

MINUTES OF THE REGULAR COMMITTEE OF THE WHOLE MEETING
HELD IN THE SHAW AUDITORIUM, 80 COMMERCIAL STREET, NANAIMO, BC
ON MONDAY, 2012-NOV-05 COMMENCING 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: A. C. Kenning, City Manager
D. W. Holmes, Assistant City Manager and General Manager of
Corporate Services
E. C. Swabey, General Manager of Community Safety and Development
T. M. Hickey, General Manager of Community Services
I. Howat, Director of Strategic Relationships
T. L. Hartley, Director of Human Resources and Organizational Planning
B. E. Clemens, Director of Finance
T. P. Seward, Director of Development
Chief R. Lambert, Nanaimo Fire Rescue
R. J. Harding, Director of Parks, Recreation and Culture
P. Kristensen, Director of Information Technology
K. King, Acting Manager of Legislative Services
S. Snelgrove, 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 section 90 (1) (k) to Agenda Item 15 – Procedural Motion.

It was moved and seconded to bring forward Agenda Items 13 (a), (b), and (c), on the agenda to follow the adoption of the minutes. 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, 2012-OCT-22 at 4:30 p.m. be adopted as circulated. The motion carried unanimously.

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

- (a) Ms. Kim MacIntyre, Secretary, and Ms. Julie Folland, Board Member, Nanaimo Fetal Alcohol Spectrum Disorder (FASD) Society, requested that Council adopt a bylaw to promote awareness of the dangers of consuming alcohol during pregnancy by posting warning signs in establishments that sell or serve alcohol.

It was moved and seconded that Council direct Staff, in consultation with the Fetal Alcohol Spectrum Disorder (FASD) Society and Vancouver Island Health Authority (VIHA), to create a bylaw that requires signage in public facilities advising of the dangers of alcohol consumption when pregnant. The motion carried unanimously.

- (b) Ms. Sharon Kofoed, 2322 Panorama View Drive, spoke regarding the local pain clinic's actions for patients in Nanaimo and other citizens living on Vancouver Island and advised that Pain Awareness Week is November 4-10, 2012.

- (c) Ms. Lynn Burrows, 15 – 9 Buttertubs Drive, and Ms. Shelley Serebrin, 389 Machleary Street, provided a presentation regarding the Canada - China Investment Agreement (FIPA) and requested that Council send a letter to the Prime Minister calling for the conduct of a thorough and open discussion of the proposed agreement and that Council inform all Nanaimo residents of the ramifications of this proposed agreement.

It was moved and seconded that a letter be sent requesting that the Federal Government take the time to consult, inform and engage other levels of government about the potential impact of the Canada – China Investment Agreement (FIPA) on local and provincial governments. The motion carried unanimously.

Councillor Bestwick vacated the Shaw Auditorium at 5:09 p.m.

Councillor Bestwick returned to the Shaw Auditorium at 5:11 p.m.

6. COMMUNITY SAFETY AND DEVELOPMENT:

- (a) Permanent Change to a Liquor Primary License – Liquor Licensing for Movie and Live Event Theatres/Port Theatre – 125 Front Street

It was moved and seconded that Council:

1. direct Staff to provide a letter of 'No Objection' for the Port Theatre application to amend their liquor primary license in order to allow liquor service during films and live events; and

2. authorize Staff to comment on future applications to amend existing liquor primary licenses in order to allow liquor service to movie theatre and live event establishments.

The motion carried unanimously.

- (b) Entertainment Endorsement for a Food Primary Liquor License - Alice's Restaurant - 728 Nicol Street

It was moved and seconded that Council receive the report regarding an Entertainment Endorsement for a Food Primary Liquor License - Alice's Restaurant - 728 Nicol Street. The motion carried unanimously.

- (c) 2011 Response Performance Correction

It was moved and seconded that Council receive the report regarding the 2011 Response Performance Correction. The motion carried unanimously.

7. CORPORATE SERVICES:

- (a) Governance Review

It was moved and seconded that Council proceed with issuance of a request for proposals for the purpose of selecting a qualified consultant to undertake a governance review for the City of Nanaimo based on the attached summary terms of reference. The motion carried.

Opposed: Councillors Bestwick, Kipp, and McKay

8. COMMUNITY SERVICES:

- (a) Minutes of the Nanaimo Athletic Commission Meeting held 2012-JUN-13

It was moved and seconded that Council receive the minutes of the Nanaimo Athletic Commission Meeting held 2012-JUN-13. The motion carried unanimously.

- (b) Minutes of the Parks, Recreation and Culture Commission Meeting held 2012-JUL-25

It was moved and seconded that Council receive the minutes of the Parks, Recreation and Culture Commission Meeting held 2012-JUL-25. The motion carried unanimously.

- (c) Minutes of the Parks, Recreation and Culture Commission Meeting held 2012-SEP-19

It was moved and seconded that Council receive the minutes of the Parks, Recreation and Culture Commission Meeting held 2012-SEP-19. The motion carried unanimously.

(d) Second Grant Application Under the Community Infrastructure Improvement Fund (CIIF)

It was moved and seconded that Council endorse the Harewood Centennial Park Improvement Plan for application under the Community Infrastructure Improvement Fund ("CIIF"). The motion carried unanimously.

(e) Maffeo Sutton Park Improvement Plan Update

It was moved and seconded that Council receive the report regarding Maffeo Sutton Park Improvement Plan Update. The motion carried unanimously.

9. CORRESPONDENCE (not related to a Report to Council):

- (a) Letter received 2012-OCT-23 from Ms. Toni Hall, British Columbia Project Manager, Canadian Fallen Heroes Foundation, requesting a link to www.canadianfallenheroes.com from the City of Nanaimo's website and requesting donations to commission memorials for fallen soldiers from the Nanaimo area.
- (b) Letter dated 2012-OCT-29 from Ms. Denise Tacon, General Manager, Vancouver Island Conference Centre, enquiring if the City of Nanaimo would be interested in hosting the Association of Vancouver Island Coastal Communities Annual Conference from April 10-12, 2015 or April 8-10, 2016.

It was moved and seconded that Council direct staff to advise Ms. Tacon that the City of Nanaimo is interested in hosting the Association of Vancouver Island Coastal Communities (AVICC) Conference for either 2015 or 2016. The motion carried.

Opposed: Councillor Bestwick

Councillor Greves vacated the Shaw Auditorium at 6:01 p.m.

Councillor Greves returned to the Shaw Auditorium at 6:03 p.m.

10. QUESTION PERIOD:

- Mr. Fred Taylor, re: Governance Report, 2011 Response Performance Correction report.

11. PROCEDURAL MOTION:

It was moved and seconded that Council move "In Camera" in order to deal with the following matters under the *Community Charter* Section 90(1):

- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;

- (b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;
- (c) labour relations or other employee relations;
- (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;
- (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the municipality if they were held in public;

The motion carried unanimously.

Council moved into "In Camera" at 6:14 p.m.

Council moved out of "In Camera" at 7:33 p.m.

12. ADJOURNMENT:

It was moved and seconded at 7:33 p.m. that the meeting terminate. The motion carried unanimously.

C H A I R

CERTIFIED CORRECT:

CORPORATE OFFICER