

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 Monday, April 19, 2010.

Present
Mayor Phil Kent
Councillor Ray Cadorette
Councillor Paul Fletcher
Councillor Joe Thorne
Councillor Tom Duncan
Councillor Sharon Jackson
Councillor Jesse Winfrey

Also Present
Tom Ireland – Chief Administrative Officer
Lynn Ketch – Director of Corporate Services
James van Hemert, Director of Development Services

Approval of Agenda

Agenda
R-62-10
Moved by Councillor Thorne
Seconded by Councillor Jackson

That the Agenda be approved as circulated.

CARRIED

Adoption of Minutes

Minutes
R-63-10
Moved by Councillor Winfrey
Seconded by Councillor Thorne

That the Minutes of the Regular Council Meeting of March 15, 2010 be amended, by recording Councillor Cadorette's return to the Council Chamber after the adoption of resolution number R-47-10, and adopted.

CARRIED

R-64-10
Moved by Councillor Winfrey
Seconded by Councillor Jackson

That the Minutes of the Special Council Meeting of April 6, 2010 be adopted.

CARRIED

Introduction of Late Items

Late Items
R-65-10
Moved by Councillor Jackson
Seconded by Councillor Cadorette

That the following late items be accepted:

- Letter from Ian West, Director of Operations, Cerwydden Care Home re: Contracting out of Seniors' Care, Item 8.2. Correspondence;

- AVICC Conference 2010 Notations, Item 9.8.1 Reports of Mayor.

CARRIED

Delegations

Presentation to Robert Alexander

Mayor Kent presented Robert Alexander, retired City of Duncan Town Crier, with a framed photo of City Hall in Fireworks by Dave Blackey. Mr. Alexander was thanked for his many years of dedicated 'Town Crier' service to the City of Duncan. Mr. Alexander was given a standing ovation by all those present.

BCGEU – Contracting out of Seniors' Care

Scott DeLong and Lori Strom, representing BCGEU, expressed their deep concerns about the seniors care in the Cowichan Valley and particularly the proposed contracting out for Park Place, Cerwydden Care Centre.

Correspondence

BCGEU Resolution – Contracting out of Seniors' Care R-66-10

Moved by Councillor Thorne
Seconded by Councillor Jackson

Whereas how we care for seniors is an important benchmark in measuring how our society treats its citizens;

And Whereas the City of Duncan has an interest in ensuring that all Duncan care facilities provide a high level of service to Duncan citizens;

And Whereas the Cowichan Valley is a retirement destination for seniors seeking quality care, and demand for quality seniors' care facilities in the Cowichan Valley is only going to increase in the future;

And Whereas the contracting out of seniors' care at other seniors' care facilities in the Cowichan Valley has already been shown to be harmful and disruptive for seniors;

And Whereas continuity of care is extremely important to seniors living in care facilities, and staff and clients often develop very close relationships built on care and trust;

Therefore Be it Resolved That the City of Duncan write letters to the offices of the Premier and Minister of Health Services of BC stating its opposition to the contracting out of seniors' care and urging the provincial government to work with all concerned parties to address the deterioration of seniors' care in the Cowichan Valley.

CARRIED

Cerwydden Care Centre – Contracting Out R-67-10

Moved by Councillor Jackson
Seconded by Councillor Duncan

That the letter received April 19, 2010 from Park Place, Cerwydden Care

Centre, regarding contracting out for seniors' care be received and filed.

CARRIED

Reports of Committees, COTW and Commissions

**Environment
Committee
Report**
R-68-10

Moved by Councillor Cadorette
Seconded by Councillor Jackson

That the following March 15, 2010 Environment Committee recommendation be approved:

That due to the City's own Environment program needs and initiatives, the District of North Cowichan's request for a \$1,000 grant for their 2010 Environment Program, be respectfully denied.

CARRIED

**Committee of
the Whole
Report**
R-69-10

Moved by Councillor Fletcher
Seconded by Councillor Jackson

That recommendations numbered 1 – 6 of the April 6, 2010 Committee of the Whole meeting report be approved:

1. **That** City Council grant a \$200 early budget approval for advertising on Cowichan Green Communities Cowichan 'Buy Local, Buy Fresh' Map.
2. **That** a Special Meeting be scheduled to discuss, streamline and to set any priorities that are brought to the table concerning the City's Strategic Plan.
3. **That** the City contribute \$10,000 to the EJ Hughes Legacy project from the City's Public Art fund;
And that the location of the completed sculpture be determined by all parties involved at a later date.
4. **That** the request from the Hospital Auxiliaries Thrift Store (HATS), 79 Station Street, for two (2) free parking spaces in the Kenneth Street No. 1 parking lot be denied.
5. **That** City Council appoints Mayor Phil Kent, Councillor Jesse Winfrey and Councillor Ray Cadorette as the City representatives to the Municipality of North Cowichan's Joint City Committee.
6. **That** the City of Duncan agree to be the recipient of this year's fundraising from the June 13th Wheels in Motion event for the purposes of purchasing wheelchairs for the local wheelchair rugby team and drop-in league.

