

**MINUTES OF THE SEVENTH REGULAR MEETING OF THE CITY OF NANAIMO
PARKS, RECREATION AND CULTURE COMMISSION, HELD IN THE
CONFERENCE ROOM OF THE BOWEN PARK COMPLEX,
ON WEDNESDAY, 2005-JUL-27, AT 7:00 P.M.**

PRESENT:

<u>Members:</u>	Commissioner L. McNabb, Chair	
	Commissioner D. Tyndall	Commissioner B. Lane
	Commissioner P. Field	Commissioner C. Tang
	Commissioner S. Lance	Commissioner A. Young
	Commissioner D. Johnstone	Commissioner B. Sperling

<u>Absent:</u>	Commissioner J. Whiteaker	Commissioner G. Baltzer
	Commissioner B. Holdom	

<u>Staff:</u>	T. Hickey	B. Meunier	R. Harding
			C. Connett, Recording

ADOPTION OF MINUTES:

Motion

It was moved and seconded that the minutes of the Sixth Regular Meeting of the Parks, Recreation and Culture Commission held 2005-JUN-22 be adopted as circulated.

Carried unanimously.

INTRODUCTION OF LATE ITEMS: Nil.

RECEIVING OF LATE CORRESPONDENCE AGENDA:

Motion

It was moved and seconded that the Late Correspondence Agenda be received.

Carried unanimously.

RECEIVING OF DELEGATIONS:

(1) **Mr. Daniel Cline, 3121 Channel Boulevard, Chemainus BC V0R 1K2,** notified that they are still working on their proposal and will attend Commission's 2005-OCT-05 meeting.

(2) **Mr. Bill Merilees, Chair, Buttertubs Marsh Conservation Area Liaison Committee, 3205 Granite Park, Nanaimo, BC V9T 3C8,** stated that the Nature Trust of British Columbia (owners of the property), the Province of British Columbia, the City of Nanaimo and the Nanaimo Field Naturalists Club collectively manage the Buttertubs Marsh Conservation Area (BMCA). He noted that the Buttertubs Marsh and the Jingle Pot Marsh feed the Cat Stream and are conjoining wetlands of Provincial significance, possibly one of the most important fresh water natural environments within our City.

Mr. Merilees stated that presently these wetlands are healthy but projects such as the recreation fields under construction on the Third Street property and the housing development along Jinglepot Road may pose challenges to the long term viability of this ecosystem. Members of the BMCA Liaison Committee have been meeting regularly with Mr. Richard Harding and Parks staff in an advisory capacity and are hopeful, but remain skeptical, that the integrity of the Jinglepot Marsh and the Cat Stream will not be compromised.

Mr. Merilees advised that the BMCA Liaison Committee is trying to ensure that healthy wetlands remain an integral part of Nanaimo natural heritage by:

- attempting to purchase two properties and establish green 'covenant' protection for two additional properties that hopefully can be added to the BMCA in the future.
- holding regular work parties to further implement the current management plan.
- attempting to establish a working regulation implementation program that will effectively prohibit dogs and cats from the BMCA.

Chair McNabb noted that City Council has been working to acquire natural parkland over the past ten years such as Neck Point Park and Joan Point Park.

Motion

It was moved and seconded that the presentation from Mr. Bill Merilees, Chair, Buttertubs Marsh Conservation Area Liaison Committee, be received.

Carried unanimously.

- (3) **Mr. Peter Thomas, Hub City Lions Society Nanaimo, Box 411, Nanaimo V9R 5L3,** spoke to the need to upgrade the electrical service to the concession area of the Beban Park Lions Sport Pavilion. Mr. Thomas advised that \$60,000 of donated concession equipment cannot be used because there is not adequate electrical service available in the Pavilion. He asked that the City install 3 Phase electrical service to the outside of the Pavilion building at a cost of approximately \$7,000. Mr. Thomas advised that Nanaimo Minor Softball Association and Nanaimo Youth Soccer Association will pay the costs of installing the 3 Phase service to the inside of the facility.

Motion

It was moved and seconded that the presentation from Mr. Peter Thomas, Hub City Lions Society Nanaimo, be received.

Carried unanimously.

