

The Regular Meeting of City Council was held in the Council Chamber, City Hall, 200 Craig Street, Duncan, BC at 7:30 p.m., March 14, 2005.

Present: Mayor Michael Coleman;  
Councillors Mike Caljouw, Jenny Farkas, Sharon Jackson, Phil Kent, Geoff Maxwell and Ken Newcomb.

Also

Present: Paul Douville, City Administrator.

His Worship Mayor Michael Coleman opened the Council Meeting with a prayer and called for order.

Moment of Silence - RCMP Officers - In respect for the four young RCMP Constables who were recently killed in Mayerthorpe, Alberta, Mayor Coleman requested a moment of silence.

### **Approval of Agenda**

Agenda

Movd. Councillor G. Maxwell  
Secd. Councillor S. Jackson  
THAT the Agenda for the March 14, 2005 Regular Meeting of City Council, with the introduction of two (2) late items, 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 February 28, 2005 be adopted.

Carried.

### **Introduction of Late Items**

Boundary Restructure Study and Delegation

It was the consensus of Council that the following two items be added to the Agenda:

- Boundary Restructure Study (Unfinished Business);
- Delegation - Global Day of Action Against War.

### **Delegations**

Honourable Graham Bruce, MLA - Cowichan Ladysmith - 2005 Province of BC Budget

Representing the Province of British Columbia, the Honourable Graham Bruce, MLA - Cowichan Ladysmith, addressed Council. He noted the following items pertaining to the 2005 Provincial Budget:

- A strong economy and a surplus budget permits the pay down of debt, tax relief and investments in people and the province.

- They plan for a balanced budget while increasing funding for health care and education.
- First in job creation.
- First in housing starts growth.
- More people working in every region of the province.
- Positive inter-provincial migration.
- Credit rating upgrade.
- 50% of the current surplus and future surpluses is to be used to pay down the debt.
- Lower operating debt means \$125 million in lower interest costs (2005/06).
- He outlined a number of changes in personal benefits.
- He outlined the tax relief available for small business.
- PST reduced from 7.5% to 7%.

Overall, Mr. Bruce indicated that the province is heading in a strong fiscal direction.

He was thanked for his presentation and he left the meeting.

Global Day of  
Action Against War

Representing the Cowichan Chapter of the Council of Canadians, Trudy Thorgeirson addressed Council. She noted that March 19, 2005 is the 2<sup>nd</sup> anniversary of the invasion of Iraq. Peace rallies are taking place across Canada and throughout the world to remind people of the true cost of war - over 100,000 deaths related to the war in Iraq.

Ms. Thorgeirson requested Council to proclaim March 19, 2005 as a "Global Day of Action Against War".

She advised Council further that they have decided to withdraw their request for a Peace Walk on this date due to liability insurance costs.

Movd. Councillor J. Farkas  
Secd. Councillor S. Jackson

THAT March 19, 2005 be proclaimed as a "Global Day of Action Against War" in the City of Duncan as requested by the Cowichan Chapter of the Council of Canadians;

AND THAT the Cowichan Chapter of the Council of Canadians be permitted to use space in Charles Hoey Park near the Train Station for an information table on March 19, 2005 from 11:00 a.m. to 1:00 p.m.

Carried.

Ms. Thorgeirson was thanked for her presentation and she left the meeting.

### **Report of Chief Administrative Officer**

Administrator's  
Report

- Thermoplastic line paintings were started on the night of March 14 and should be finished on the night of March 15.
- Canada Avenue and James Street intersection is on the contractor's list and will be done on the night of March 15.
- The inflow and infiltration correction contract paving is about 40% completed.
- The City paving program (45 sites) will start the week of March 21.
- City crews are currently washing down islands and roads for line painting starting the week after the Easter long weekend (March 29, 2005).
- The services for the Balbir Parhar development at the south-end of McKinstry Road are being installed this week.

### **Unfinished Business**

Boundary  
Restructure Study

The following recommendation is from the Initial Steering Committee meeting held March 10, 2005.