CARRIED

**Alington Road
to Green Road –
Cowichan
Commons Trail
R-70-10**

Moved by Councillor Fletcher
Seconded by Councillor Cadorette

That recommendation number 7 of the April 6, 2010 Committee of the Whole meeting report be approved:

7. **That** priority be given to the end of Alington Road to Green Road section of the Cowichan Commons Trail including improvements to the Sherman Road pedestrian crossing (shown as part of phase 4 in the assessment) and approval to proceed with this detailed design and costing of the initial phase be granted, providing that North Cowichan Council commits to additional future financial support and completion of the Commons Trail in the near future.

CARRIED

**COW Minutes
R-71-10**

Moved by Councillor Winfrey
Seconded by Councillor Jackson

That the Minutes of the Committee of the Whole Meeting of April 6, 2010 be adopted.

CARRIED

**Special
Committee of
the Whole
Report
R-72-10**

Moved by Councillor Fletcher
Seconded by Councillor Jackson

That recommendations numbered 1 – 10 and 14 of the April 12, 2010 Special Committee of the Whole meeting report be approved:

1. **That** the following Grants in Aid be accepted as presented:

Bike to Work Cowichan	\$300.
Blacklock Schroeder Bursary	\$500.
Cowichan Music Festival	\$200.
John Howard Society – Restorative Justice	\$3,500.
Jubilee Community Gardens – Garden Pals	\$400.
Cowichan District Hospital Foundation	\$35.
Cowichan Intercultural & Immigrant Aid Society	\$450.
Mayors for Peace	\$250.
2. **That** a Delmar Johnnie framed print (Spirit Dancer) be provided to the Cowichan District Hospital Foundation for their 2011 fundraising event.
3. **That** the following grants-in-aid be approved:

BC Forest Discovery Centre – Canada Day	\$800.
Cowichan Green Community Society (on the proviso that they greatly assist in organizing a solar days event)	\$2,000.
Cowichan Music Festival – Provincials	\$5,000;

And That the \$7,500 grant to the Cowichan Historical Society be

moved from the grant-in-aid section to the annual budget.

4. **That** a grant-in-aid in the amount of \$1,000 be approved for Duncan Daycare Society, contingent on the liability insurance issues being resolved and contingent on confirmation of funding from other sources being received by the Society.
5. **That** the grant-in-aid request from Duncan Dynamics Gymnastics Club in the amount of \$15,000 be denied.
6. **That** the grant-in-aid request from the Cowichan Folk Guild in the amount of \$1,000 be approved subject to sponsor recognition of the City by the Folk Guild.
7. **That** the grant-in-aid request from the Cowichan Seniors Care Foundation in the amount of \$500 be denied.
8. **That** the grant-in-aid request from the Cowichan Spirit of Women in the amount of \$300 be denied.
9. **That** the grant-in-aid request from the Cowichan Therapeutic Riding Association in the amount of \$1,000 be approved.
10. **That** a grant-in-aid in the amount of \$2,500 be approved for the Community Kitchens, contingent on confirmation of funding from other sources being received by the Society.
14. **That** the City continue to supply water at no charge to the Jubilee Community Gardens for 2010.

CARRIED

R-73-10

Moved by Councillor Fletcher
Seconded by Councillor Jackson

That recommendation number 11 of the April 12, 2010 Special Committee of the Whole meeting report be approved:

11. **That** a grant-in-aid in the amount of \$500 be approved for the Warmland Womyn's Development Center contingent on proof of registration under the BC Society Act.

CARRIED

R-74-10

Moved by Councillor Fletcher
Seconded by Councillor Duncan

That recommendation number 12 of the April 12, 2010 Special Committee of the Whole meeting report be approved:

12. **That** the following Tourism grants be approved:

DBIAS – City Square Management	\$9,000
DBIAS – Festival	\$2,500
Duncan Summer Festival Society	\$3,500

Chamber of Commerce – Information Centre \$37,524;

And That the DBIAS Totem Tour Funding in the amount of \$9,000 be moved from the grant-in-aid section to the Tourism Budget.