- (4) **Mr. Fred Taylor, 204 Emery Way, Nanaimo BC V9R 5Z8,** voiced his displeasure with staff for not including in the Commission Agenda the package of information he submitted regarding lead contamination. He asked why the information was withheld. Chair McNabb replied that the package was available for Commission's review prior to the start of the meeting as well as in the office previous to the meeting.

Mr. Taylor spoke to the potential of lead shot on the Third Street fields and stated that the EBA report may not be correct because the testing, in his opinion, was not done correctly. He stated that the gun range was in use for many years and the lead is somewhere on the property; and the lead must be found so that there is no danger to the children using the fields.

Mr. Taylor also requested that the City apply to the Contaminated Sites Officer, Ms. Roberta Patterson, for a certificate of compliance to clean up the property, or request a certificate stating that there is no contamination on the property. He went on to voice his displeasure at being a 'copied to' recipient on a letter Ms. Patterson sent to the Friends of the Cat Stream. He stated that he is not affiliated with the Friends of the Cat Stream and his name should not have appeared on a letter to them.

Mr. Taylor said the Commission has a responsibility to review all reports and to find the lead on the Third Street property.

Commissioner Lane asked Mr. Taylor to clarify his issue and asked if it was either that his papers were not included in the Commission's Agenda package, or was it the possible lead contamination on the property, or was it having his name copied on a letter to Friends of the Cat Stream by Ms. Patterson. Mr. Taylor replied that his concern is finding the lead.

Commissioner Tang said that Commission members have had access to all the reports and results show lead levels on site to be well within acceptable limits. She asked Mr. Taylor if he would only accept a report that showed contamination.

Mr. Taylor replied that lead shot fell on top of the ground from 1940 to 1950, and the lead must be there.

Motion

It was moved and seconded that the presentation from Mr. Fred Taylor, be received.

Carried unanimously.

CHAIRMAN'S REPORT:

Chair McNabb advised that Council, at their meeting of 2005-JUL-11, referred back to the Parks, Recreation and Culture Commission for further consideration, and consultation with the Departure Bay Neighbourhood Association, the report entitled Feasibility of Planting Palm Trees along Departure Bay Road.

Mr. Hickey advised that a planting program will be further developed for the 3 planters and then staff and Chair McNabb will meet with the Departure Bay Neighbourhood Association to get their comment.

Some Commissioners stated that they are still in favour of planting Palm Trees.

Commissioner Tyndall asked what the cost of alternative plants and ongoing maintenance would be as opposed to the Palm Trees. Staff indicated that the cost of plants depends on size and species. The palm trees proposed were 2 metres in height. Palm trees are reasonably easy to maintain compared to many other types of plantings.

CORRESPONDENCE:

1. (1) Letter from Mr. Fred Taylor, 204 Emery Way, Nanaimo BC V9R 5Z8 requesting that the City explain what has been done with the lead on the Third Street Property.

Motion

It was moved and seconded that the correspondence be received.

Carried unanimously.

REPORTS OF STANDING COMMITTEES:

2. (1) **Parks Committee.** No meeting held.
2. (2) **Recreation Committee.** No meeting held.
2. (3) **Cultural Committee.** Commissioner Field reported on the meeting held today, 2005-JUL-27, at 4:00 p.m.

Motion

It was moved and seconded that the Cultural Committee report be adopted.

Carried unanimously.

2. (4) **Athletic Commission.** Commissioner McNabb reported on the meeting held 2005-JUN-23 noting that Inspector Lou Racz, Operations Commander, RCMP Nanaimo Detachment, attended the meeting and reviewed the impact to his staff of the So You Wanna Fight event. He stated that additional policing will be required for future “sporting” events and staffing costs will be charged to the City in the same manner as for the Nanaimo Marine Festival. Inspector Racz asked that the RCMP be invited to attend Athletic Commission planning sessions for future “regulated sport” events.

- 2.(4.1) **Serving Alcohol at Nanaimo Athletic Commission Events.** The Athletic Commission is recommending the introduction of alcohol sales at regulated sporting events. Beer gardens have been a part of many sporting events in Nanaimo. Chair McNabb noted that the Clippers Jr. A. Hockey Club has had beer gardens at their hockey games since 1992 and there have been very few problems. Mr. Meunier, Manager of Recreation and Culture, noted that this recommendation is different because it is for “regulated sport”.