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

THAT as recommended by the Initial Steering Committee for the City of Duncan/CVRD Electoral Areas "D" & "E" Restructure Study, the Council of the City of Duncan retain Sussex Consultants Ltd. (Kerr, Wood, Leidel Associates Ltd., Consulting Engineers) to undertake the Study as outlined in their September 2004 RFP Response for \$28,751.00 (including fees, disbursements & GST).

Carried.

Councillor Kent reviewed items discussed and processed at the March 10 Initial Steering Committee meeting. It was noted that Councillor Kent was appointed Chair of the Interim Committee and Director Mike Tansley from Electoral Area "D" was appointed Vice-Chair.

### **Correspondence**

Save Lost Valley

Movd. Councillor J. Farkas  
Secd. Councillor G. Maxwell

THAT the letter dated February 9, 2005 from the Western Canada Wilderness Committee (WCWC), regarding their education report entitled "Save Lost Valley", be received, the contents noted and filed.

Carried.

- Day for the Elimination of Racial Discrimination
- Movd. Councillor S. Jackson  
Secd. Councillor P. Kent  
THAT March 21, 2005 be proclaimed as the "Day for the Elimination of Racial Discrimination" in the City of Duncan as requested by the Cowichan Valley Intercultural Immigrant Aid Society (CVIIAS) in their February 24, 2005 letter.
- Carried.
- "CANSPELL" - A National Spelling Bee
- Movd. Councillor G. Maxwell  
Secd. Councillor S. Jackson  
THAT the Council of the City of Duncan endorse "in principle" the CanSpell National Spelling Bee initiative of the CanWest Newspapers in British Columbia outlined in the February 24, 2005 letter from the Publisher of the Times Colonist.
- Carried.
- Mayor Coleman agreed to write a letter of encouragement to the participants from the Duncan area in the CanSpell competition.
- CFC Charges at the CVRD Solid Waste Facilities
- Movd. Councillor P. Kent  
Secd. Councillor M. Caljouw  
THAT the letter dated February 25, 2005 from the CVRD, regarding CFC charges at the CVRD Solid Waste Facilities, be received, the contents noted and filed.
- Carried.
- Canada Day 2005 - Not At The Cowichan Sportsplex
- Movd. Councillor K. Newcomb  
Secd. Councillor P. Kent  
THAT the letter dated February 28, 2005 from the Cowichan Sportsplex, wherein they advise they will not be hosting the Canada Day Celebrations in 2005, be received, the contents noted and filed with regret.
- Carried.
- BC Cancer Foundation - Discovery Tour 2005
- Movd. Councillor K. Newcomb  
Secd. Councillor M. Caljouw  
THAT the Council of the City of Duncan support and endorse "in principle" the "Discovery Tour" concept outlined in the March 1, 2005 letter from the BC Cancer Foundation.
- Carried.
- Cowichan Lawn Bowling Club - Proposed Clubhouse
- Movd. Councillor G. Maxwell  
Secd. Councillor S. Jackson  
THAT the Council of the City of Duncan endorse "in principle" the funding application for the proposed Cowichan Lawn Bowling Club Clubhouse as outlined in the March 1, 2005 letter from the Cowichan Lawn Bowling Club.
- Carried.

Cowichan District  
Hospital Auxiliary  
- 2005 Grant

For consideration were the following items:

- Letter dated March 8, 2005 from the Secretary/Manager, Administrative Services - Cowichan Valley Regional District;
- Letter dated February 4, 2005 from the Auxiliary to Cowichan District Hospital to the CVRD.

Movd. Councillor M. Caljouw  
Secd. Councillor P. Kent

THAT a 2005 grant of \$75.00 be provided to the Auxiliary to the Cowichan District Hospital to assist them to defray the rental cost at the Cowichan Centre for their October 22, 2005 Bazaar.

Carried.