CARRIED

R-75-10

Moved by Councillor Fletcher
Seconded by Councillor Jackson

That recommendation number 13 of the April 12, 2010 Special Committee of the Whole meeting report be approved:

13. **Whereas** the City of Duncan is working in cooperation with the Cowichan Water Basin Management Plan;

Now Therefore be it resolved that 2010 grant-in-aid for 90% of the water used by the Chesterfield Sports Society be approved, resulting in 10% being billed to the Society (10% would have been \$2,549 in 2009);

And That the Chesterfield Sports Society be encouraged to use best practices and methods of water conservation to reduce the amount payable by the Society for 2010;

And That grant-in-aid in the amount of \$3,000 be approved for the Chesterfield Sports Society as a contribution for public access.

Amendment Moved by Councillor Fletcher
Amendment Seconded by Councillor Jackson

That the third proposition of the resolution Moved by Councillor Fletcher and Seconded by Councillor Jackson be deleted and replaced with the following wording:

And That the Chesterfield Sports Society be required to produce a water management plan for water conservation for their facility;

And That the Chesterfield Sports Society develop a plan to use best practices and methods of water conservation to reduce the amount payable by the Society for 2010;”

CARRIED

The Main Motion, as amended, was then voted on and CARRIED.

The final Motion reads as follows:

Whereas the City of Duncan is working in cooperation with the Cowichan Water Basin Management Plan;

Now Therefore be it resolved that 2010 grant-in-aid for 90% of the water used by the Chesterfield Sports Society be approved, resulting in 10% being billed to the Society (10% would have been \$2,549 in

2009);

And That the Chesterfield Sports Society be required to produce a water management plan for water conservation for their facility;

And That the Chesterfield Sports Society develop this plan based on best practices and methods of water conservation to reduce the amount payable by the Society for 2010;

And That grant-in-aid in the amount of \$3,000 be approved for the Chesterfield Sports Society as a contribution for public access.”

CARRIED

**Special COW
Minutes
R-76-10**

Moved by Councillor Winfrey
Seconded by Councillor Duncan

That the Minutes of the Special Committee of the Whole Meeting of April 12, 2010 be adopted.

CARRIED

**Special
Committee of
the Whole
Report
R-77-10**

Moved by Councillor Fletcher
Seconded by Councillor Jackson

That the following recommendations numbered 1 – 3 of the April 15, 2010 Special Committee of the Whole meeting report be approved:

1. **That** a grant-in-aid in the amount of \$500 be approved for the Cowichan Men’s Resource Centre.
2. **That** a grant-in-aid in the amount of \$1,000 be approved for the BC Lake Stewardship Society;

And That this amount be allocated to the Environmental Programs portion of the Budget.

3. **That** \$10,000 be transferred from the Tourism surplus to the Totems Budget for a total budgeted amount of \$49,720, including the 2009 Totems surplus of \$19,720.

CARRIED

**Special COW
Minutes
R-78-10**

Moved by Councillor Cadorette
Seconded by Councillor Jackson

That the Minutes of the Special Committee of the Whole Meeting of April 15, 2010 be adopted.

CARRIED

**Reports of
Mayor and
Councillors**

Verbal reports were received from Mayor Kent and Councillors Jackson, Duncan, Winfrey and Cadorette on recent events and activities they had attended.

**Special Events –
Cooking
Facilities
R-79-10**

Moved by Councillor Fletcher
Seconded by Councillor Thorne

That Council permit the use of City of Duncan property for the Farmers' Market and other special events for the purposes of cooking subject to the following conditions:

1. Obtaining all necessary licences and approvals from the City for the street occupancy;
2. Obtaining all necessary licences and approvals from the Health Department for food services;
3. All cooking facilities provide an easily visible and accessible 10 lb. ABC Fire Extinguisher within three (3) metres of the cooking location;
4. Any cooking process producing significant grease laden vapours or open flames will require special approval from the Fire Department.

CARRIED

R-80-10

Moved by Councillor Fletcher
Seconded by Councillor Cadorette

That staff be requested to investigate protection of the ground from barbeque drippings and other products that stain the paving bricks and the pavement or concrete.