Commissioner Lane asked what “regulated sport” means. Mr. Meunier advised that “regulated sport” means professional boxing, wrestling, kickboxing and like activities, contests and exhibitions.

Commissioner Young asked for confirmation that liquor sales at regulated sport events will be confined to the mezzanine area. Mr. Meunier replied that was correct.

Commissioner Johnstone asked who would be accountable if a vehicle accident was the result of liquor being consumed at the sporting event. Mr. Hickey replied that the City would be responsible because we are the Licencee.

Commissioner Field stated that the information is confusing because \$5,000,000 liability insurance is being strongly recommended by the Municipal Insurance Association (MIA) for regulated sporting events where alcohol is being served, but promoters are not able to purchase a \$5,000,000 liability insurance policy. Mr. Meunier stated that the promoters advised him that it is not possible to purchase a \$5,000,000 liability insurance policy for regulated sport events in Canada. However, several other communities including Victoria, Prince George and Vancouver host regulated sporting events that include liquor sales and they do not require \$5,000,000 liability insurance from the promoters.

Commissioner Lane asked if this motion is approved, would Commission be directing staff to go against the recommendations of the City's insurer. Mr. Meunier replied in the affirmative.

Commissioner Johnstone suggested staff should have further discussion with MIA before Commission considers this motion. Mr. Meunier replied that there has been discussion with MIA and they are recommending \$5,000,000 insurance; however, the City can choose to reduce the value of the insurance policy and accept the additional risk.

Commissioner Tyndall asked if staff have received advice from the City Solicitor on this topic. Mr. Meunier indicated the City had been receiving advice from MIA so a solicitor had not been asked for advice.

Motion

It was moved and seconded that the Parks, Recreation and Culture Commission postpone discussion on serving alcohol at Nanaimo Athletic Commission Events until further information is available.

Defeated.

Opposed: Commissioners Lance, Tyndall, Sperling, Young and McNabb.

Motion

It was moved and seconded that the Parks, Recreation and Culture Commission support the availability of beer and cider sales during "regulated sport" events in accordance with the guidelines established by the BC Liquor Licencing Control Branch with the profits accruing to the City or a non-profit organization.

Carried.

Opposed: Commissioners Lane, Johnstone, Field and Tang.

Motion

It was moved and seconded that the Athletic Commission report be received.

Carried unanimously.

DIRECTOR'S REPORT:

3. (1) **Parks Horticultural Strategy.** Mr. T. Hickey, Director, noted that the Parks Horticultural Strategy was distributed at the last meeting so that Commissioner's had time to review it. The Parks Horticultural Strategy was developed following the 2005 update to the Parks, Recreation and Culture Master Plan and will help the City meet changing community expectations for horticultural practices.

Motion

It was moved and seconded that the Parks Horticultural Strategy be adopted.

Carried unanimously.

3. (2) **Manager of Parks Monthly Report.** Mr. R. Harding, Manager of Parks, reviewed his report.

Commissioner Field commented about the escalating vandalism costs and stated that the City should not be taking a passive role in this area.

Commissioner Tyndall stated that the City has a Graffiti Task Force Plan in place.

Commissioner Lane noted that there is significant vandalism at the Northfield Rotary Lookout and suggested that security cameras may be helpful. Mr. Harding agreed that cameras would be a good option; however, there is no electrical at Northfield Rotary Lookout.

Mr. Harding said that one of the benefits of the Volunteer in Parks program is a decrease in vandalism. He advised that staff do work with parents, restorative justice and ICBC in an attempt to recover costs incurred by vandalism. The Rotary Skate Park at May Bennett Pioneer Park was designated a zero tolerance graffiti zone and rarely has any tagging. Mr. Harding stated that Park staff work to keep parks clean and appealing which encourages more people to use them which in turn results in less vandalism. He advised that staff work closely with Bylaw Enforcement and have an extensive contract with Westguard Security who patrol parks on a daily basis.

