

City of Duncan Regular Council Minutes

The Regular Meeting of City Council was held in the Council Chamber, City Hall, 200 Craig Street, Duncan BC, at 7:30 p.m. on Monday, February 25, 2008.

Present
Mayor Phil Kent
Councillor Ray Cadorette
Councillor Mike Caljouw
Councillor Paul Fletcher
Councillor Sharon Jackson
Councillor Jesse Winfrey

Absent with Notice
Councillor Ken Newcomb

Also Present
Tom Ireland – Chief Administrative Officer
Peter de Verteuil – Director of Finance
Lynn Ketch – Director of Corporate Services

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

Approval of Agenda

Agenda
R-57-08
Moved by Councillor Jackson
Seconded by Councillor Winfrey
That the Agenda be approved as circulated.

CARRIED

Adoption of Minutes

Minutes
R-58-08
Moved by Councillor Caljouw
Seconded by Councillor Cadorette
That the Minutes of the February 11, 2008 Regular Council Meeting be adopted.

CARRIED

Introduction of Late Items

Late Items
R-59-08
Moved by Councillor Winfrey
Seconded by Councillor Jackson
That the following items be added to the Agenda:

- Island Rail Corridor – Letter of Support Request – **New Business**;
- Earth Hour – March 29-08 (verbal report from Councillor Jackson) – **New Business**.

CARRIED

Delegations

Make a Difference Club – Banning Plastic Grocery Bags

Debbie Smith and several members (7 and 8 year old students) of the Make A Difference Club, from Bench Elementary School, made a presentation to Council including a short movie presentation entitled “Plastic Never Dies”.

The group advised Council of the following:

- 15 billion plastic bags are used every year in Canada and 100 billion in the US. The bags ultimately end up in garbage facilities, blow into trees or wash down creeks into the ocean causing injury and death to animals and birds.
- Plastic never breaks down it just gets smaller and animals mistake it for food.
- Plastic bags are made from oil and gas. Plastic pellets not properly disposed of will go into the ocean harming wildlife and the environment.
- 80% of garbage in the ocean is made of plastic.

In closing, the group advised that the goal of the Club is to educate the public and have plastic grocery bags banned in the Cowichan Valley. The Club sells cloth bags with proceeds going to help the blind in Miramar and the homeless in Duncan.

The Mayor advised that Council would like a letter from the Club with a specific request, within Council’s powers, with respect to banning plastic grocery bags in the City.

The Mayor and Councillors thanked the group for a most excellent presentation.

Cowichan Search and Rescue Society

Denis Huet, President of Cowichan Search and Rescue Society, addressed Council to clarify their position as an emergency service provider and also to update Council on their past successes, present state of affairs and future planned projects.

The Cowichan Search and Rescue Society is a non-profit Society, operating under the Provincial Emergency Program and the members are trained by the BC Justice Institute. They cover an area from the Malahat to the Chemainus River and all land between the two coasts on Vancouver Island falling within that parameter. They have 40 active members trained in rope rescue, swift water rescue and human tracking in all weather situations. Over the last 5 years, they have averaged 15 search and rescue missions per year as well as mutual aid in others areas of the province.

Darren Hart then addressed Council advising that through fundraising efforts and monies from the Gaming Commission, they will be able to build of a state of the art command vehicle at a cost of \$175,000. They have been working on this project for over

**Battery Caged
Chickens/Hygienically
Housed Hens**

a year now and need another \$75,000 to complete the project. It will be 1 of 5 in the province and will replace the aging 1982 vehicle currently being used by the Society.

Mr. Hart and Mr. Huet were thanked for their presentation and they left the meeting, along with the first delegation.

Jennifer Woike spoke on behalf of Farmer Ben's Eggs Farm addressing Council's decision (R-44-08) to use only free-range or free-run whole (shell) eggs.

Among other comments, Ms. Woike stated the following:

- As a farmer, she cares about all animals, including the caged laying hens;
- Consumers should have a right to choice of all types of egg products available;
- Over the years, the egg production industry has evolved to where it is today because of food safety and sanitation concerns;
- Commercially reared layers are fed high quality, antibiotic and hormone free feed rations. Feces and other contaminants are kept separate from the eggs;
- Eggs are gathered frequently, ensuring freshness;
- The stair step cage system allows all birds similar access to feed and water while ensuring they are free from parasites and predators;
- 131 registered producers in BC raise 2.3 million layers, producing 54 million dozen eggs, adding \$75 million to the provincial economy;
- Registered producers follow the Recommended Code of Practice for the Care and Handling of Poultry which was jointly developed by egg industry stakeholders, the Province of BC, Humane Societies and Veterinarians;
- These hens are housed in clean, well ventilated buildings with controlled climate and feeding systems;
- Hens raised outside are a magnet to rodents, diseases and predators.

