

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 24, 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.

Approval of Agenda

Agenda

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

THAT the Agenda for the May 24, 2005 Regular Meeting of City Council be approved.

Carried.

Adoption of Minutes

Minutes

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

THAT the Minutes of the Regular Meeting of City Council held May 9, 2005 be adopted.

Carried.

Delegations

Fire Chief - 2004
Fire Chief's Report

Present to deliver his 2004 Report was Fire Chief Glenn Mackie. He reviewed the statistical portion of his report line by line, noting that officer callouts in 2004 were 58 compared to 68 in 2003. The dispatchers callout officers to investigate a situation before deploying a full callout of available fire fighters.

Chief Mackie advised that in 2004, the Department responded to 182 calls, which is down slightly from 2003. He highlighted the 14 major notable calls for 2004 with the structure fire at Lordco being the most severe. The loss for the Lordco fire was estimated between \$1.5 million and \$2.2 million. With the south-end fire department, the total man hours to extinguish the Lordco was in excess of 400.

Commercial false alarms are still a problem, with most of them coming from the CVRD contract area. Therefore, the new false alarm bylaw has not been invoked. He noted that all of the apartment false alarms were caused by persons unknown activating the pull boxes.

On a happier note, the Chief advised that the Department was only called to 2 house fires in 2004, which is an all time low. During the last 10 years, the average is 7 house fires per year.

Regarding the dispatching service, Chief Mackie reported that FireCom has done a very good job. He also advised that working with FireCom, they have put limits to the first responder calls that the Department attends.

In closing, Mr. Mackie thanked all Members of Council for their support and confidence and for being aware of the needs of the Department.

The Mayor and Members of Council expressed appreciation to the Duncan Volunteer Fire Department for their ongoing stellar performance.

Welcome Wagon

Representing Welcome Wagon, Anna Clark addressed Council.

The year 2005 marks 75 years of Welcome Wagon visits in Canada. It started in Vancouver and spread across the country. Today, more than 1,200 Welcome Wagon Hostesses across Canada work with their local communities. From Head Office in Ontario, more than 45 employees coordinate the Welcome Wagon administrative support generated by representing over 16,000 businesses and visiting with more than 300,000 families individually each year. This service has been a totally Canadian owned company for the past 26 years.

Welcome Wagon has always been associated with the moving and relocation processes, but the company also serves many other occasions and lifestyle changes. Special events are organized for: brides-to-be, expectant mothers, grandparents to semi-retired and retired. New mothers and their babies are visited in hospital or thereafter at home. There are business-to-business presentations for executives and professionals when change and movement occur.

Ms. Clark noted that the focus is to encourage newcomers to shop locally. She thanked Council for considering the "Official Welcome Wagon Week" proclamation. She then presented Mayor Coleman with a certificate of appreciation, was thanked for all of her efforts and she left the meeting.

Cowichan Cultural Expo

Representing the Cowichan Cultural Expo Committee and the Cowichan Intercultural Society, Mary Beth Small addressed Council. She advised that the Cowichan Cultural Expo will be staged in the City Square on July 30 and 31, 2005 from 9:00 a.m. to 5:00 p.m. on both days. She said many cultures will be represented and the work for the Expo is being shared by representatives of the Royal Canadian Legion, Service Clubs, the Duncan-Cowichan Chamber of Commerce and the Duncan Business Improvement Area Society. She

encouraged all members of Council and the general public to attend this exciting event.

Cathy Mailhot of the Duncan-Cowichan Chamber of Commerce then addressed Council, noting that the Cultural Expo has an excellent economic benefit for the region. She noted that each visitor is estimated to spend \$50.00 to \$100.00. She noted that since they are not charging for a gate entrance, they are seeking sponsorships.

Mary Beth Small also noted that there will be a fusion concert at the Cowichan Centre Theatre on June 9, 2005. The concert will highlight fusion of a number of diverse types of music.

On a question, Ms. Small advised Council that their English as a second language training program received an extension from the Provincial Government. However, she said they were uncertain of their funding for the fall of 2005 and they are working on the issue. Mayor Coleman offered to assist in whatever way possible to continue this excellent program in the Cowichan Valley.

The delegates left the meeting.

Report of the Chief Administrative Officer

Administrator's Report

The Administrator reported on the following items:

- Due to delays caused by the rainy weather, the inflow and infiltration patches are being prepped this week followed by paving by Duncan Paving.
- Line painting should occur this week weather permitting.
- The totem poles are being washed.
- The flower baskets are going up this week with those at City Hall and the Train Station already installed.
- The highway Marigolds will be planted on June 8 by the Kiwanis Club. This project was also delayed by the recent rainy weather.
- Highway banners will be going up at the end of this week.