3. (3) **Manager of Recreation and Culture Services Monthly Report.** Mr. B. Meunier, Manager of Recreation and Culture Services, reviewed his report. He noted that staff are working with Tourism Nanaimo in creating an official Nanaimo Calendar of Events. Staff also worked with Tourism Nanaimo to develop an equipment loan program to enable event organizers to borrow, for a \$25 fee, a variety of equipment such as tables, chairs, tents, sound systems, etc.

Motion

It was moved and seconded that the Director's report be received.

Carried unanimously.

COMMITTEE/COMMISSION REPRESENTATIVE REPORTS:

4. (1) **Port Theatre.**

Motion

It was moved and seconded that the Port Theatre report be received.

Carried unanimously.

4. (2) **BC Disability Games** – Chair McNabb stated that this was a terrific event and expressed appreciation to the BC Disability Games Board of Directors and Bill France, the City's liaison to the Board of Directors.

Motion

It was moved and seconded that a letter of thanks be sent to Mr. Mike Donnelly, President, 2005 BC Disability Games Committee, and to Mr. Bill France, City Liaison to the Games.

Carried unanimously.

Motion

It was moved and seconded that the BC Disability Games report be received.

Carried unanimously.

ITEMS OF GENERAL INFORMATION:

5. (1) Copy of correspondence to Mr. L. McNabb, Chair, Parks, Recreation and Culture Commission, from Allan Davidson, Departure Bay Neighbourhood Association (DBNA) Executive, requesting Commission and Council not proceed with the palm tree initiative at this time; and that Engineering and Parks, Recreation and Culture staff be directed to work with the DBNA in developing a plan to enhance the overall appearance of the beach front.
5. (2) Copy of correspondence to Mr. L. McNabb, Chair, Parks, Recreation and Culture Commission and the Island Waters Fly Fishers, from Mrs. J. Rogerson and students, Fairview Elementary School, expressing appreciation for the City's and Fly Fisher's assistance in constructing the Jingle Pot Marsh viewing platform.
5. (3) Copy of correspondence to Mr. Brian Sugiyama, Recreation Programmer, from Rick Borelli, Superintendent of Schools/CEO, expressing appreciation for Healthamongus Day.

5. (4) Copy of correspondence to Ms. C. Krytor, Recreation Programmer, from Natasha Bartlett, Events Representative, Shaw Cablesystems, expressing appreciation for permitting them to be a part of the Canada Day celebrations.
5. (5) Copy of correspondence to Mayor Korpan, from William L. Watson, 2870 Fairbanks Street, Nanaimo BC V9S 3T1, expressing concern about the proposed condo development on Departure Bay Road between 7/11 and the apartment; and asking the City to trade existing property for this land or purchase it outright for public use.
5. (6) Copy of correspondence to Mr. R. Harding, Manager of Parks, from John Hofman, Chair, Nanaimo Community Heritage Commission, expressing appreciation for the quick response to concerns about the recent tree removal at Pioneer Park Cemetery; and expressing support for the revitalization initiative.
5. (7) Copy of correspondence to Mr. R. Harding, Manager of Parks, from Dean Gaudry and Barbara Hourston, NALT Co-Chairs, #8-140 Wallace Street, Nanaimo BC V9R 2K1, expressing opposition to all plans for connector roads that would cut through any present or future parkland in the Linley Valley; and requesting that the park not become too "developed".
Letter of reply to NALT, from Mr. R. Harding, Manager of Parks.
5. (8) Copy of correspondence to Mr. Rory Rickwood, Friends of the Cat Stream, 519 Pine Street, Nanaimo BC V9R 2C6 from Roberta Patterson, Contaminated Sites Officer, Operations and Compliance Unit, Vancouver Island Region, stating that the available information does not indicate that the subject site presents a high risk.
5. (9) Copy of correspondence to Mr. Phil Field, Chair, Cultural Committee, from Kim Cowley-Adam, Arts Alive Summer School of the Fine Arts Society, expressing appreciation for the continued financial support.

Motion

It was moved and seconded that the Items of General Information be received.

Carried unanimously.

BUSINESS ARISING FROM DELEGATIONS:

(1) Mr. Peter Thomas, Hub City Lions Society Nanaimo, Box 411, Nanaimo V9R 5L3.

