

MINUTES
REGULAR COMMITTEE OF THE WHOLE MEETING
SHAW AUDITORIUM, 80 COMMERCIAL STREET,
MONDAY, 2014-NOV-03 AT 4:30 P.M.

PRESENT: Mayor J. R. Ruttan, Chair

Members: Councillor G. Anderson
Councillor W. L. Bestwick
Councillor M. D. Brennan
Councillor G. E. Greves
Councillor D. K. Johnstone
Councillor J. A. Kipp
Councillor W. B. McKay
Councillor J. F. K. Pattje

Staff: E. C. Swabey, City Manager
T. M. Hickey, General Manager of Community Services
B. E. Clemens, Director of Finance
D. Lindsay, Director of Community Development
G. Goodall, Director of Engineering & Public Works
T. P. Seward, Director of Social & Protective Services
C. Davis, Manager of Sanitation, Recycling & Public Works
Administration
G. Ferrero, Director of Information Technology & Legislative Services
K. King, Recording Secretary

1. CALL THE OPEN MEETING TO ORDER:

The Regular Committee of the Whole Meeting was called to order at 4:30 p.m.

2. INTRODUCTION OF LATE ITEMS:

- (a) Add Agenda Item 8(a) – Colliery Dams Update – Add delegations Mr. Jeff Solomon, Mr. Robert Fuller and Mr. Mike Horn

3. ADOPTION OF AGENDA:

It was moved and seconded that the Agenda, as amended, be adopted. The motion carried unanimously.

4. ADOPTION OF MINUTES:

It was moved and seconded that the Minutes of the Regular Committee of the Whole Meeting held in the Shaw Auditorium, 80 Commercial Street, on Monday, 2014-OCT-06 at 4:30 p.m. be adopted as circulated. The motion carried unanimously.

5. COMMUNITY SERVICES:

(a) Colliery Dams Update

Delegations:

1. Mr. Jeff Solomon spoke in favour of further review of the existing spillway capacity and water distribution in an overtopping situation and that it was premature to evaluate the concept of an alternate swale/drainage course to Harewood Creek.
2. Mr. Robert Fuller spoke in opposition to further study of Colliery Dams remediation options and requested that the flood signage be removed.
3. Mr. Mike Horn spoke in favour of further study of remediation options and suggested a one-year moratorium on further work on the Colliery Dams, subject to Dam Safety approval.

It was moved and seconded that Council direct Staff to review water distribution in an overtopping situation and how it impacts overtopping flow rate. The motion carried.

Opposed: *Councillors Anderson, Bestwick, Brennan and Greves*

It was moved and seconded that Council direct Staff to review capacity of the existing spillway. The motion carried.

Opposed: *Councillors Anderson, Bestwick, Brennan and Greves*

It was moved and seconded that Council direct Staff to review the concept of an alternate swale/drainage course to Harewood Creek. The motion carried.

Opposed: *Councillors Bestwick, Kipp and McKay*

It was moved and seconded that Council direct Staff to provide a report back to Council with recommended next steps once the following has been completed:

- review water distribution in overtopping situation and how it impacts overtopping flow rate;
- review capacity of existing spillway; and,
- review concept of alternate swale/drainage course to Harewood Creek.

The motion carried unanimously.

(b) Request from APEGBC to Use Retaining Wall Guideline

It was moved and seconded that Council approve the request from the Association of Professional Engineers and Geoscientists of BC to use the City of Nanaimo's Retaining Wall Guideline as part of professional practice guidelines. The motion carried unanimously.

(c) Minutes of the Parks, Recreation and Culture Commission Meeting held 2014-OCT-01.

6. DELEGATIONS (not related to a Report to Council):

- (a) Mr. Mike Horn requested that Council consider hiring staff to clean in the downtown core as a supplement to the existing “green machine” and that some of the funding to the DNBI could be reallocated to fund the staffing.
- (c) Mr. Peter Sinclair requested that the City consider contributing to the cost of renovating a 6000 square foot warehouse on Fry Street for the Loaves and Fishes Food Bank.
- (b) Mr. Ian Gartshore spoke in support of Loaves and Fishes request for funding for the renovation of a warehouse and advised how the food recovery work done by Loaves and Fishes supports zero waste and reduces green house gases.
- (d) Mr. Nick Foglietta and Mr. Rob Anderson spoke in support of the Loaves and Fishes request for funding for the renovation of a warehouse.

It was moved and seconded that Council refer the request from Loaves and Fishes for a contribution of \$275,000 for a warehouse renovation to Staff to provide a report regarding funding options and that this report be included on the next meeting agenda. The motion carried.

Opposed: Councillor Bestwick

- (e) Ms. Sabrina Hornfeldt and Ms. Cathy Baart, CatNap Society, requested that City Staff be directed to prepare a report regarding animal control bylaw amendments to include licensing of cats and a mandatory cat spay/neuter program.
- (f) Ms. Mayta Ryn spoke regarding the need for pet identification and the effect of domestic cats on wildlife.

It was moved and seconded that Council direct Staff to prepare a report regarding the feasibility of the licensing and identification of cats and an amendment to the Animal Control Bylaw for a mandatory cat spay/neuter program. The motion carried unanimously.

7. QUESTION PERIOD:

- Mr. Fred Taylor, cat licensing program, Colliery Dams,
- Mr. Gord Fuller, Colliery Dams,

8. PROCEDURAL MOTION:

It was moved and seconded that the meeting be closed to the public in order to deal with agenda items under the *Community Charter* Section 90(1):

- (e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the municipality;
- (g) litigation or potential litigation affecting the municipality;

- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (n) the consideration of whether a Council meeting should be closed under a provision of this subsection or subsection (2); and,

Community Charter Section 90(2):

- (b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

The motion carried unanimously.

Council moved into "In Camera" at 6:44 p.m.

Council moved out of "In Camera" at 8:36 p.m.

9. ADJOURNMENT:

It was moved and seconded at 8:36 p.m. that the meeting terminate. The motion carried unanimously.

C H A I R

CERTIFIED CORRECT:

CORPORATE OFFICER