CARRIED

**Lower Cowichan
- Koksilah River
Integrated Flood
Management
Plan
R-81-10**

Moved by Councillor Fletcher
Seconded by Councillor Duncan

That the City write to the CVRD, Cowichan Tribes, and the District of North Cowichan requesting that, in the interest of public safety, the Final Report of the Lower Cowichan / Koksilah River Integrated Flood Management Plan be presented to the CVRD Board and that the Board determine the next steps to be taken to mitigate the chances of repeat flooding; and to provide long term flood protection;

And That the City fully support the integrated approach to flood management;

And That the City request the CVRD to lead in this process for governance and management.

CARRIED

**Building
Statistics Report
For March 2010
R-82-10**

Moved by Councillor Duncan
Seconded by Councillor Cadorette

That the Building Statistics Report for the month of March 2010, presented by David Hewetson, Building Inspector, be received and filed.

CARRIED

**DP-2010-04 –
191 Kenneth
Street
R-83-10**

Moved by Councillor Jackson
Seconded by Councillor Winfrey

That Council authorize issuance of the attached Development Permit (DP-2010-04) for the premises located at 191 Kenneth Street (Amended Lot 8, Section 17, Quamichan district, Plan 2070) based on the elevation drawing and other plans attached to the April 14, 2010 report.

CARRIED

**DP-2010-02 – 25
Canada Avenue
R-84-10**

Moved by Councillor Winfrey
Seconded by Councillor Jackson

That Council authorize issuance of the attached Development Permit (DP-2010-02) for the proposed development to be located at 25 Canada Avenue (Lot 1, Section 17, Range 6, Quamichan District, Plan 12081 (PID 003-691-853) as shown on the plans, renderings and specifications labeled Schedule “A” (1) to (20);

And That a security deposit to ensure completion and maintenance of the landscaping and site work associated with the development in the amount of \$153,090.00 (125% of the estimated landscape costs submitted by the applicant) to be provided prior to the issuance of a Building Permit;

And That the signage area shown on plan A-301 Revision dated May 22, 2008 (Schedule “A” (4) be approved and included as a part of the Development Permit but that a comprehensive sign plan is required for the building, under a separate Development Permit, prior to occupancy;

And That the sidewalk dedications shown on plan A-201 Revision dated May 22, 2008 (as modified May 23, 2008 and noted as Schedule “A” (3) be registered on Title as Statutory Rights-of-Way, in a form acceptable to the City, prior to the issuance of an Occupancy Permit;

And That a water balance storm water management plan, based on the principles of Storm Water Planning: A Guidebook for British Columbia, must be prepared by the applicant and approved by the City prior to any connection to the City’s storm sewer system;

And That security in the amount of \$10,000 be deposited with the City prior to the issuance of an Occupancy Permit to secure the installation on the development site of an art component of at least that value, visible to the public from the street, within 12 months of occupancy, and that failing such installation the security can be used by the City, in its sole discretion, to acquire and install public art elsewhere in the City;

And That the proponent be required to provide a letter ensuring his commitment to pay at least 1/3 of the cost of placing the adjacent hydro lines underground.

CARRIED

Councillor Fletcher Opposed

Bylaws

**Robertson
Street Road
Closing**
R-85-10

Moved by Councillor Jackson
Seconded by Councillor Winfrey

That City of Duncan "Robertson Street Road Closing and Removal of Dedication Bylaw No. 2086, 2010" be adopted.

CARRIED

New Business

**DBIAS Licence
of Occupation –
Craig & Ingram
Streets**
R-86-10

Moved by Councillor Jackson
Seconded by Councillor Thorne

That Licence to Occupy No. 2010-01 to the Duncan Business Improvement Area Society (DBIAS) for the purposes of holding a Saturday market between the hours of 6:00 a.m. and 3:00 p.m. on Ingram Street and/or Craig Street on Saturdays between April 1st and October 31st, during the years 2010 to 2014 be authorized by Council.

Moved by Councillor Duncan
Seconded by Councillor Jackson

That the Motion Moved by Councillor Jackson and Seconded by Councillor Thorne regarding Licence to Occupy No. 2010-01, be referred to the next City Council meeting;

And That the DBIAS be requested to consult with the business owners on Craig Street and Ingram Street for possible objections to the proposed Licence of Occupation and to ensure that there are ways to deal with any conflicts.

CARRIED

Adjournment

Adjourn
R-87-10

Moved by Councillor Winfrey
Seconded by Councillor Duncan

That the meeting adjourn.

CARRIED

The meeting adjourned at 9:37 p.m.

Lynn Ketch
Director of Corporate Services

Phil Kent
Chair