duncan Elks Lodge No. 69 staging a beer garden between 12:00 noon and 9:00 p.m. on July 14 & 15, 2006 (Friday & Saturday) during the 2006 Summer Festival subject to the required approvals through the RCMP and the following conditions:

- Stage to face south, east or in the best location to accommodate a reduced noise level (Note: If the stage is located on the north end of the Elks parking lot, the back of the stage is to be sound-proofed)
- Elks not having live music between 6:00 p.m. and 9:00 p.m. on Friday evening (July 14; they can have low volume canned music at this time) unless "Bistro 161" Restaurant does not object to bullet number 2
- Adherence to the Beer Garden Policy;

AND THAT Council note that the Duncan Elks Lodge No. 69 intends to donate the proceeds of this event to a charity of their choice.

Carried.

Annual Car Picnic

Movd. Councillor M. Caljouw

Secd. Councillor J. Winfrey

THAT the April 23, 2006 request from Colin Heasley be endorsed;

AND THAT the owners and enthusiasts of interesting cars be permitted to gather at the Train Station Parking Lot from 10:00 a.m. to 12:00 noon on Sunday, August 13, 2006 prior to their annual Picnic at Brentwood College.

Carried.

CIBC - Hot Dog Sale

Movd. Councillor S. Jackson

Secd. Councillor K. Newcomb

THAT the Council of the City of Duncan authorize the Duncan Branch of the CIBC to hold a hot dog sale on the sidewalk immediately in front of the Branch (116 Station Street) on Friday, May 26, 2006 with the proceeds of the sale to be donated to the BC Children's Hospital.

Carried.

Duncan Wheels In Motion Project - Centennial Park Pathways

Movd. Councillor S. Jackson

Secd. Councillor M. Caljouw

THAT in response to the April 27, 2006 letter from the Secretary of the Rick Hansen Wheels In Motion Committee, regarding 50% of the proceeds of money raised at the June 11, 2006 event, the Council of the City of Duncan endorse the application to the Rick Hansen Man In Motion Foundation.

Carried.

ALS Awareness Month

Movd. Councillor S. Jackson

Secd. Councillor K. Newcomb

THAT the month of June 2006 be proclaimed as "ALS (Amyotrophic Lateral Sclerosis/Lou Gehrig's) Awareness Month" in the City of Duncan as requested in the April 26, 2006 letter from the ALS Society of BC.

Carried.

Royal Canadian
Legion - Keys to
the City

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

THAT the Council of the City of Duncan endorse the Royal Canadian Legion "Keys to the City" proclamation as requested in the April 25, 2006 letter from the Cowichan Branch (BC/Yukon) #53 Royal Canadian Legion.

Carried.

TOPS Walk

For consideration was a letter dated April 27, 2006 from TOPS (Take Off Pounds Sensibly) Area Coordinator.

Movd. Councillor S. Jackson
Secd. Councillor J. Winfrey

THAT City Council authorize the local TOPS Chapter to stage a "Walk" on May 27, 2006 (Saturday), on the SIDEWALKS of the roadways within the City as outlined in their April 29, 2006 e-mail;

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 local TOPS Chapter 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.

National Aboriginal
Day

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

THAT the letter dated April 18, 2006 from Indian and Northern Affairs Canada and an e-mail dated May 3, 2006 from the Cowichan Tribes Treaty Department, regarding the events scheduled for National Aboriginal Day on June 21, 2006, be received, the contents noted and filed.

Carried.