In closing, Ms. Woike noted that she is not opposed to free run, free range or organically produced eggs, but is opposed to Council suggesting what is morally right for the general public based on misinformation.

On a question from Councillor Fletcher, Ms. Woike invited Council to tour Farmer Ben's egg farm.

Report of the Chief Administrative Officer

CAO Report

The CAO, Tom Ireland, presented his report to Council:

- Attended three meetings to interview and ultimately select the consultants for the CVRD Floodplain Management Study that is soon to be underway.
- Met with administrator of North Cowichan and the provincially appointed fact finder to review the recent history regarding Cowichan Place.
- Attended a very informative two day session put on by The Alternative Board, regarding Managing your business. The TAB Boards® consist of presidents, CEOs, owners, and managing partners of privately owned businesses. It was interesting to see how they approach issues of leadership and achieving success.
- Attended a CAOs meeting in Ladysmith with the CAO of the CVRD, North Cowichan, Lake Cowichan, and Ladysmith.
- Met with the Administrator and HR manager of the district of North Cowichan to discuss mutual HR matters.
- Have had discussion with Sherwood House lawyer regarding registration of public rights of way for the sidewalks and the covenant related to us of the property and parking.
- Continuing discussions with Shell Canada regarding additional drilling in Coronation Avenue and the storage of propane as it affects occupancy of the new Sunridge development.
- Received a Development Permit application for signage at 281 Canada Avenue – staff can and will issue this DP
- Worked with the developer of 560 Jubilee to ensure his plans for a new multi-family development complied with our Design Guidelines and were sufficiently complete to present to Council.
- Assisted with finalizing the Purchase and Development Agreement of Cowichan Place lands to Malaspina University-College.
- Worked with the DBIAS to ensure their spring needs related to the City Square would be met (stage tent cover, washrooms, electricity, garbage receptacles).
- Interviewed candidates and made an accepted offer to an individual for the position of Director of Public Works. A public announcement will be made shortly.
- Granted a six-month extension to the preliminary subdivision approval for a proposed subdivision at 120 Beech Avenue.

Correspondence

**Community Social
Services Awareness
Month - Proclamation**

Moved by Councillor Winfrey
Seconded by Councillor Cadorette
That March 2008 be proclaimed as “Community Social Services Awareness Month” in the City of Duncan.

R-60-08

CARRIED

Reports of Mayor and Council and Committees

Committee of the Whole Report

Moved by Councillor Caljouw
Seconded by Councillor Jackson

That items 1 - 3 of the February 18, 2008 Committee of the Whole meeting report be adopted:

R-61-08

1. **That** Council advise the Cowichan Valley Regional District that the City's interests are unaffected in the matter of rezoning Lot 1, Section 13, Range 6, Quamichan District, Plan 9381 (PID: 000-255-432), 2930 Allenby Road, to permit light industrial uses on the subject property.
2. **That** the Council of the City of Duncan endorse "in principle" the CanSpell National Spelling Bee for 2008 initiative sponsored by the Times Colonist newspaper; **AND THAT** letters of support be sent to School District 79 and the Times Colonist; **AND THAT** a letter of encouragement be sent to the students who are participating in the Duncan area.
3. **That** Council approve the placement of the "Bear Above Cub" totem pole close to the front wall of the building at 164 Kenneth Street so as not to impair the view from the street level window.

CARRIED

Committee of the Whole Minutes

Moved by Councillor Jackson
Seconded by Councillor Winfrey

That the Minutes of the Committee of the Whole Meeting of February 18, 2008 be adopted.

R-62-08

CARRIED

Mayor and Council Reports

- Mayor Kent reported on the following:
 - Starting on February 12, he attended the Local Government Leadership Academy. It was an excellent forum. Hopefully, more Councilors will be able to attend the next sessions as they are more in-depth than UBCM or AVICC workshops. Robert Joseph did an excellent presentation on working with Aboriginal peoples.
 - He recently met with Mr. Alexander regarding the Cowichan Place project and expects to receive feedback soon.
 - He attended the second meeting of the Cowichan 2008 Legacy, a group of leaders brought together through the NAIG to establish a legacy after the Games. More information will be coming to Council soon
 - He attended the NAIG opening of the Volunteer Centre and was able to use his new drumming skills.

- Councillor Cadorette reported on the following:
 - On February 13, he attended the CVRD Engineering Committee and CVRD Board meetings on behalf of Mayor Kent.
 - On February 16, he attended the Cowichan Valley Dialogue on Multiculturalism at the Eagles Hall, It was well attended and provided an opportunity for all the various cultures of the Cowichan Valley to gather and share in an exchange of ideas, feelings and understandings.
 - On Feb 19, he attended the Special Meeting at North Cowichan.
 - On February 21, he attended the opening of the NAIG Volunteer Centre.
- Councillor Jackson reported on the following:
 - On February 21, she attended the Canadian Mental Health Homelessness meeting and learned that over this past winter there were 5 people using the homeless shelter who are working but cannot afford to pay rent in the Cowichan Valley.
 - On February 23, she attended a food security workshop at the Duncan United Church.