Unfinished Business

West Nile Risk Reduction Initiative Funding

Movd. Councillor J. Farkas
Secd. Councillor P. Kent

THAT the letter dated May 9, 2005 from the Union of BC Municipalities, wherein they forward \$5,450.00 for our West Nile Risk Reduction Program, be received, the contents noted and filed.

Carried.

Duncan City Square - Craig Street Pavers Problems

For consideration was a letter dated May 17, 2005 from In-Site Landscape Architecture Inc. (Michele Cloghesy).

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

THAT Council authorize the Administrator to proceed with having the Consultants complete the necessary remediation work to solve the concrete pavers problem on Craig Street noting the following:

1. Installation of a **trench underdrain** running the full length of Craig Street between Kenneth and Ingram Streets and connecting to the storm sewer system.
2. Appropriately **coloured reinforced stamped-concrete** for the northern crosswalk crossing Craig Street at Ingram Street if both Consultants agree in writing that this is a professional and workable solution.
3. Appropriately **coloured reinforced stamped-concrete** for all other paver areas in this section of Craig Street if both Consultants agree in writing that this is a professional and workable solution. The alternative would be **interlocking concrete pavers** and again if both Consultants agree in writing that this is a professional and workable solution.
4. The disturbed **asphalt** is **not** to be simply patched. The entire asphalt surface area must be removed and re-laid. For aesthetics and durability issues, the City opposes any trench cut-lines in the existing asphalt.

Carried.

The Administrator noted that he will advise the Consultants that if this work can be completed prior to the commencement of the Duncan-Cowichan Summer Festival on July 11, 2005, then it can proceed as soon as possible. If it cannot, timing of the work is to be agreed by City officials. He also said he would advise the Consultants that if the problems are not solved with this subsequent Consultant recommended work, the City of Duncan will continue to hold the Consultants accountable. All remediation work is to be completed without cost to the City of Duncan.

Correspondence

Fire Fighter
 Cancers

For consideration was a letter dated May 5, 2005 from the City of Coquitlam.

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

WHEREAS cancers have been recognized as an occupational disease of fire fighting in the majority of provinces of Canada due to the workplace environment;

AND WHEREAS the Workers' Compensation Board of BC refuses to recognize the research that has been used by these other Canadian provinces;

AND WHEREAS the majority of employers of fire fighters are supporting presumptive

cancer legislation and are willing to fund this as a cost of doing business associated with firefighting;

NOW THEREFORE BE IT RESOLVED THAT we strongly urge the Government of British Columbia to adopt legislation to amend the Worker's Compensation Act of British Columbia by enacting presumptive recognition of cancer as an occupational disease for fire fighters in British Columbia.

Carried.

Councillor Newcomb dissenting.

2005 Summer

Festival Activities

Movd. Councillor G. Maxwell

Secd. Councillor P. Kent

THAT the Council of the City of Duncan authorize all aspects of the 2005 Duncan-Cowichan Summer Festival as outlined in the May 5, 2005 letter from the Duncan-Cowichan Festival Society on the understanding that:

- Use of the City Square by the Duncan-Cowichan Festival Society (DCFS) is approved by and coordinated with the Duncan Business Improvement Area Society (DBIAS), the Agent of the City for Management of the City Square;

AND THAT the Festival Society be requested to seek permission from the District of North Cowichan for closing and using streets in their jurisdiction during the Grand Parade;

AND THAT CVRD Officials be requested to re-route the public transit buses for the duration of the Grand Parade on July 16, 2005 (Saturday) from 10:45 a.m. to 12:30 p.m.

Carried.

Hire A Student
Proclamation

Movd. Councillor G. Maxwell

Secd. Councillor J. Farkas

THAT the Council of the City of Duncan proclaim June 6 - 10, 2005 as "HIRE A STUDENT WEEK" in the City of Duncan as requested in the May 5, 2005 letter from the Human Resource Centre for Students;

AND THAT the Summer Employment Officers be authorized to display their "Hire a Student" banner from the banner poles adjacent to the east-side of the Trans Canada Highway and south of the Cowichan River from June 6 - 13, 2005.

Carried.

12-Hour Relay -
Banner Request

Movd. Councillor K. Newcomb

Secd. Councillor M. Caljouw

THAT the Cowichan Sportsplex, Pacific Energy 12-Hour Relay coordinators be authorized to display their "12-Hour Relay" banner from the banner poles adjacent to the east-side of the Trans Canada Highway and south of the Cowichan River from June 13 - July 9, 2005.

Carried.

