

MINUTES
SPECIAL COUNCIL MEETING
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2019-JAN-14, AT 4:30 P.M.

Present: Mayor L. Krog
Councillor S. D. Armstrong
Councillor D. Bonner
Councillor T. Brown
Councillor B. Geselbracht
Councillor E. Hemmens
Councillor Z. Maartman
Councillor I. W. Thorpe

Absent: Councillor J. Turley

Staff: J. Rudolph, Chief Administrative Officer
R. J. Harding, Director of Parks and Recreation
D. Lindsay, Director of Community Development
B. Sims, Director of Engineering and Public Works
K. Fry, Fire Chief
L. Mercer, Acting Director of Financial Services (arrived 8:04 p.m.)
P. Rosen, Senior Manager Engineering (arrived 8:22 pm.)
D. Stevens, Supervisor, Applications Support
S. Gurrie, City Clerk
S. Snelgrove, Recording Secretary

1. CALL THE SPECIAL MEETING TO ORDER:

The Special Council Meeting was called to order at 4:40 p.m.

2. PROCEDURAL MOTION TO PROCEED IN CAMERA:

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

- (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;
- (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; and,

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.

Council moved “In Camera” at 4:41 p.m.
Council moved out of “In Camera” at 6:56 p.m.

3. INTRODUCTION OF LATE ITEMS:

- (a) Add Agenda Item 14(f) - Recommendation regarding members of the Protocol Agreement Working Group.

4. APPROVAL OF THE AGENDA:

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

5. ADOPTION OF THE MINUTES:

It was moved and seconded that the Minutes of Special Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC on Monday, 2018-DEC-10 at 4:30 p.m. be adopted as circulated. The motion carried unanimously.

It was moved and seconded that the Minutes of Special Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC on Wednesday, 2018-DEC-12 at 9:00 a.m. be adopted as circulated. The motion carried unanimously.

6. MAYOR'S REPORT:

- (a) Recipients for the 2019 Culture and Heritage Awards

At the Special “In Camera” Council Meeting held 2018-DEC-17, Council selected the following award recipients for the 2019 Culture and Heritage Awards:

- Mr. Dean Chadwick – 2019 Honour in Culture Award
- Nanaimo Historical Society – 2019 Honour in Heritage Award
- Mr. Nico Rhodes – 2019 Emerging Cultural Leader Award

These honorees will be presented with their awards during a special ceremony on April 18th at the Port Theatre in Nanaimo, BC.

(b) Symposium on Water Stewardship in a Changing Climate

It was moved and seconded that Council approve Councillor Bonner to attend the Symposium on Water Stewardship in a Changing Climate, to be held on April 3 and 4, 2019, in Parksville, BC. The motion carried unanimously.

7. DELEGATIONS:

(a) Delegation from Holden Southward regarding steps to become more self-reliant, self-owned and self-determined

Holden Southward spoke regarding his vision for Nanaimo including local land ownership, self reliance in agriculture, traditional values, foreign real estate speculation, tax deferment for residents 55 years of age and older, reducing residential land costs to zero, teaching children life skills, more control over school curriculum, poisonous ideology and natural masculinity.

(b) Delegation from Camela Tang, President, Nanaimo Boathouse Society, and Ian Niamath, Architect, regarding the Nanaimo Boathouse Society

Camela Tang, President, Nanaimo Boathouse Society, and Ian Niamath, Architect, spoke regarding working with the City to build the Nanaimo Boathouse and Paddling Centre at Brechin Boat Launch, including costs of the facility, economic impact, design, active lifestyle benefits, waterfront enhancements, and requested that this facility be selected as a priority in the strategic plan.

(c) Delegation from Lynn Burrows, Brechin United Church Outreach and Joan Hunting regarding reconciliation workshops

Lynn Burrows, Brechin United Church Outreach Team, and Joan Hunting requested financial support of \$10,000 to cover facilitator and refreshments cost for five reconciliation workshops to be held in 2019. They spoke regarding facilitator experience, workshop benefits and workshops topics.

(d) Delegation from Darrel Gyorfi regarding safety and security plan for Newcastle Neighbourhood

Darrel Gyorfi spoke regarding safety, security and criminal concerns as well as demographics and makeup in the Newcastle Neighbourhood related to the addition of 250 Terminal Avenue. He spoke regarding the negative impact on residents and businesses in the area. Requests included a policing plan, managerial review, a recovery first model, ongoing clean up of the area and enforcement of City bylaws related to noise, parking and garbage.

8. CONSENT ITEMS:

It was moved and seconded that Council adopt the following consent items:

(a) Committee Minutes

- Design Advisory Panel Meeting Minutes held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, Thursday, 2018-MAY-10, at 5:00 p.m.
- Design Advisory Panel Meeting Minutes held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, Thursday, 2018-NOV-08, at 4:00 p.m.
- Design Advisory Panel Meeting Minutes held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, Thursday, 2018-NOV-22, at 5:00 p.m.

The motion carried unanimously.