Peace Walk

As noted by delegate Trudy Thorgeirson, the Cowichan Chapter of the Council of Canadians has withdrawn their request for a Peace Walk on March 19, 2005.

Cowichan Valley  
Paratransit 2005/06  
Operating  
Agreements

Movd. Councillor G. Maxwell  
Secd. Councillor S. Jackson

THAT Council authorize the Mayor and City Administrator to execute the 2005/06 Annual Operating Agreement (AOA) between the City of Duncan, BC Transit and Volunteer Cowichan for the Cowichan Valley Paratransit System.

Carried.

Rick Hanson Wheels  
in Motion Event

For consideration were the following items:

- Letter dated March 9, 2005 from the Disability Resource Centre - Re: Rick Hansen Wheels in Motion event;
- Letter dated March 2, 2005 from Nancy Thompson, Director, Rick Hansen Wheels in Motion.

Movd. Councillor S. Jackson  
Secd. Councillor P. Kent

THAT the Council of the City of Duncan authorize the temporary streets closures outlined in the March 9, 2005 letter from the Disability Resource Centre for the 11:00 a.m. - 2:00 p.m., June 12, 2005 (Sunday) Rick Hansen Wheels In Motion event subject to:

1. The Disability Resource Centre coordinating the event with the Duncan Business Improvement Area Society (DBIAS; City Square Manager).
2. The Disability Resource Centre, the Masters Cycling Association of BC and other active participants are to have liability insurance policies for a minimum of \$2,000,000 per occurrence for this event. Certificates showing

this coverage and indicating that the City of Duncan is an "Additional Insured Party" are to be provided to the City Administrator well in advance of the event.

3. The Disability Resource Centre, the Masters Cycling Association of BC and other active participants saving harmless the City of Duncan from any and all possible liability claims.
4. The Disability Resource Centre 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.
5. The Disability Resource Centre 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.

### **Reports of Committees, COTW and Commissions**

#### Finance Committee

For consideration were the notes of the March 7, 2005 meeting.

Election  
Remuneration -  
November 19, 2005  
Election

Movd. Councillor K. Newcomb  
Secd. Councillor G. Maxwell

THAT the following remuneration for Election Officials for the November 19, 2005 Municipal Election be approved:

Chief Election Officer	\$540.00
Deputy Chief Election Officer	\$378.00
Election Officials (4)	\$243.00
Counters	\$13.81 p/h.

Carried.

Paratransit Bus  
System - 2005/06  
Budget

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

THAT the Council of the City of Duncan approve of the 2005/06 Cowichan Valley Paratransit Budget in the amount of \$109,876.00, which represents a 1.4% increase over 2004/05.

Carried.

#### Planning & Priorities Committee

For consideration were the notes of the March 7, 2005 meeting.

120 Beech Avenue -  
DVP Application

Movd. Councillor P. Kent  
Secd. Councillor G. Maxwell

THAT Council authorize the commencement of the Development Variance Permit process to consider allowing proposed strata lots B and C at the south-end of Beech Avenue to be 12.5 metres (41 feet) rather than 15 metres (49 feet) in width subject to the following condition:

- The granting of the Development Variance Permit is subject to the single family dwellings constructed on the three new strata lots being materially and substantially similar in all respects to the three dwelling units presented as part of the Development Variance Permit Application.

Carried.

#### Parks & Recreation Committee

For consideration were the notes of the March 7, 2005 meeting.

Rotary Park  
Tennis Court

Movd. Councillor M. Caljouw  
Secd. Councillor G. Maxwell

THAT one north/south doubles-play tennis court be provided on the existing asphalt in Rotary Park (i.e. west end);

AND THAT the damaged asphalt area be removed;

AND THAT the Public Works Superintendent be requested to provide his suggestion for use of the remaining asphalt not occupied by the tennis court and outside the chain link fence (e.g. picnic tables or a shuffleboard court);

AND THAT this project cost be a maximum of \$6,000.00.

Carried.

#### General Purposes Committee

For consideration were the notes of the March 7, 2005 meeting.

