

The Regular Meeting of City Council was held in the Council Chamber, City Hall, 200 Craig Street, Duncan, BC at 7:30 p.m., July 10, 2006.

Present: Mayor Phil Kent; Councillors Ray Cadorette, Mike Caljouw and Ken Newcomb and Jesse Winfrey.

Absent With  
Prior Notice: Councillors Paul Fletcher and Sharon Jackson.

Also Present: Tom Ireland – CAO, Peter de Verteuil – Deputy CAO/ Director of Finance and 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

Movd. Councillor J. Winfrey  
Secd. Councillor K. Newcomb  
THAT the Agenda for the July 10, 2006 Regular Meeting of City Council, with the additions under "Introduction of Late Items", be approved.

Carried.

#### **Adoption of Minutes**

Minutes

Movd. Councillor K. Newcomb  
Secd. Councillor R. Cadorette  
THAT the Minutes of the Regular Meeting of City Council held June 26, 2006 and the Special Meeting held June 30, 2006 be adopted.

Carried.

#### **Introduction of Late Items**

Late Items

Movd. Councillor K. Newcomb  
Secd. Councillor J. Winfrey  
THAT the following late items be added to the July 10, 2006 Regular Meeting Agenda:

- 2005 Annual Report 7(d) – Unfinished Business
- Appointment of Director of Corporate Services 7(e) – Unfinished Business
- Combined Service Review of the Cowichan Centre and Kerry Park Arena 13(a) - New Business

Carried.

#### **Report of Chief/Deputy Chief Administrative Officer**

Deputy CAO  
Report

The Deputy Chief Administrative Officer reported on the following items:

- Road marking is continuing throughout the City.
- Curb painting is almost complete.
- Crosswalk painting is progressing well.
- Thermal coating on the roadways will be completed in 2 – 3 weeks and then the parking stalls will be started.
- A list of paving patching has been given to Duncan Paving.
- The City Square and flower beds have been given considerable attention the last few weeks in preparation for the July 10 – 15 Summer Festival.
- City Hall trim painting is now complete.
- The 31 angle parking spaces on Duncan Street between the Professional Building (394 Duncan Street) and the Duncan Garage (330 Duncan Street) has been converted to 90° parking. This change has added 15 parking spaces for a total of 46 \$1.00 per day stalls in this area.

**Unfinished Business**

June 14, 2006 Pool Referendum and Opinion Question Results	<p>Movd. Councillor K. Newcomb Secd. Councillor M. Caljouw <u>THAT</u> the following June 24, 2006 Pool Referendum and Opinion Question results, presented by the Director of Corporate Services, be received:</p> <ul style="list-style-type: none"> <li>▪ Pool Referendum Question – Ballot Account <table border="0" style="margin-left: 20px;"> <tr> <td>YES</td> <td style="text-align: right;">499</td> <td style="text-align: right;">78.96% Yes</td> </tr> <tr> <td>NO</td> <td style="text-align: right;">133</td> <td style="text-align: right;">21.04% No</td> </tr> <tr> <td>Total Votes</td> <td style="text-align: right;">632</td> <td></td> </tr> </table> </li> <li>• Flowrider Opinion Question – Ballot Account <table border="0" style="margin-left: 20px;"> <tr> <td>YES</td> <td style="text-align: right;">334</td> <td style="text-align: right;">54.31% Yes</td> </tr> <tr> <td>NO</td> <td style="text-align: right;">281</td> <td style="text-align: right;">45.69% No</td> </tr> <tr> <td>Total Votes</td> <td style="text-align: right;">615</td> <td></td> </tr> </table> </li> </ul> <p style="text-align: right;">Carried.</p>	YES	499	78.96% Yes	NO	133	21.04% No	Total Votes	632		YES	334	54.31% Yes	NO	281	45.69% No	Total Votes	615	
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Standards for BC Home and Property Inspection	<p>Movd. Councillor K. Newcomb Secd. Councillor M. Caljouw <u>THAT</u> the June 27, 2006 letter from the Canadian Association of Home &amp; Property Inspectors (BC), regarding standards for BC Home and Property Inspection, be received, the contents noted and filed.</p> <p style="text-align: right;">Carried.</p>																		
Province of BC Bill 30 – Misc. Statutes Amendment Act, 2006	<p>Movd. Councillor J. Winfrey Secd. Councillor R. Cadorette <u>THAT</u> the letter dated July 5, 2006 from Squamish-Lillooet Regional District, regarding the recent amendment of the Utilities Commission Act by Bill 30, be received, the contents noted and filed.</p> <p style="text-align: right;">Carried</p>																		
2005 Annual Report	<p>Movd. Councillor M. Caljouw Secd. Councillor J. Winfrey <u>THAT</u> the City of Duncan 2005 Annual Report, as presented by the Director of Finance, be received.</p> <p style="text-align: right;">Carried.</p>																		
Lynn Ketch Appointment – Director of Corporate Services	<p>Movd. Councillor K. Newcomb Secd. Councillor R. Cadorette <u>THAT</u> Lynn Ketch be appointed Director of Corporate Services for the City of Duncan, effective July 1, 2006.</p> <p style="text-align: right;">Carried.</p>																		
<b><u>Correspondence</u></b>																			
Wheels in Motion – June 11, 2006 (Duncan)	<p>Movd. Councillor R. Cadorette Secd. Councillor M. Caljouw <u>THAT</u> the letter of appreciation dated June 30, 2006 from Michael G. Coleman, regarding the June 11<sup>th</sup>, 2006 “Wheels in Motion” event staged at the Duncan City Square, be received, the contents noted and filed.</p> <p style="text-align: right;">Carried.</p>																		
Summer Festival – Elks Beer Garden	<p>Movd. Councillor M. Caljouw Secd. Councillor R. Cadorette <u>THAT</u> the letter dated June 26, 2006 from the Duncan-Cowichan Festival Society, regarding the Elks Beer Garden at the 2006 Summer Festival, be received and filed; <u>AND THAT</u> this letter be forwarded to the Duncan Elks, Lodge 69, for their information.</p> <p style="text-align: right;">Carried.</p>																		
Introduction of the City's New CAO, Tom Ireland	<p>Mayor Kent welcomed the City's new Chief Administrative Officer, Tom Ireland, to the City of Duncan and the Cowichan Valley.</p> <p>Mr. Ireland received a round of applause from those present.</p>																		