L. Mercer entered the Shaw Auditorium at 8:04 p.m.

9. REPORTS:

(a) 2019 Association of Vancouver Island Coastal Communities Resolutions

Introduced by Sheila Gurrie, City Clerk.

It was moved and seconded that Council direct Staff to forward the following resolutions regarding Development Cost Charges and Property Taxation to the Association of Vancouver Island Coastal Communities for consideration at their 2019 Annual General Meeting and Convention:

(a) Development Cost Charges:

WHEREAS the *Local Government Act* currently restricts the imposition of Development Cost Charges to areas of sewage, water, drainage, highway facilities and park land;

AND WHEREAS new development creates capital cost burdens on municipalities in other areas, such as emergency services, solid waste management, and recreational and cultural facilities;

THEREFORE BE IT RESOLVED that Association of Vancouver Island and Coastal Communities and Union of BC Municipalities request the provincial government amend the *Local Government Act* to allow for the imposition of Development Cost Charges in areas other than sewage, water, drainage, highway facilities and park land.

(b) Property Taxation:

WHEREAS Section 193 of the *Community Charter* restricts a municipality from imposing fees or taxes except as expressly authorized under the *Community Charter* or another Act;

AND WHEREAS urban sprawl creates higher infrastructure costs, transportation costs, and other expenses borne by society;

AND WHEREAS municipalities attempt to control urban sprawl whilst encouraging healthier lifestyles and alternative modes of transportation;

THEREFORE BE IT RESOLVED that the provincial government amend the *Community Charter* to allow municipalities to adjust their property tax rates by setting density brackets in their jurisdiction, to use at their discretion, as an incentive to reduce urban sprawl and as a method of assigning infrastructure and maintenance costs more accurately amongst end users.

The motion carried unanimously.

(b) Port Theatre Community Performing Arts Centre Funding

Introduced by Laura Mercer, Acting Director, Financial Services.

It was moved and seconded that “Port Theatre Borrowing Bylaw 2019 No. 7282” (To authorize the borrowing of up to \$4,500,000 for the construction of the Port Theatre Community Performing Arts Centre), pass first reading. The motion carried unanimously.

It was moved and seconded that that “Port Theatre Borrowing Bylaw 2019 No. 7282” pass second reading. The motion carried unanimously.

It was moved and seconded that “Port Theatre Borrowing Bylaw 2019 No. 7282” pass third reading. The motion carried unanimously.

It was moved and seconded that Council approve funding \$100,000 of the City’s commitment of the Port Theatre Performing Arts Centre funding from the Strategic Infrastructure Reserve. The motion carried unanimously.

Councillor Geselbracht vacated the Shaw Auditorium at 8:13 p.m. declaring a conflict of interest as his partner is a member of one of the boards listed in the 2019 Culture & Heritage Grant Recommendations report.

(c) 2019 Culture & Heritage Grant Recommendations

Introduced by Dale Lindsay, Director, Community Development.

It was moved and seconded that Council approve the 2019 Culture & Heritage Grant (Operating and Projects funding) recommendations of \$338,887 as follows:

2019 Culture & Heritage Operating Grant Recommendation

Applicant Name	Rec.
A Capella Plus Choral Society	\$2,550
Crimson Coast Dance Society **	\$23,200
Friends of Nanaimo Jazz Society	\$3,900
Heart of the Island Chorus Society	\$2,400
Hub City Cinema Society	\$6,500
Island Bel Canto Singers	\$1,500
Island Consort Society	\$1,175
L'association des Francophones de Nanaimo	\$19,000
Malaspina Choir Society	\$2,500
Mid Island Metis Nation	\$9,900
Nanaimo African Heritage Society	\$3,792
Nanaimo Arts Council	\$22,000
Nanaimo Blues Society	\$12,050
Nanaimo Chamber Orchestra	\$4,150
Nanaimo Concert Band Society	\$6,950
Nanaimo Conservatory of Music **	\$18,400
Nanaimo International Jazz Festival Association	\$9,950
Nanaimo Literacy Association	\$3,100
Nanaimo Tidesmen	\$2,350
Pacific Coast Stage Company	\$7,100
Pacific Institute of Bagpiping and Celtic Music Society	\$2,450
TheatreOne **	\$42,450
Vancouver Island Symphony **	\$89,244
Western Edge Theatre **	\$13,850
Wordstorm Society of the Arts	\$2,719

*** Recommended for three-year funding*

2019 Culture & Heritage Project Grant Recommendations

Applicant Name	Project Name	Rec.
Crimson Coast Dance Society	Mixed Ability Dance Jams	\$2,200
Federation of BC Writers	Spring Writes 2019	\$3,000
Literacy Central Vancouver Island	VI Childrens' Book Festival	\$3,000
Literacy Central Vancouver Island	Literary Cabaret	\$2,800

Mid Island Youth & Community Development Cooperative	FOOD ART FUN	\$1,222
Nanaimo Ballroom Dance Society	Island Fantasy Ballroom Dance Competition	\$4,600
Nanaimo Blues Society	Summertime Blues Pre-Event	\$2,250
Nanaimo Sings! Choral Festival Society	Say “Hello” to Spring with a Vocal Tune-Up	\$1,200
Opera Nanaimo	Madama Butterfly	\$2,800
Pacific Institute of Bagpiping and Celtic Music	Pacific Gael Youth Band	\$2,000
St. Andrew’s United Church	Merry Andrew Players	\$635

The motion carried unanimously.