Arts Policy

Movd. Councillor J. Farkas  
Secd. Councillor S. Jackson

THAT the Council of the City of Duncan forward the "draft" Arts Policy to the Cowichan Arts Council, the Duncan-Cowichan Chamber of Commerce and the Duncan Business Improvement Area Society for comment and input.

Carried.

Jubilee Community  
Garden - Request  
for Free Water

For consideration was an e-mail dated February 21, 2005 from Christine Pollard, Home Farm.

Movd. Councillor S. Jackson  
Secd. Councillor P. Kent

THAT the Council of the City of Duncan provide free water for the Jubilee Community Garden in Centennial Park in exchange for the organizers and participants assisting the City to keep all of Centennial Park and the parking lot litter free.

Carried.

Duncan Sniper  
Novice C Tournament  
- Program  
Advertisement

Movd. Councillor M. Caljouw  
Secd. Councillor K. Newcomb  
THAT a \$20.00 full-page advertisement be placed in Duncan Sniper Novice C Tournament Program (March 26 - 28, 2005) as requested in the letter received March 2, 2005 from Kristen Arnold.

Carried.

Grow Operations -  
BC Hydro

Movd. Councillor K. Newcomb  
Secd. Councillor M. Caljouw  
THAT the Council of the City of Duncan correspond with the Province of BC requesting that they require BC Hydro to release records to the RCMP and other police departments so that the detection of grow operations in the Province of British Columbia can be simplified;  
AND THAT this resolution be referred to the Association of Vancouver Island and Coastal Communities Convention.

Carried.

Duncan/North Cowichan Joint Utilities Board

For consideration were the notes of the February 17, 2005 meeting.

Properties Golf  
Course - Possible  
Use of JUB  
Reclaimed Water

Movd. Councillor G. Maxwell  
Secd. Councillor M. Caljouw  
THAT as recommended by the Joint Utilities Board, Council support "in principle" the possible use of retreated JUB Lagoons effluent for irrigation purposes at the "Properties Golf Course".

Carried.

JUB 2005 Budget

Movd. Councillor G. Maxwell  
Secd. Councillor P. Kent  
THAT as recommended by the Joint Utilities Board, Council approve the 2005 Joint Utilities Board Operating Budget of \$452,093.00 and the Capital Budget of \$125,022.00.

Carried.

Building Statistics  
- February 2005

Movd. Councillor G. Maxwell  
Secd. Councillor K. Newcomb  
THAT the Building Statistics Report for February 2005, as presented, be received, the contents noted and filed.

Carried.

Budget Review Committee

For consideration were the notes of the March 8, 2005 meeting.

Janitorial  
Contract

Movd. Councillor G. Maxwell  
Secd. Councillor S. Jackson  
THAT the Janitorial Contract be awarded to Nightshift Janitorial for \$1,755.00 plus GST per month for a three year period (April 1, 2005 - March 31, 2008).

Carried.

## Miscellaneous

Councillor Farkas reported on the March 8, 2005 Public Safety and Emergency Services Committee meeting. She noted that representatives of the City, RCMP, Community Policing Office, Safer Futures, Cowichan Tribes and the DBIAS were in attendance. She said the Committee is working on immediate remedies to the security issues and are tackling longer term issues in conjunction with the CVRD Community Safety Committee.

Councillor Kent reported on the following items:

- On February 27, he participated in another Cairnsmore neighbourhood meeting. He noted that there is a plan to establish a Community Committee for this neighbourhood to deal with issues including planning concerns and community capacity.
- He attended the recent Vancouver Island Regional Library Board meeting and noted that there is now a self checkout system at the Cowichan Branch. He noted that this excellent system frees up staff time for other important duties.
- He attended the March 10 Cowichan Music Festival Highlights Concert. He noted that many of the performances were at a very high level.
- Unfortunately, he missed attending the Cowichan Tribes NAIG Recognition Awards Event on March 11. He said he called the Cowichan Tribes representative to apologize in this regard.
- On March 10, he and the Administrator attended the National Memorial service broadcast, regarding the four RCMP Constables killed in Mayerthorpe, Alberta, at the south-end Fire Hall. He addressed the gathering on behalf of the Mayor, Council and the citizens of Duncan.