- Safety Standards Amendments Act, 2006 – Marijuana Grow Operations  
 Movd. Councillor R. Cadorette  
 Secd. Councillor M. Caljouw  
THAT the letter received June 26, 2006 from the Honourable Rich Coleman, Minister Responsible for Housing, regarding Safety Standards Amendments Act, 2006 – Marijuana Grow Operations, be received, the contents noted and filed.  
 Carried.
- Loading Zone Sign Request  
 Movd. Councillor K. Newcomb  
 Secd. Councillor J. Winfrey  
THAT the letter received July 5, 2006 from Arlee Stroink, Owner – A.L.S. Sew Fabulous Ltd., 150 Station Street, requesting a loading zone sign in front of 150 Station Street, be referred to a Public Works Committee meeting;  
AND THAT the Commissionaire Sgt. A. Husbands be requested to provide a report to the Public Works Committee in this regard.  
 Carried.
- MFA Pooled Investment Program Dividends  
 Movd. Councillor M. Caljouw  
 Secd. Councillor J. Winfrey  
THAT the letter dated June 30, 2006 from the Municipal Finance Authority of BC, regarding MFA Pooled Investment Program Dividends, be received, the contents noted and filed, noting that the City's dividend for 2005 was \$1,647.49.  
 Carried.
- Surplus Repayment Issue 33 – Term 20  
 Movd. Councillor R. Cadorette  
 Secd. Councillor K. Newcomb  
THAT the letter dated June 30, 2006 from the Municipal Finance Authority, regarding the \$11,783.60, be received, the contents noted and filed.  
 Carried.  
 Councillor Newcomb requested clarification from the Director of Finance, Peter de Verteuil, regarding how this refund relates to the rate of interest for MFA Issue 33 - Term 20.
- “Drowning Prevention Day” Proclamation Request  
 Movd. Councillor K. Newcomb  
 Secd. Councillor J. Winfrey  
THAT the Council of the City of Duncan proclaim July 22, 2006 as “Drowning Prevention Day”, as requested in the July 6, 2006 letter from the Lifesaving Society (BC & Yukon Branch).  
 Carried.
- Public Private Partnerships – CUPE BC  
 Movd. Councillor K. Newcomb  
 Secd. Councillor M. Caljouw  
THAT June 23, 2006 letter from the Canadian Union of Public Employees, BC Division (CUPE BC), regarding Public Private Partnerships (P3s), be received, the contents noted and filed.  
 Carried.  
 Movd. Councillor J. Winfrey  
 Secd. Councillor R. Cadorette  
THAT a copy of the June 23, 2006 letter from CUPE BC, regarding Public Private Partnerships (P3s), be sent to the Provincial Auditor General requesting his written comments to Council regarding the content of this letter.  
 Carried.
- UBCM Commentary on Competition Council Report  
 Movd. Councillor M. Caljouw  
 Secd. Councillor K. Newcomb  
THAT the memorandum dated June 28, 2006 from the UBCM, regarding the UBCM commentary on the Competition Council Report, be received, the contents noted and filed.  
 Carried.