Royal Canadian
Legion - June 4,
2006 Celebration

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

THAT the Council of the City of Duncan authorize all aspects of the Royal Canadian Legion (Cowichan Branch) Pacific #53) June 4, 2006 (SUNDAY) ceremonies and celebration (80th Anniversaries (#53 and Royal Canadian Legion), Freedom of the City and Branch #53 Official Reopening) as outlined in their May 3, 2006 letter signed by President Bill Hayner noting they have been working with the City Square Manager subject to:

- Royal Canadian Legion, Cowichan Branch (Pacific) #53, Public Liability

Insurance covering all the aspects of the event (minimum \$2 million per occurrence and the City of Duncan being named as an "Additional Insured" party)

- The Legion Branch holding harmless the City from any and all possible liability claims
- The Legion Branch ensuring that all public property is left in a clean and undamaged condition;

AND THAT Council extend sincere congratulations to Cowichan Branch (Pacific) #53 Royal Canadian Legion on their 80th Anniversary and on the official reopening of their home in the Canada Building at 225 Canada Avenue.

Carried.

Reports of Committees, COTW and Commissions

General Purposes Committee

For consideration were the notes of the May 1, 2006 meeting.

Deceased Ronald
Thompson - Dumpster
Emptying Protocol

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

THAT the Council of the City of Duncan ask the waste management companies to confirm what safety measures and plans are in place in order to prevent future unfortunate incidences such as the one involving Ronald Thompson, homeless person, recently found deceased following a dumpster emptying incident;

AND THAT it be suggested that such measures include the necessity for garbage truck drivers to look inside of unlocked garbage bins before emptying them.

Carried.

Strategic Plan
2006

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

1. That the Short Term Action Chart be adopted by Council for continuous use at each Council meeting and quarterly review.
2. That the Priority Work Programs be adopted by Council as working documents for further development and regular review.
3. That the Chief Administrative Officer (CAO) and staff complete the development of the Operational Strategies Work Program by August 2006.
4. That Council adopts a regular schedule of "strategic sessions" to discuss strategic issues and update strategic priorities.
5. That the Chief Administrative Officer (CAO) organize a priority setting system review session by August 2006 and an annual review by December 2006.

6. That Council adopts the "Decision Making Guidelines" and requests the Chief Administrative Officer (CAO) to initiate use of the Request for Decision (& Direction Request) formats.
7. That Council adopts the "Success Indicator Guidelines" and initiates Regular Council/Chief Administrative Officer (CAO) sessions.

Carried.

Public Works Committee

For consideration were the notes of the May 1, 2006 meeting.

Canada Avenue/Trunk Road Intersection

Movd. Councillor K. Newcomb

Secd. Councillor S. Jackson

THAT the City proceed to preliminary design of the proposed traffic configuration for the Canada Avenue/Trunk Road intersection;

AND THAT Delcan Engineering be contracted to perform the work.

Carried.

Planning & Priorities Committee

For consideration were the notes of the May 1, 2006 meeting.

Turtle Island Eco Store (192 Kenneth Street) - Facade Painting

Movd. Councillor S. Jackson

Secd. Councillor R. Cadorette

THAT a Development Permit be issued for facade painting of the Turtle Island Eco Store at 192 Kenneth Street (storefront - Bonaparte (red); trim - Powell Buff (beige) noting that unfortunately the applicant proceeded to paint the facade without the necessary permit.

Carried.

OCP Review

Councillor Jackson reported that City Council and the Advisory Planning Commission met with the OCP Review Consultants on May 4, 2006. This significant project is now underway.

Building Statistics Report - April 2006

Movd. Councillor K. Newcomb

Secd. Councillor S. Jackson

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

Carried.

Council Reports

Mayor Kent reported on the following items:

- At the recent CVRD Regional Services Committee, the Strategic Directions were adopted and recommended to the CVRD Board.
- On April 27, he and North Cowichan Mayor Jon Lefebure met with the Minister of Transportation, the Honourable Kevin Falcon regarding the TCH Corridor Traffic Management Plan. He noted that

the Minister had been fully briefed on the report and that he was clear on the priorities in the Province. The Minister indicated that a bypass for Duncan is not on the radar on the present time. However, the Minister did indicate that they would work with City Council on intersection, access and network improvements.