Preservation of Keating Farm - 5250 Miller Road
 Movd. Councillor S. Jackson
 Secd. Councillor J. Farkas
THAT as outlined in the May 12, 2005 letter from the Cowichan Historical Society, the Council of the City of Duncan support "in principle" the preservation of the Keating Farm at 5250 Miller Road by The Land Conservancy of British Columbia (TLC);
AND THAT Council wish TLC every success in completing this project.

Carried.

Welcome Wagon Week
 Movd. Councillor S. Jackson
 Secd. Councillor M. Caljouw
THAT the Council of the City of Duncan proclaim the week of May 30, 2005 as "Official Welcome Wagon Week" as requested in the April 29, 2005 Press Release from Welcome Wagon Ltd.

Carried.

Cowichan 2005 BC Seniors Games - Volunteer Applications
 Movd. Councillor K. Newcomb
 Secd. Councillor M. Caljouw
THAT the letter dated May 13, 2005 from Linnea Mulholland, Student Volunteer, regarding the Cowichan 2005 BC Seniors Games, be received, the contents noted and filed;
AND THAT Ms. Mulholland be advised that volunteer application forms are currently available at the front counter in City Hall.

Carried.

Reports of Committees, COTW and Commissions

General Purposes Committee

For consideration were the notes of the May 16, 2005 meeting.

831 Wharncliffe Road - Reserved On-Street Parking (Wedding)
 Movd. Councillor P. Kent
 Secd. Councillor J. Farkas
THAT in response to the May 4, 2005 request from Alastair Alves, 831 Wharncliffe Road, Council authorize exclusive use of the on-street parking spaces fronting 831 and 841 Wharncliffe Road from 8:00 a.m. to 6:00 p.m., June 25, 2005 (Saturday) for a wedding occurring at 831 Wharncliffe Road;

AND THAT the Public Works Superintendent provide Mr. Alves with 5 street cones to assist with this exclusive on-street parking use at 831 and 841 Wharncliffe Road.

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

THAT the second proposition of the resolution dealing with 831 Wharncliffe Road be deleted.

LOST.

Mayor Coleman, Councillors Caljouw, Kent and Newcomb dissenting.

The Main Motion as worded was then PUT and CARRIED.

Councillors Caljouw, Maxwell and Newcomb dissenting.

City Square Stage Roof

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

THAT Council agree with the May 6, 2005 proposal of D'Ambrosio Architecture Urbanism (Da+u) regarding the proposed City Square Stage Roof (i.e. First Phase - Maximum \$5,000.00; Second Phase - Fixed Fee Based on 12% of the Construction Cost).

Carried.

Finance Committee

Warrant No. 4-2005

Movd. Councillor K. Newcomb
Secd. Councillor P. Kent

THAT Warrant No. 04-2005 covering General Account cheque numbers 109665 - 109804 in the total amount of \$347,465.15 - Payroll Account - Payroll #07 covering Direct Deposits in the amount of 29,126.24 - Payroll #08 covering cheque numbers 3564 - 3577 and Direct Deposits in the amount of 35,563.34
GRAND TOTAL \$412,154.73
be ratified.

Carried.

Planning & Priorities Committee

For consideration were the notes of the May 16, 2005 meeting.

McKinstry Road & Al Wilson Grove - Phasing (Balbir Parhar)

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

THAT as requested in the May 5, 2005 letter from Linda Slang, Solicitor for Balbir Parhar, Council agree with the proposed phasing of the twenty-four(24) strata lot townhouses on Lot 3, Section 16, Range 7, Quamichan District, Plan 13092 (PID-004-716-302; McKinstry Road/Al Wilson Grove) as follows:

<u>Phase Number</u>	<u>Date</u>
1	- commenced on or about March 1, 2005
2	- on or about May 1, 2005
3	- on or about September 1, 2005
4	- on or about March 1, 2006;

AND THAT this phasing approval be subject to the developer constructing the McKinstry Road sidewalk with drainage gutter immediately in conjunction with Phases 1 & 2 of the Strata Development.

Carried.

Miscellaneous

Councillor Jackson advised that she participated in the recent McHappy Days fundraising event for Children's Hospital. She said they raised considerable funds and that she enjoyed the event immensely.

Councillor Kent advised that he participated in the reception staged at City Hall for the Cowichan Caregivers Society. He said he was impressed with the number of people involved with this Society.