New National  
Infrastructure Program &  
Provincial Funding –  
Public Libraries

Movd. Councillor M. Caljouw

Secd. Councillor J. Winfrey

THAT the letter dated July 6, 2006 from the Vancouver Island Regional Library (VIRL), regarding a new National Infrastructure Program with public libraries, be received, the contents noted and filed;

AND THAT the letter dated June 28, 2006 from the VIRL, regarding provincial funding for public libraries, be forwarded to the next General Purposes Committee meeting to establish Council's position in this regard for consideration at the UBCM Convention in the fall of 2006.

Carried.

Cowichan United Way -  
Banner Request

Movd. Councillor K. Newcomb

Secd. Councillor J. Winfrey

THAT the Council of the City of Duncan authorize the display of the Cowichan United Way banner from the banner poles adjacent to the east-side of the TCH and south of the Cowichan River from September 12 – November 30, 2006, with the exception of October 6 – 22, 2006 being reserved for the Cowichan Hospital Auxiliary, as requested in the July 5, 2006 letter from the Cowichan Way. (Note: The Cowichan Exhibition banner will be displayed from August 21 – September 11, 2006 and December is reserved for the Church of Jesus Christ of Latter-Day Saints Christmas Pageant.)

Carried.

Chamber of Commerce -  
2006 Grant In Aid

Movd. Councillor R. Cadorette

Secd. Councillor M. Caljouw

THAT the letter dated July 5, 2006 from the Duncan-Cowichan Chamber of Commerce, wherein they thank City Council for their financial support, be received, the contents noted and filed.

Carried.

Requested Doorway to  
City Square Parking Lot –  
55 Lois Lane

Movd. Councillor K. Newcomb

Movd. Councillor M. Caljouw

THAT Mayor Kent be excused from the debate and vote on the request from Jeanette McPetrie of Belongings (55 Lois Lane) for a doorway from her business to the City Square parking lot.

Carried.

Mayor Kent left the Council Chamber and Deputy Mayor Ken Newcomb assumed the Chair.

Movd. Councillor M. Caljouw

Secd. Councillor R. Cadorette

THAT in response to the June 19, 2006 request from Jeanette McPetrie, Belongings Store at 55 Lois Lane (Lot: A, Section: 17, Range: 6, Plan: VIS 3027, Land District: 45), Council permit an access doorway for this business to and from the City owned parking lot (City Square), subject to:

1. The applicant being responsible for all costs including the required alterations to the foliage beds and curbing on the east side of the City parking lot.
2. The applicant and successor owners maintaining a public liability insurance policy of a minimum of \$2 million per occurrence with the "City of Duncan" being named as an additional insured party.
3. The applicant and successor owners holding harmless the City of Duncan from any and all possible liability claims in writing (should be included in the following covenant document).
4. A covenant being registered on the title of 55 Lois Lane (similar to the one for the parking lot access doorway for Gallowglass Books Ltd. (40 Ingram Street), stipulating the following items:

- a. The addition by the Owner of an entrance doorway, overhead canopies and display windows (the "Additions") to that west facing side of the Property that abuts the parking lot is contingent upon that area continuing to be used as a parking lot, and:
- b. Should the parking lot no longer be used as a parking lot, the Owner shall, if so requested by the City, remove the additions and return the facade of that side of the property that abuts the parking lot, to its previous condition, and further that:
- c. The current main entrance from Lois Lane not be closed preventing the parking lot door entrance from being the sole entrance to the store.

Carried.

Mayor Kent returned the Council Chamber and assumed his position as Chair.

**Reports of Committees, COTW and Commissions**

General Purposes Committee

For consideration were the notes of the July 4, 2006 meeting.

NAIG Games 2008 –  
Exclusive Use of the  
Cowichan Centre

Movd. Councillor K. Newcomb  
Secd. Councillor R. Cadorette

THAT the Council of the City of Duncan advise the Cowichan Centre Commission that it supports the request of the Cowichan 2008 North American Indigenous Games Society to have exclusive use of the Cowichan Centre for an Athlete Centre, from July 29, to August 11, 2008.

Carried.

Finance Committee

Digital Cameras System –  
Council Chamber

For consideration were the notes of the July 4, 2006 meeting.

Movd. Councillor M. Caljouw  
Secd. Councillor K. Newcomb

WHEREAS Shaw Cable has discontinued recording Council meetings for airing on the Shaw Cable community channel and many residents depend on this form of media for following the business of the City;

AND WHEREAS Shaw Cable has committed to air footage of Council meetings if Council undertakes the recording function;

THEREFORE BE IT RESOLVED THAT the City of Duncan purchase a 3 camera video recording system at a total cost not to exceed \$8,000, including PST, to be funded by deferring a portion of the 2006 computer capital purchases to 2007;

AND THAT the City of Duncan request that Shaw Cable make an ongoing commitment to being the lead in coordinating the supply of volunteers to operate the system either similar to their existing practice or through a school program.