Councillor Geselbracht returned to the Shaw Auditorium at 8:16 p.m.
Bill Sims entered the Shaw Auditorium at 8:17 p.m.

(d) UBCM Community Child Care Planning Program Grant

Introduced by Dale Lindsay, Director, Community Development.

Poul Rosen entered the Shaw Auditorium at 8:22 p.m.

It was moved and seconded that Council support an application to the Union of BC Municipalities for funding under the Community Child Care Planning Program on behalf of a collaborative group comprised of the City of Nanaimo and one or more local governments in the region, and that the City of Nanaimo provide overall grant management for the collaborative. The motion carried.

Opposed: Councillors Armstrong, Thorpe

(e) Seventh Street Pump Station and Force Main Project

Introduced by Poul Rosen, Senior Manager, Engineering.

It was moved and seconded that Council direct Staff to increase the budget for DCCSS45 Chase River Pump Station and Force main by \$350,000 and increase the budget for Seventh Street Watermain: Park to Douglas by \$250,000. The motion carried unanimously.

Poul Rosen vacated the Shaw Auditorium at 8:33 p.m.

10. BYLAWS:

(a) “Financial Plan Bylaw 2018 No. 7279”

It was moved and seconded that “Financial Plan Bylaw 2018 No. 7279” (To confirm and adopt the 2019-2023 Financial Plan) be adopted. The motion carried unanimously.

11. NOTICE OF MOTION:

(a) Councillor Armstrong re: Nuisance Properties

Councillor Armstrong advised that at a future meeting of Council she would be bringing forward a motion to direct Staff to explore the possibility of deeming the supportive housing units at 2020 Labieux Road and 250 Terminal Avenue nuisance properties under the City of Nanaimo’s “Nuisance Abatement and Cost Recovery Bylaw 2003 No. 5645”.

12. OTHER BUSINESS:

(a) Councillor Hemmens Motion Regarding Governance and Priorities Committee

It was moved and seconded that Council direct Staff to develop a Terms of Reference for a Governance and Priorities Committee by March 1, 2019, with the following considerations:

1. the Committee will include all members of Council;
2. the Committee is intended to be an open forum for more robust discussion and debate on select priority topics, with recommendations provided to Council for consideration; and,
3. the Committee is intended to be a forum where guests and subject matter experts can be invited to participate in discussion.

The motion carried unanimously.

(b) Councillor Bonner Motion Regarding Community Amenity Contribution

Councillor Bonner advised that he would not be proceeding with a motion at this time as Council had previously provided direction to Staff on this topic.

(c) Councillor Bonner Motion Regarding Arts and Culture Multi-Year Lease Agreements

It was moved and seconded that Council direct Staff to engage with Arts and Culture groups who lease property from the City of Nanaimo by May 1, 2019 to determine if the groups would benefit from multi-year lease agreements in order to be eligible to apply for grant funding from senior levels of governments. The motion carried unanimously.

(d) Councillor Bonner Motion Regarding Truth and Reconciliation Call to Action #57

It was moved and seconded that Council direct Staff to develop an implementation plan for responding to Truth and Reconciliation Call-to-Action #57 for Council's consideration by July 1, 2019. The motion carried unanimously.

(e) Board of Variance Appointments

Mayor Krog advised that at the 2018-DEC-17 "In Camera" Council Meeting, Allan Dick and Kenneth Hample were appointed to the Board of Variance.

(f) Protocol Agreement Working Group Appointments

It was moved and seconded that Council approve the Special "In Camera" Committee of the Whole recommendation to appoint Councillors Thorpe and Armstrong to the Protocol Agreement Working Group. The motion carried unanimously.

13. QUESTION PERIOD:

- Ken Clark, re: 250 Terminal Avenue, theft in Nanaimo, safety in public parks throughout the City of Nanaimo.
- Karen Kuwica, re: 250 Terminal Avenue, delegations included in the solution planning process, rezoning process for 250 Terminal Avenue.
- Les Barclay, re: Delegations on agenda, groups seeking money at Council meetings, protocol regarding cheering at meetings.
- Pat McGee, re: Change delegation time limits from five minutes to ten minutes.
- Fred MacDonald, re: 250 Terminal Avenue, safety for children in the neighbourhood.
- Bonnie Stevenson, re: 250 Terminal Avenue, expediting the process to find properly zoned sites for supportive housing, impact on residents and businesses.
- Caron Usher, re: 250 Terminal Avenue, definition of temporary housing, permanent housing at 250 Terminal Avenue.

14. ADJOURNMENT:

It was moved and seconded at 9:26 p.m. that the meeting terminate. The motion carried unanimously.

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER