

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 pm on April 28, 2008

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

Also Present Tom Ireland – Chief Administrative Officer
Lynn Ketch - Director of Corporate Services

Approval of Agenda

Agenda Moved by Councillor Winfrey
Seconded by Councillor Newcomb
R-97-08 **That** the Agenda be approved as circulated.

CARRIED

Adoption of Minutes

Minutes Moved by Councillor Jackson
R-98-08 Seconded by Councillor Newcomb
That the Minutes of the Regular Council Meeting of March 25, 2008 be adopted.

CARRIED

Introduction of Late Items

Late Items Moved by Councillor Winfrey
R-99-08 Seconded by Councillor Caljouw
That the following items be added to the Agenda:

- 9.7.6. **Reports of Staff**: 2008 Grants-in-Aid
- 11.5. **Bylaws**: Special Meeting Date.

CARRIED

Delegations

2008 Duncan Volunteer Fire Department Officers Mayor Kent noted that after many years of leadership under former Fire Chief Glenn Mackie and former Deputy Fire Chief Doug Robertson, it was time to introduce the new era of officers and congratulated each one of the following members on their new appointments with the Department:

- Fire Chief Mike McKinlay
- Deputy Fire Chief Rob Laver
- 1st Captain Ron McLaren
- 2nd Captain Tony Mackie
- 1st Lieutenant Art Sanderson
- 2nd Lieutenant Ron Olausen
- 3rd Lieutenant Wray Watson

After receiving congratulatory letters from the Mayor, the Officers remained for a portion of the meeting.

**Malaspina
Faculty
Association**

Jean Blackburn, Vice-president of the Malaspina Faculty Association, addressed Council regarding the provincial cuts to the post-secondary education system and to Malaspina University-College in particular.

In closing, Ms. Blackburn requested Council to adopt the following resolution:

“That the Duncan City Council write the Minister of Advanced Education and express its concern over the proposed cuts to operating grants for post-secondary institutions and the impacts that those cuts will have on affordability and access for students from this community – and on the ability of Malaspina University-College to continue serving our community.”

Moved by Councillor Jackson
Seconded by Councillor Newcomb

R-100-08

That the subject of provincial cuts to the post-secondary system, as presented by Jean Blackburn, Vice-president of the Malaspina Faculty Association, be referred to the May 5, 2008 Committee of the Whole meeting.

CARRIED

Report of the Chief Administrative Officer

CAO Report

The CAO, Tom Ireland, gave an overview of his CAO Report dated April 28, 2008. The report is on file at City Hall.

Reports of Committees

**Committee of the
Whole Minutes**

R-101-08

Moved by Councillor Jackson
Seconded by Councillor Winfrey

That the Minutes of the Special Committee of the Whole Meeting of March 25, 2008 be adopted.

CARRIED

Moved by Councillor Jackson
Seconded by Councillor Cadorette

That items 1. to 3. of the March 31, 2008 Special Committee of the Whole Meeting Report be adopted:

1. **That** Council approve the request from the North Cowichan/ Duncan/Cowichan Bay Community Policing Society for a gift certificate, for free parking in the downtown core for one month, to the grand prize winner of their annual fundraising event.
2. **That** the City accept the bid of \$300.00 by Brian Jackman for the surplus City paver bricks subject to the receipt of a letter from the Kiwanis Village agreeing to the patio-build project on their site as proposed by Mr. Jackman and subject to receipt of a letter from Mr. Jackman declaring that he will donate the paver bricks he purchases from the City to the Kiwanis village for the patio project; **And that** if these letters are not forthcoming within one week that staff accept the offer of \$1,202.08 received for the bricks.
3. **That** the Committee of the Whole recommend to Council that the Grants in Aid for the 2008 budget consist of:

Grants in Aid

Blacklock Schroeder Bursary	500
Chesterfield Sports Society	3,000
Community Kitchens	3,500
Cowichan Historical Society	7,500
Cowichan Music Festival	200
Cowichan Valley Arts Council	2,000
District of North Cowichan's Environmental Program	1,000
Jubilee Community Gardens - Garden Pals	400
Mayors for Peace	200
QMS	318
John Howard Soc. - Restorative Justice	3,500
St. John Ambulance	500
Duncan B. I. Assoc. - Totem Tour Funding	8,000
Duncan B. I. Assoc. - Festival	2,500
Duncan B. I. Assoc. - City Square Management	10,000
Duncan Summer Festival	3,500
Chamber of Commerce - Info Centre	36,000
Jubilee Gardens Free Water	200
Chesterfield Sports Society - Water	15,500
Total	\$98,318

**Special
Committee of the
Whole Minutes**
R-103-08

Moved by Councillor Newcomb
Seconded by Councillor Jackson
That the Minutes of the Special Committee of the Whole Meeting of
March 31, 2008 be adopted.