Mayor Coleman noted the following items:

- On May 10, he participated in the fundraising event for the endeavour aimed at youth suicide prevention (Cowichan Tribes).
- At the May 11, 2005 Committee of the Whole meeting, the concept of a Citizens Assembly was introduced. This concept will be discussed at the May 25, 2005 CVRD Board meeting.
- On May 12, he participated in a meeting with the Duncan Junior Baseball Association regarding the Cowichan Place concept.
- On May 14, he participated in the Cowichan 2005 BC Seniors Games Torch Lighting Ceremony (103 days to the commencement of the Games).
- Also on May 14 in the evening, he participated in the Shriners' convention banquet. He noted that they had a large and spectacular parade during the day on May 14.
- On May 19, he and other members of Council hosted the Duncan Junior Council to a dinner.
- On May 21, he participated in the Chorfest at the Cowichan Centre Theatre.

Councillor Farkas reported on the recent meeting regarding the NorskeCanada air shed quality studies. She said that the event was sponsored by the Crofton Community Advisory Forum and that it lasted 5 hours. Presentations were heard from the original Consultant and the Peer Review Consultant. She noted that the Ministry of Land, Water and Air Protection is leaning towards a model similar to the CVRD Watershed Management Model.

Bylaws

Building Bylaw No. 1848, 1998,
Amending Bylaw, No. 1988, 2005 (Low
Flush Water
Closets)

Movd. Councillor S. Jackson
Secd. Councillor J. Farkas
THAT Council give leave to Councillor G. Maxwell to introduce "Building Bylaw No. 1848, 1998, Amending Bylaw, No. 1988, 2005".

Carried.

Movd. Councillor G. Maxwell
Secd. Councillor P. Kent
THAT "Building Bylaw No. 1848, 1998, Amending Bylaw No. 1988, 2005" be read for the first time.

Carried.

Movd. Councillor P. Kent
Secd. Councillor K. Newcomb
THAT "Building Bylaw No. 1848, 1998, Amending Bylaw No. 1988, 2005" be read for the second time.

Carried.

Movd. Councillor S. Jackson
 Secd. Councillor M. Caljouw
THAT "Building Bylaw No. 1848, 1998,
 Amending Bylaw No. 1988, 2005" be read for
 the third time.

Carried.

Zoning Bylaw No. 1540, 1988,
 Amendment Bylaw No. 1, No. 1987, 2005
 (270 Government Street)

Movd. Councillor M. Caljouw
 Secd. Councillor P. Kent
THAT Council give leave to Councillor
 K. Newcomb to introduce "Zoning Bylaw No.
 1540, 1988, Amendment Bylaw No. 1, No. 1987,
 2005".

Carried.

Movd. Councillor K. Newcomb
 Secd. Councillor G. Maxwell
THAT "Zoning Bylaw No. 1540, 1988,
 Amendment Bylaw No. 1, No. 1987, 2005" be
 read for the first time.

Carried.

Movd. Councillor P. Kent
 Secd. Councillor S. Jackson
THAT "Zoning Bylaw No. 1540, 1988,
 Amendment Bylaw No. 1, No. 1987, 2005" be
 read for the second time.

Carried.

New Business

Cowichan Place -
 Community
 Excellence Award

Mayor Coleman asked members of Council to consider the criteria of the Community Excellence Award and the possibility of entering the "Cowichan Place" concept for an award. He noted that the section dealing with Local Government and School District cooperation would be appropriate.

Mayor Coleman also suggested that the Advisory Committee for People With Disabilities should offer to work with the proponents of the Cowichan Place concept on accessibility issues. Councillor Farkas also suggested that the CVRD Community Safety Advisory Committee be involved in this process.

Downtown Duncan
 Farmers' Market -
 Award

Mayor Coleman noted that he would be presenting an award to the Downtown Duncan Farmers' Market Society on May 28, 2005 recognizing them as the outstanding Market in BC.

CVRD Citizens
 Assembly on Local
 Government
 Restructuring

Movd. Councillor P. Kent
 Secd. Councillor S. Jackson
THAT the Council of the City of Duncan agree "In Principle" with the concept of a "Citizens Assembly" on Local Government;
AND THAT the CVRD Board of Directors authorize staff to develop draft Terms of Reference and a budget for the "Citizens Assembly" process;
AND THAT the CVRD Board of Directors secure the input and approval "In Principle" of the Minister of Communities, Aboriginal and Women's Services and the three (3) other Municipal Councils

Carried.

Special Meeting

Movd. Councillor G. Maxwell

Secd. Councillor J. Farkas

THAT the Council of the City of Duncan resolve into Special Meeting (Committee of the Whole) to discuss a legal issue;

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

Carried.

At 9:15 p.m., City Council resolved into Special Meeting.

At 9:30 p.m., the following Motion was PUT:

Movd. Councillor S. Jackson

Secd. Councillor M. Caljouw

THAT the Special Meeting of City Council rise;

AND THAT this meeting do now adjourn.

Carried.

Michael Coleman
Mayor

Paul Douville
Corporate Officer