Mr. T. Hickey noted that because of significant cost overruns during the construction of the Beban Park Lions Pavilion the user groups were to complete the concession at their cost. Six months ago Mr. Thomas approached staff asking for funds to install a 3 Phase electrical supply to the concession and was told why the City would not contribute.

Motion

It was moved and seconded that staff prepare a report providing information on the financial agreement regarding construction of the Beban Park Lions Sport Pavilion; and the costs to install a 3 Phase electrical service to the outside of the Pavilion.

Carried unanimously.

(2) Mr. Fred Taylor, 204 Emery Way, Nanaimo BC V9R 5Z8,

Chair McNabb reiterated that if any Commissioner wanted a copy of Mr. Taylor's package of information a copy would be provided by the Commission Secretary. Mr. T. Hickey stated that all required environmental testing has been completed with no concerns identified and there is no reason to undertake any further testing. The project meets or exceeds all environmental requirements.

Mr. R. Harding advised that at the onset of the land use planning process in 2002 the City studied the history of the property. Because the Rod and Gun Club had operated a gun range on the site years ago, lead testing of the site was included in the process. As an initial step, EBA met on site with long time members of the Rod and Gun Club to identify where the shot would have fallen thereby identifying sites where testing would be conducted.

Core samples were taken throughout the area identified by the Ron and Gun Club members and sent to an independent lab to process. The test results indicated that lead levels were well within the guidelines for recreational use. A one year long hydrology study was also completed at that time and water sampling is continually monitored.

Mr. Harding advised that staff met on site with Mr. Taylor two months ago and had some additional soil tested including soil piles on site. Again, the test results showed lead levels were well within the guidelines for recreational use. Mr. Harding stated that no material has been removed from the property and an additional 16 to 20 inches of sand will be placed above finished grade as a growing medium for the grass fields.

Motion

It was moved and seconded that a letter be sent to Mr. Taylor expressing Commission's appreciation for bringing the matter of lead contamination on the Third Street property to their attention and advising that the scientific data has been reviewed and Commission are satisfied that there is no cause for concern.

Carried unanimously.

UNFINISHED BUSINESS:

Motion

It was moved and seconded that Unfinished Business Item (4) Parks Horticultural Strategy, be removed.

Carried unanimously.

CURRENT UNFINISHED BUSINESS:

- (1) Community Paddling/Auxiliary Coast Guard dock at the Brechin Boat Ramp – referred to staff to work with groups to develop plans and feasibility.
- (2) Memorial Bench Program – staff report.
- (3) Location for Horticultural Society's 60th Anniversary Monument – referred to staff to work with group to identify suitable location.
- (4) Electrical Upgrade to Lions Sport Pavilion at Beban Park – staff report.
- (5) Vegetation Plan for the beach area on Departure Bay Road – staff report.

ANY OTHER COMPETENT BUSINESS:

Commissioner Tang expressed appreciation to the City for their assistance with the Dragon Boat Festival which was a very successful event.

Motion

It was moved and seconded that a letter of thanks be sent to Ms. Mary Smith, City liaison to the Dragon Boat Festival Committee.

Carried unanimously.

Motion

It was moved and seconded that a letter of appreciation be sent to Quality Foods for providing the community with a great fireworks display.

Carried unanimously.

Chair McNabb invited the Parks, Recreation and Culture Commission to attend the Youth Leadership (LIT/QUEST) appreciation night on Wednesday, 2005-AUG-17 at 6:30 p.m. at the Departure Bay Activity Centre.

MEDIA QUESTION PERIOD. Nil.

PUBLIC QUESTION PERIOD. Nil.

NEXT MEETING DATES:

Cultural Committee

Wednesday, 2005-SEP-07, 4:15 p.m.

Wednesday, 2005-SEP-28, 4:15 p.m.

Recreation Committee (*if required*)

Wednesday, 2005-SEP-14, 4:45 p.m.

Parks Committee (*if required*)

Thursday, 2005-SEP-15, 5:00 p.m.

COMMISSION (note date change)

Wednesday, 2005-OCT-05; 7:00 p.m.

Motion

It was moved and seconded that the meeting be adjourned.

Carried unanimously.

ADJOURNED: 8:30 p.m.