CARRIED

**Report of
Committee of the
Whole Meeting**

Moved by Councillor Fletcher
Seconded by Councillor Caljouw
That items 1. – 5. of the April 7, 2008 Committee of the Whole
Meeting Report be adopted:

R-104-08

1. **That** the Totems Committee be advised that, on the recommendation of the Operations Manager, it is not possible to raise the beds in the planters located at the rear of the Train Station, since it would be detrimental to the health of the well-established Japanese Maples in the planters.
2. **That** May 4 – 10, 2008 be proclaimed as “Emergency Preparedness Week 2008” in the City of Duncan.
3. **That** May 18 – 24, 2008 be proclaimed as “National Public Works Week” in the City of Duncan.
4. **That** early budget approval be given for the purchase of one new computer and workstation and the purchase of new chairs for the Committee Room.
5. **That** the Cowichan Lawn Bowling lease agreement be renewed for a further 5 years.

CARRIED

**Committee of the
Whole Minutes**
R-105-08

Moved by Councillor Fletcher
Seconded by Councillor Cadorette
That the Minutes of the Committee of the Whole Meeting of April 7,
2008 be adopted.

CARRIED

**Reporting Out -
Closed
Committee of the
Whole**

Moved by Councillor Fletcher
Seconded by Councillor Cadorette
That City Council approve an expenditure of \$20,000 of UBCM
Phase II Tourism Funding for relocation of the Chamber of
Commerce/Visitor Information Centre.

R-106-08

Moved by Councillor Newcomb
Seconded by Councillor Jackson
That the following resolution Moved by Councillor Fletcher and
Seconded by Councillor Cadorette:
That City Council approve an expenditure of \$20,000 of UBCM

Phase II Tourism Funding for relocation of the Chamber of Commerce/Visitor Information Centre” be referred to the May 5, 2008 Closed Committee of the Whole meeting.

CARRIED
COUNCILLOR FLETCHER OPPOSED

Committee of the Whole Minutes
R-107-08

Moved by Councillor Jackson
Seconded by Councillor Winfrey
That the Minutes of the Special Committee of the Whole Meeting of April 14, 2008 be adopted.

CARRIED

Report of Special Committee of the Whole Meeting

R-108-08

Moved by Councillor Fletcher
Seconded by Councillor Jackson
That Items 1. and 2. of the April 21, 2008 Special Committee of the Whole Meeting Report be adopted:

1. **That** the following Policy be adopted by City Council and incorporated into the 2008 – 2012 Five Year Financial Plan Bylaw:

“Legislative Change

As added by [Bill 35](#) (*Miscellaneous Statutes Amendment Act (No.2) 2007*), Section 165(3.1) of the *Community Charter* requires municipal five-year financial plans to include a more explicit form of revenue and tax policy disclosure. This requires municipalities to include in the five-year financial plan, the objectives and policies regarding each of the following:

- the proportion of total revenue that comes from each of the funding sources described in Section 165(7) of the *Community Charter*; (revenue from property value taxes, revenue from parcel taxes; revenue from fees; revenue from other sources; proceeds from borrowing)
- the distribution of property taxes among the property classes; and
- the use of permissive tax exemptions (including revitalization tax exemptions).

In addition, before adopting annual property tax rate bylaws, all municipalities must, under Section 197(3.1) of the *Community Charter*, consider the proposed tax rates for each property class in conjunction with the objectives and policies referred to above.