Mayor Coleman reported on the following items:

- On March 2 - 5 inclusive, he participated in the FCM national Board meeting in Whistler.
- On March 7, he addressed a gathering at the United Church regarding the Africa Literacy Program and our Sister City relationship with Meru, Kenya.
- On March 9, he participated in the budget deliberations at the Cowichan Valley Regional District. He noted that a vote was held to have the south end Electoral Areas continue to participate in the Cowichan Theatre funding. The

budget for Tourism Cowichan under the Economic Development Commission narrowly passed on a 22 to 21 weighted vote.

- On March 10, he participated in the Board of Trustees meeting of the Municipal Finance Authority and then later participated briefly at the Initial Steering Committee of the Boundary Restructure Study.
- On March 12, he participated in the Federal Government BC Caucus meeting in Victoria. It was stressed to the Federal Ministers and Members of Parliament from British Columbia that the Softwood Program needs to be continued.

### **Bylaws**

General Local  
Government Election  
Bylaw No. 1983,  
2005

Movd. Councillor M. Caljouw  
Secd. Councillor J. Farkas  
THAT Council give leave to Councillor G. Maxwell to introduce "General Local Government Election Bylaw No. 1983, 2005".

Carried.

Movd. Councillor G. Maxwell  
Secd. Councillor P. Kent  
THAT "General Local Government Election Bylaw No. 1983, 2005" be read for the first time.

Carried.

Movd. Councillor S. Jackson  
Secd. Councillor K. Newcomb  
THAT "General Local Government Election Bylaw No. 1983, 2005" be read for the second time.

Carried.

Movd. Councillor G. Maxwell  
Secd. Councillor M. Caljouw  
THAT "General Local Government Election Bylaw No. 1983, 2005" be read for the third time.

Carried.

### **Question Period - Council**

Question Period

Councillor Farkas asked the Administrator to ensure that the best paint possible is used for our line painting projects (i.e. durable for as many months as possible).

Councillor Farkas also asked how long the Federal Government BC Caucus was meeting in the Province. She was advised that this is the second time that this meeting has occurred.

**New Business**

Appointment of  
Chief Election  
Officer and Deputy  
Chief Election  
Officer

Movd. Councillor S. Jackson  
Secd. Councillor J. Farkas

THAT pursuant to Section 41(1) and (2) of the *Local Government Act* Paul Douville be appointed Chief Election Officer for conducting the 2005 general local elections with power to appoint other election officials as required for the administration and conduct of the 2005 general local elections;

AND THAT Lynn Ketch be appointed Deputy Chief Election Officer for the 2005 general local elections.

Carried.

Special Meeting

Movd. Councillor G. Maxwell  
Secd. Councillor P. Kent

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

AND THAT persons other than Council Members and the City Administrator be excluded from this meeting (Section 242.3 - Local Government Act).

Carried.

At 8:55 p.m., City Council resolved into Special Meeting.

At 9:50 p.m., the following Motion was PUT:

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

THAT the Special Meeting of City Council rise and report to City Council.

Carried.

Policy - Council  
Agenda and Backup  
Packages

Movd. Councillor P. Kent  
Secd. Councillor S. Jackson

THAT as Policy, the Council Agenda and backup packages be posted on the City Website at the same time as it is distributed to members of City Council (i.e. Thursday prior to the Council meeting).

Carried.

Councillors Caljouw, Maxwell and Newcomb dissenting.

Adjournment

Movd. Councillor S. Jackson  
Secd. Councillor G. Maxwell

THAT this meeting of City Council do now adjourn.

Carried.

At 9:52 p.m., the meeting adjourned.

---

Mayor

---

Corporate Officer