

MINUTES
REGULAR COMMITTEE OF THE WHOLE MEETING
SHAW AUDITORIUM, 80 COMMERCIAL STREET,
MONDAY, 2014-SEP-15 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 (departed at 6:50 p.m.)
Councillor J. F. K. Pattje

Staff: E. C. Swabey, City Manager
T. M. Hickey, General Manager of Community Services
T. P. Seward, Acting General Manager of Community Development & Protective Services
B. E. Clemens, Director of Finance
D. Lindsay, Director of Community Development
P. Cooper, Communications Manager
C. Jackson, Manager of 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) Agenda Item 6 (a) – Colliery Dams Update – add delegations from:

1. Mr. Craig Evans
2. Mr. Jim Routledge
3. Mr. Robert Fuller
4. Mr. Soren Korhonen
5. Mr. Terry Lee Wagar
6. Mr. Gordon Fuller
7. Mr. Daniel Appell
8. Ms. Joy Sarauer
9. Ms. Judy Forbister
10. Mr. Jeff Solomon
11. Mr. Mike Horn

(b) Item 7 (c) – Minutes of the Grants Advisory Committee – delete from agenda

- (c) Councillor Kipp advised that Mr. Leon Cake was in attendance and wished to address Council as a late delegation regarding the Colliery Dam Update report.

It was moved and seconded that Leon Cake be permitted to address Council as a late delegation with a five-minute time limitation. The motion carried unanimously.

- (d) Councillor Brennan advised that Ms. Kathleen Darby, Nanaimo Conservatory of Music was in attendance and wished to address Council as a late delegation regarding the Three Year Permissive Tax Exemption.

It was moved and seconded that Ms. Kathleen Darby be permitted to address Council as a late delegation with a five-minute time limitation. The motion carried unanimously.

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, Nanaimo, BC, on Monday, 2014-AUG-18 at 4:30 p.m. be adopted as circulated. The motion carried unanimously.

5. ADMINISTRATION:

(a) Colliery Dams Update

Delegations:

1. Mr. Craig Evans spoke regarding the preservation and protection of the Colliery Dams as registered heritage structures and advised that he is in favour of having a full hydraulic study done.
2. Mr. Jim Routledge advised that he believes that a hydraulic study would assist with conclusions regarding the dams remediation.
3. Mr. Robert Fuller spoke in favour of a hydraulic study.
4. Mr. Soren Korhonen spoke in support of a study as he believes that would prove that remediation is unnecessary and would like the signs removed.
5. Mr. Terry Lee Wagar spoke in favour of a hydraulic study.
6. Mr. Gordon Fuller spoke in favour of a hydraulic study.
7. Mr. Daniel Appell, advised of concerns regarding Colliery Dams remediation.
8. Ms. Joy Sarauer spoke in favour of a hydraulic study.
9. Ms. Judy Forbister spoke in favour of a hydraulic study.
10. Mr. Jeff Solomon spoke in favour of a hydraulic study.

11. Mr. Mike Horn spoke in favour of the hydraulic study.
12. Mr. Leon Cake spoke in favour of a hydraulic study.

It was moved and seconded that Council direct Staff to continue with a Request for Qualifications and a Request for Proposal process to seek proposals from design/build contractors for overtopping and labyrinth spillway options. The motion was defeated.

Opposed: *Councillors Anderson, Bestwick, Kipp, McKay and Pattje*

It was moved and seconded that Council direct Staff to provide a report to Council identifying the type of studies and associated costs needed to evaluate Colliery Dams remediation options that would include:

1. review of the design flood;
2. modeling of the flood over the Lower Dam for the design flood event with and without Middle Dam failure;
3. review of the dam structure during the design event and estimate the rate of failure of the structure by erosion; and,
4. suggest options for upgrading that would reduce or eliminate the risk of downstream impacts due to dam failure associated with the design flood;

and obtain the Colliery Dam Park Preservation Society approval of the wording of the scope of work for the study prior to reporting to Council. The motion carried.

Opposed: *Councillor Greves*

6. CORPORATE SERVICES:

(a) Three Year Permissive Tax Exemption Review

Councillor McKay vacated the Shaw Auditorium at 6:50 p.m.

Delegation:

1. Ms. Carol O'Connor, on behalf of PacificCARE was not in attendance.
2. Ms. Kathleen Darby, on behalf of the Nanaimo Conservatory of Music, provided Council with information on how the Nanaimo Conservatory of Music provides opportunities to the community and requested that Conservatory be granted a Permissive Tax Exemption.

It was moved and seconded that the Nanaimo Conservatory of Music be added to the Permissive Tax Exemption Bylaw. The motion unanimously.

It was moved and seconded that the Pacific Child and Family Enrichment Society be invited to the next meeting of Council to present their case for a Permissive Tax Exemption. The motion carried unanimously.

It was moved and seconded that the Central Vancouver Island Multicultural Society be invited to the next meeting of Council to present their case for a Permissive Tax Exemption. The motion carried unanimously.

It was moved and seconded that Council renew Permissive Tax Exemptions for another three years to those organizations identified in Attachment 'A' of the report. The motion carried unanimously.

It was moved and seconded that Council renew a Permissive Tax Exemption to the Nanaimo Recycling Exchange Society for the year 2015. The motion carried unanimously.

(b) Permissive Tax Exemption for the Nanaimo Travellers Lodge Society

Delegation:

1. Mr. Mike Herold, Mr. Ron Blank, Mr. Dave Connolly on behalf of Nanaimo Travellers Lodge Society, provided information regarding the Eden Gardens project and requested reimbursement of the 2014 property taxes for 1917 Northfield Road.

It was moved and seconded that Council refund the City portion of the property taxes paid by Nanaimo Travellers Lodge Society in 2014 for the Eden Gardens development property at 1917 Northfield Road. The motion carried unanimously.

7. QUESTION PERIOD:

- Mr. Fred Taylor, 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):

- (j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act*;
- (n) the consideration of whether a Council meeting should be closed under a provision of this subsection or subsection (2);

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 7:37 p.m.

Council moved out of "In Camera" at 7:47 p.m.

9. ADJOURNMENT:

It was moved and seconded at 7:47 p.m. that the meeting terminate. The motion carried unanimously.

C H A I R

CERTIFIED CORRECT:

CORPORATE OFFICER