Current Revenue Proportions by Funding Source for Operating (excluding Transfers from Reserves and Surpluses and Capital financing)

	<u>2007</u>		<u>2008</u>	
Taxation	3,671,787	55.6%	3,904,022	55.8%
Grants in Lieu of Taxes	12,300	0.2%	9,900	0.1%
Sales of Services	404,800	6.1%	393,300	5.6%
Sewer User Fees	552,000	8.4%	590,476	8.4%
Water User Fees	1,119,295	17.0%	1,162,304	16.6%
Other Revenue Own Sources	430,577	6.5%	466,177	6.7%
Unconditional Transfers from Other Governments	<u>410,000</u>	<u>6.2%</u>	<u>466,614</u>	<u>6.7%</u>
	6,600,759	100%	6,992,793	100%

City Council considers the current mix of user fees and tax levies sufficient; noting however, that Council intends to shift water and sewer fees to being charged on a metered basis.

Distribution of Property Taxes Collected

<u>Class</u>	<u>2006 %</u>	<u>2007 %</u>	<u>2008 %</u>
Residential	49.39	50.21	51.18
Utilities	1.29	1.04	1.46
Business	49.19	48.71	47.29
Rec/Non profit	0.13	0.04	0.07
Farm	-	-	-
	100.00	100.00	100.00

Current Property Class Multiples

<u>Class</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>
Residential	1.00	1.00	1.00
Utilities	11.01	12.60	13.71
Business	3.53	3.44	3.44
Rec/Non profit	1.45	1.45	1.45
Farm	1.00	1.00	1.00

Historically, the City has kept its percentages of taxes collected from each class relatively static, varying only slightly from year to year. In times when one class of property is seeing large growth in assessment, this means that the benefits of increased new assessments are kept within that one class of property.

In the last two years (2006 & 2007), Council has strived to limit the increases to the business class. The 2006 Business class multiple of

3.53 placed Duncan at 120th out of 156 municipalities (76th percentile) Whereas the City's 2007 Business class multiple of 3.44 placed Duncan at 113th out of 156 municipalities. (72nd percentile). The long term goal would be to have the business multiple at the 50th percentile (median).

City Council considers the current proportions of taxes collected and current assessment class multiples as reasonable; however, as opportunities arise, Council will attempt to lower the percentage of taxes collected from the business class and attempt to hold or lower the business class multiple with a goal to have a multiple at the 50th percentile of other municipalities (median).

Use of permissive tax exemptions

Tax Exemption Bylaw No. 2035 passed in October of 2007 contains a list of permissive exemptions granted for the 2008 taxation year and the estimated amount of tax revenue foregone. The list demonstrates the policy of council that permissive exemptions are granted to not-for-profit institutions that form a valuable part of our community. These include religious institutions, historical societies, some recreational facilities and service organizations.

Council will continue to support local organizations through permissive exemptions. These organizations provide services to our community that should be supported by residents. In addition, (as listed as one of Council's strategic priorities) Council will examine its expanded power under the *Community Charter* to provide permissive and revitalization tax exemptions. In the future, after appropriate consultation, Council may choose to provide permissive exemptions to property owners who contribute to our community in other ways. These may include investments made in greenhouse gas reduction technology or alternative energy, the provision of affordable housing, or revitalization of buildings or areas of the municipality."

City Council will examine its permissive tax exemption policy to determine if it should be expanded."

2. **That** the Committee of the Whole recommend to City Council that a \$500.00 contribution be made to the DBIAS to assist with the Spirit of Cowichan celebrations taking place on May 1, 2, and 3, 2008 in the downtown core.

CARRIED

**Special
Committee of the
Whole Minutes**
R-109-08

Moved by Councillor Jackson
Seconded by Councillor Winfrey
That the Minutes of the Special Committee of the Whole Meeting of
April 21, 2008 be adopted.

CARRIED

**Report of the
Totem Committee**
R-110-08

Moved by Councillor Fletcher
Seconded by Councillor Jackson
That items 1. to 4. of the April 14, 2008 Totem Committee Meeting
Report be adopted:

1. **That** the Francis Horne Pole “Eagle Above Beaver Holding a Stick”, previously located at 471 Trans Canada Highway, be relocated to the planter on the north-side of the Canada Building.
2. **That** the Don Smith Pole “Bear With Frogs”, previously located at 70 Government Street, be relocated to the City-owned bricked area at the south-west corner of Station and Government Streets (166 Station Street).
3. **That** the David Marston Pole “Three Killer Whales With Seal”, currently located at 211 Jubilee Street (Jim Painter Building), be relocated to the City-owned bricked area adjacent to Alvin’s Alley between 131 and 139 Station Street.
4. **That** the Operations Manager, Len Thew, be requested to estimate a proactive annual Totem Pole maintenance budget and plan for 2009 and onward since the majority of poles will then be in reasonable condition.