Reports of Staff

**2008 Regional District
Budget Increases**

Council briefly reviewed the February 21, 2008 memo from the Director of Finance regarding the proposed 2008 Cowichan Valley Regional District budget increases. It was noted that at present, the 2008 requisition to the City of Duncan is 9.3% over last year. The next CVRD budget meeting is scheduled for February 29.

Bylaws

**Dog Licence and
Control Bylaw No.
2048, 2008**

R-63-08

Moved by Councillor Jackson
Seconded by Councillor Winfrey
That Dog Licence and Control Bylaw No. 2048, 2008 be introduced and given first and second reading.

CARRIED

**MTI Implementation
Amendment Bylaw
No. 2050, 2008**

R-64-08

Moved by Councillor Jackson
Seconded by Councillor Caljouw
That MTI Implementation Amendment Bylaw No. 2050, 2008 be introduced and given first and second reading.

CARRIED

**Streets Bylaw
Amendment Bylaw
No. 2049, 2008**
R-65-08

Moved by Councillor Winfrey
Seconded by Councillor Cadorette
That Streets Bylaw Amendment Bylaw No. 2049, 2008 be
introduced and given first, second and third reading.

CARRIED
COUNCILLOR FLETCHER OPPOSED

**Officers and Officials
Bylaw Amendment
Bylaw No. 2047, 2008**
R-66-08

Moved by Councillor Jackson
Seconded by Councillor Winfrey
That City of Duncan Officers and Officials Bylaw Amendment
Bylaw No. 2047, 2008 be finally adopted.

CARRIED

Question Period

**Ban of Plastic
Grocery Bags**

On a question from Councillor Fletcher, the Mayor advised that a letter will be coming from students at Bench School regarding banning of plastic grocery bags and it will then be referred to a Committee of the Whole meeting. Staff was requested to determine the outcome of a similar request to Council last year.

**X-Ray Machine to
Meru X-Ray Services,
Kenya, Africa**

On a question from Councillor Jackson, staff was requested to determine and advise Council the outcome of a request from Meru X-Ray Services, Meru, Kenya, Africa, for the donation of a used x-ray machine. Councillor Winfrey recalled that VIHA advised that they did not have a machine to donate, but would find one for the City to purchase and donate.

New Business

Reporting Out

**Reporting Out from
the February 18, 2008
Closed COW Meeting**

Strategic Planning Material and Short Term Action Chart

That Council endorse the Strategic Planning Material from the January 21, 2008 Strategic Planning session;
And That the Short Term Action Chart be attached to all Regular Council and Committee of the Whole Agenda packages.

Aquannis Centre

That Council give notice to the Cowichan Valley Regional District that it intends to terminate the November 17, 1980 agreement for the management and control of the swimming pool facility known as the Aquannis Centre, effective September 15, 2008.

Director of Corporate Services Position

That Council appoint Lynn Ketch to the position of Director of Corporate Services and Head of the City of Duncan for the

purposes of the Freedom of Information and Protection of Privacy Act, effective March 1, 2008 until February 28, 2009.

Ms. Ketch is currently Acting Director of Corporate Services.

Island Corridor Coalition

R-67-08

Moved by Councillor Jackson
Seconded by Councillor Cadorette

That a letter of support “in principle” for a campaign to bring the Island Rail Corridor to its full potential be sent to the Island Corridor Coalition.

CARRIED

Earth Hour

Councillor Jackson noted that cities all over the world will be turning out lights (except for emergency lights) on March 29 from 8:00 p.m. until 9:00 p.m. to bring attention to global warming and would like the citizens of Duncan to participate. There will be a meeting at the Craig Street Brew Pub on Tuesday, March 4 at 5:00 p.m., to discuss this matter further.

Name of Aquatic Centre

R-68-08

Moved by Councillor Jackson
Second by Councillor Winfrey

That the subject of naming the Aquatic Centre be tabled to the next Council Meeting.

CARRIED

Resolve to go into Closed Meeting

Closed Session

R-69-08

Moved by Councillor Jackson
Seconded by Councillor Winfrey

That this Regular Meeting be closed to the public to consider Employee Issues (s.90(1)(a), Property Issues (s.90(1)(e), and/or Proposed Provision of a Municipal Service (s.90(1)(k) – Community Charter).

CARRIED

Adjournment

Adjournment

R-70-08

Moved by Councillor Winfrey
Seconded by Councillor Jackson

That this meeting be adjourned.

CARRIED

The meeting adjourned at 9:23 p.m.

Phil Kent
Mayor

Lynn Ketch
Director of Corporate Services