Carried.

Warrant No.  
6 - 2006

Movd. Councillor M. Caljouw  
Secd. Councillor R. Cadorette

THAT Warrant No. 06-2006 covering General Account cheque numbers 111376 – 111836 in the

Total amount of	\$824,337.65
- Payroll Account – Payroll #12 covering cheque numbers 4002 – 4036 & direct deposits in the amount of	51,758.96
- Payroll #13 covering cheque numbers 4037 - 4053 and direct deposits in the amount of	<u>46,815.44</u>
GRAND TOTAL . . . . .	<u>\$922,912.05</u>

be ratified.

Carried.

Planning & Priorities Committee

For consideration were the notes of the July 4, 2006 meeting.

330 Spruce Place –  
Development Variance  
Permit

Movd. Councillor R. Cadorette  
Secd. Councillor J. Winfrey

THAT Council authorize the commencement of the Development Variance Permit process for the proposed addition onto the rear of the existing carport/garage at 330 Spruce Place (Lot: 5, Block: 6, Section: 18, Range: 5, Plan: 12568, Land District: 45), to reduce the rear-yard setback from 7.5 meters (24.6 feet) to 5.18 meters (17 feet), a Development Variance of 2.32 meters (7.6 feet).

Carried.

Reports from Staff

Building Statistics Report  
– June 2006

Movd. Councillor K. Newcomb  
Secd. Councillor M. Caljouw

THAT the Building Statistics Report for June 2006 be received, the contents noted and filed.

Carried.

211 First Street -  
Demolition

Councillor Winfrey inquired of staff present if a demolition date for 211 First Street had been established. It was noted that Dave Sanders, Building Inspector, would be the person to ask.

Councillor Caljouw noted that with the new route for the July 15 Summer Festival parade, it would be nice to have 211 First Street demolished prior to the parade.

Reports from Council Members

Reports from Council  
Members

Mayor Kent reported on the following:

- On June 28, he Chaired the Cowichan Valley Regional Services Board meeting. Representatives from the Ministry of Transportation also attended this meeting to present a report from Stantec Engineering on proposals for the highway over the Malahat. Public presentations are continuing with the next one being scheduled for North Saanich later this month.
- The CVRD are looking at the possibility of developing a site in their south-end area for a transfer station.
- The CVRD will not be looking at the Kinsol Trestle for inclusion in the Trans Canada Trail through their area. It is their intention to find another crossing for the completion of the trail.
- On June 29, he, the Director of Finance and the previous CAO, Paul Douville, met with representatives from the Ministry of Transportation and two business representatives from the Trans Canada Highway in Duncan regarding the TCH Corridor Traffic Management and Access Management Plans. Public consultation with the Ministry of Transportation is expected later this fall.
- He was unable to attend the Homelessness Forum on June 29 at Esquimalt, but will distribute the material from the Forum which he found interesting and valuable.
- On June 29, he attended the Cowichan Secondary School Valediction Ceremony. On a positive note, he reported that there was a substantial increase in the number of graduating First Nations students.

Questions from Council

Upcoming Paving  
Patching

The Mayor requested the Deputy CAO, Peter de Verteuil, to issue press releases or notices to the public regarding upcoming paving patching in the City.

Roundabout Operational Review      On a question from Council, the Deputy CAO advised that the Roundabout Operational Review of the Canada Avenue Government Street intersection by Delcan Corporation is expected in mid-July.

**New Business**

Combined Service Review – Cowichan Centre and Kerry Park Arena      Movd. Councillor J. Winfrey  
 Secd. Councillor R. Cadorette  
THAT City Council advise the Board of the Cowichan Valley Regional District that Council supports a combined service review of the Cowichan Centre and Kerry Park Arena.

Carried.

Closed Session      Movd. Councillor R. Cadorette  
 Secd. Councillor J. Winfrey  
THAT this regular Council meeting be closed to the public to consider items under section 90(1)(i). of the Community Charter.

Carried.

The meeting was closed to the public at 8:50 p.m. and Council rose without reporting at 10:00 p.m.

Adjournment      Movd. Councillor R. Cadorette  
 Secd. Councillor J. Winfrey  
THAT this Meeting of City Council do now adjourn.

Carried.

Confirmed:

Certified Correct:

\_\_\_\_\_  
 Phil Kent, Mayor

\_\_\_\_\_  
 Lynn Ketch, Director of  
 Corporate Services