CARRIED

**Welcoming
Figure – South of
the Silver Bridge**
R-111-08

Moved by Councillor Newcomb
Seconded by Councillor Winfrey
That the following recommendation from the April 14, 2008 Totem
Committee be referred to the May 5, 2008 Committee of the Whole
meeting for further discussion:

“**That** City Council advise the Totem Committee if it supports the
proposal of placing a Coast Salish figure at the entrance to the City
south of the Silver Bridge.”

CARRIED

Reports of Mayor and Council

**Mayor and
Council Reports**

The Mayor reported on the following:

- On March 26, he attended the Cancer Society luncheon

- On April 8, he met the new coordinator of Community Futures
- On April 9, he provided a tent for the Royal Canadian Legion Vimy Ridge Ceremony
- On April 15, he met with Joe Power, VI Health Authority, regarding the Homelessness and Addictions Program initiative he presented to Council in January of this year
- On April 15, he and other Councillors met with the Chinese Consul General at City Hall
- On April 18, 19 & 20, he and Councillors Jackson and Newcomb attended the AVICC Conference at Bear Mountain
- On April 19, he attended the Cowichan District Hospital Foundation dinner and auction at Shawnigan Lake School
- On April 24, he and Councillor Cadorette attended the NAIG drumming session along with 350 others
- On April 26, he attended the Valley Floors Green Project at the BC Forest Discovery Centre and planted trees at the edge of the marsh.

Councillor Jackson noted the following:

- On April 22, she attended the Circle of Life community garden in Chemainus
- On April 24, she and Councillor Winfrey attend the Junior Council meeting as delegations
- On April 26, she attended the Earth Day celebrations in City Square

Councillor Jackson noted that today was National Day of Mourning and requested a minute of silence before the end of the meeting.

Councillor Newcomb reported that he recently attended the Association of Vancouver Island and Coastal Communities conference at Bear Mountain, noting it was an excellent opportunity to network with other municipal representatives. He referred to the Carbon Neutral Workshop he attended in March, noting that any plans for reduction of carbon emissions and the varying ways that these are handled, will require full commitment from the public.

Councillor Winfrey noted that on March 29, he attended the School Closure Forum hosted by local MLAs and School Board members. The discussion focused on the imminent closure of three (3) schools in the valley. The Ministry of Education has now provided a troubleshooter to help the Board through this process. Councillor Winfrey also commented on the recent Earth Hour experience and results.

On April 17, Councillor Winfrey represented the City in welcoming attendees to the Cowichan International Aboriginal Film and Arts Festival at the Community Centre.

Earlier today, he and the Mayor attended a Policing forum hosted by the RCMP regarding Regional Policing.

Reports of Staff

DVP-2007-06
R-112-08

Moved by Councillor Jackson
Seconded by Councillor Caljouw

That Council authorize issuance of Development Variance Permit No. DVP-2007-06 for the proposed development to be located at 941 & 951 Trunk Road (Lots 1 & 2, Section 17, Range 7, Quamichan District, Plan 10539 except part in Plan VIP74624).

CARRIED

**Security Contract
with
Commissionaires
Victoria**
R-113-08

Moved by Councillor Jackson
Seconded by Councillor Caljouw

That staff be directed to enter into a Security Contract with Commissionaires Victoria for the period of April 1, 2008 to March 31, 2009 with the billing rate of \$17.30 per hour (regular time rate) for the Commissionaires and \$26.48 per hour (regular time rate) for the Commissionaire Sergeant.

CARRIED

**Building
Statistics Report
– March 2008**
R-114-08

Moved by Councillor Newcomb
Seconded by Councillor Jackson

That the City of Duncan Building Statistics Report for March 2008 be received and filed.

CARRIED

**Rights-of-Ways
for New Aquatic
Pool**
R-115-08

Moved by Councillor Newcomb
Seconded by Councillor Caljouw

That City Council approve granting statutory rights-of-ways to BC Hydro and Telus over the Cowichan Aquatic Centre land, subject to public notification without valid objections.