- Also on April 27, he and North Cowichan Mayor Jon Lefebure met with the Minister of Advanced Education, the Honourable Murray Coell, regarding the Cowichan Place concept. He said they received a very warm reception from the Minister and were advised that the Ministry is onside with this concept and supports a joint facility campus with School District 79. The Minister said that he would discuss the concept with the Honourable Shirley Bond, Minister of Education, in an attempt to get them onside with the Minister of Advanced Education.
- He advised that meetings have been held with the Cowichan Exhibition Society regarding the possible move of the Exhibition to lands outside of the community core.
- He noted that the Junior Council provided an excellent and interesting performance on April 27, 2006.
- On April 28, he participated in the Vancouver Island Loggers Safety event. He noted that 43 loggers were killed on the job in 2005.
- On May 1, he attended the A-Channel media event wherein they announced the commencement of a daily Vancouver Island Report at 6:30 p.m.
- Also on May 1, he officiated at the Salvation Army Red Shield Appeal Flag Raising Ceremony.
- On May 2, he and North Cowichan Mayor Jon Lefebure attended a Cowichan Tribes Council meeting. Mayor Kent said that this is the first time this has occurred in his recollection and noted that they were very warmly received. The Mayors outlined the new aquatic facility proposal for the Tribes Council, inviting their input into the design and décor and asking them to consider a possible partnership. He noted that one of the Tribes Councillors said "Thank you for opening the door."
- On May 5, he hosted Rotarian delegates from New Delhi, India at City Hall. Later he enjoyed a dinner with the delegates and the Duncan Daybreak Rotary Club where fruitful discussions were held with the New Delhi delegates.

Bylaws

- Financial Plan
Bylaw No. 2001,
2006 Movd. Councillor M. Caljouw
 Secd. Councillor S. Jackson
 THAT "Financial Plan Bylaw No. 2001,
2006" be reconsidered, finally passed and
adopted.
Carried.
- Tax Rates Bylaw No. Movd. Councillor J. Winfrey
2002, 2006 Secd. Councillor K. Newcomb
 THAT "Tax Rates Bylaw No. 2002, 2006"
be reconsidered, finally passed and adopted.
Carried.
- Election Bylaw No. Movd. Councillor M. Caljouw
2003, 2006 Secd. Councillor K. Newcomb
 THAT "Election Bylaw No. 2003, 2006" be
reconsidered, finally passed and adopted.
Carried.

Question Period - Council

- Council Questions Councillor Fletcher asked whether we could
loan generators and tables and chairs for the
June 21, 2006 Aboriginal Day Celebration.
- The Administrator noted that there is a
Council Policy stating that City vehicles,
equipment and apparatus no longer be loaned
out with the exception of formal mutual aid
agreements (Fire Departments). He also noted
that we only have a couple of long tables and
that our stacking chairs would not be
suitable for grassed areas.
- On a question regarding line painting, the
Administrator advised that the contractor
should be painting the long lines within the
next couple of weeks.
- On a question, it was noted that except for
the May long weekend (May 19 - 22), the TCH
Corridor will be resurfaced through Duncan
from May 13 - June 9, 2006.
- Regarding a possible temporary roof for the
City Square stage, it was noted that the
Director of Finance has this subject on his
"to do" list.

New Business

- Totem Committee Movd. Councillor S. Jackson
Chair Appointment Secd. Councillor J. Winfrey
 THAT as recommended by Mayor Kent,
Councillor Paul Fletcher be appointed Chair
of the Totem Committee.
Carried.

The Administrator was asked to check on the status of the other appointments to the Totem Committee and advise Councillor Fletcher accordingly.

Special Council
Meeting

Movd. Councillor M. Caljouw
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 Director of Finance be excluded from this meeting (Sections 90, 91 and 92 - Community Charter).

Carried.

At 8:35 p.m., City Council resolved into Special Meeting.

At 9:40 p.m., the following Motion was Put:

Adjournment

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

THAT the Special Meeting of City Council rise;

AND THAT this meeting do now adjourn.

Carried.

Phil Kent
Mayor

Paul Douville
Corporate Officer