CARRIED

**Licence of
Occupation –
Somenos Road
Ball Fields**
R-116-08

Moved by Councillor Jackson
Seconded by Councillor Caljouw

That City Council authorize the issuance of a Licence of Occupation for a security person to live on the site for the new ball fields (Somenos Road).

CARRIED

**Pre-Budget
Approval – 2008
Grants-In-Aid
R-117-08**

Moved by Councillor Newcomb
Seconded by Councillor Jackson
That Council authorize pre-budget approval for the following grants-in-aid, in order that the grants may be awarded as soon as possible:

2008 GRANTS

Blacklock-Schroeder Bursary	\$500
Chesterfield Sports Society	\$3,000
Community Kitchens	\$3,500
Cowichan Historical Society	\$7,500
Cowichan Intercultural Society	Carried Over
Cowichan Music Festival	\$200
Cowichan Valley Arts Council	\$2,000
MNC Environmental Program	\$1,000
Jubilee Community Gardens – Garden Pals	\$400
Mayors for Peace	\$200
Queen Margaret’s School	\$318
John Howard Society – Restorative Justice	\$3,500
St. John Ambulance	\$500
	<u>\$22,618</u>
DBIAS Totem Tour Funding	\$8,000
DBIAS Festival	\$2,500
DBIAS City Square Start-up	\$10,000
DBIAS Spirit of Cowichan Celebration	\$500
Duncan Summer Festival	\$3,500
Chamber of Commerce Info Centre	<u>\$36,000</u>
	<u>\$60,500</u>
Jubilee Gardens Free Water	\$200
Chesterfield Sports society – Water	<u>\$15,500</u>
	<u>\$15,700</u>
Total	<u>\$98,818</u>

CARRIED.

**Moment of
Silence**

Noting that today was the “National Day of Mourning” for workers who lost their lives as a result of a workplace injury/occupational disease, those in attendance honoured the day with a moment of silence.

Bylaws

**Financial Plan
Bylaw No. 2051,
2008
R-118-08**

Moved by Councillor Caljouw
Seconded by Councillor Newcomb
That the City of Duncan 2008-2012 “Financial Plan Bylaw No. 2051, 2008” be given 1st, 2nd, and 3rd reading.

CARRIED

**Tax Rates Bylaw
No. 2052, 2008**
R-119-08

Moved by Councillor Jackson
Seconded by Councillor Winfrey
That City of Duncan "Tax Rates Bylaw No. 2052, 2008" be given 1st,
2nd, and 3rd reading.

CARRIED

**Zoning
Amendment
Bylaw No. 2053,
2008**
R-120-08

Moved by Councillor Jackson
Seconded by Councillor Cadorette
That City of Duncan "Zoning Amendment Bylaw No. 2053, 2008" be
given 1st and 2nd reading;
And That City Council authorize a Public Hearing for "Zoning
Amendment Bylaw 2053, 2008" to be held on Tuesday, May 20,
2008.

CARRIED

**Zoning
Amendment
Bylaw No. 2054,
2008**
R-121-08

Moved by Councillor Jackson
Seconded by Councillor Newcomb
That City of Duncan "Zoning Amendment Bylaw No. 2054, 2008" be
given 1st and 2nd reading;
And That City council authorize a Public Hearing for "Zoning
Amendment Bylaw 2054, 2008" to be held on Tuesday, May 20,
2008.

CARRIED

**Special Meeting
Date**
R-122-08

Moved by Councillor Newcomb
Seconded by Councillor Jackson
That a Special Meeting of City Council be scheduled for Monday,
May 5, 2008 at 6:30 p.m. for the purpose of giving final adoption to
City of Duncan 2008-2012 "Financial Plan Bylaw No. 2051, 2008" and
"Tax Rates Bylaw No. 2052, 2008".

CARRIED

Question Period

Question Period

Questions around graffiti removal volunteering and hard pruning of
the TCH Cherry trees were addressed by the CAO. A report from the
Operations Manager regarding the Cherry trees was requested by the
Mayor.

Adjournment

Adjournment
R-123-08

Moved by Councillor Winfrey
Seconded by Councillor Jackson
That this meeting adjourn.

CARRIED

The meeting adjourned at 9:14 p.m.

Phil Kent
Mayor

Lynn Ketch
Director of Corporate Services