

MINUTES
GOVERNANCE AND PRIORITIES COMMITTEE MEETING
BOARDROOM, SERVICE AND RESOURCE CENTRE
411 DUNSMUIR STREET, NANAIMO, BC
MONDAY, 2019-OCT-28, AT 1:00 P.M.

Present: Councillor J. Turley, Chair
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

Staff: J. Rudolph, Chief Administrative Officer
R. J. Harding, General Manager, Parks, Recreation and Culture (arrived 1:15 p.m.)
D. Lindsay, General Manager, Development Services
B. Sims, General Manager, Engineering and Public Works
L. Mercer, Director, Finance (vacated 3:58 p.m.)
K. Fry, Fire Chief
B. Corsan, Director, Community Development
A. Groot, Director, Facilities and Parks Maintenance
D. LaBerge, Manager, Bylaw Services
J. Rose, Manager, Transportation (vacated 2:57 p.m.)
F. Farrokhi, Manager, Communications
C. Kuczarski, Senior Bylaw Enforcement Officer
D. Blackwood, Client Support Specialist (vacated 1:06 p.m.)
S. Gurrie, Director, Legislative Services
J. Vanderhoef, Recording Secretary

1. CALL THE GOVERNANCE AND PRIORITIES COMMITTEE MEETING TO ORDER:

The Governance and Priorities Committee Meeting was called to order at 1:00 p.m.

2. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 5(d)(2) – Commercial Properties along Bus Routes – add report “City of Nanaimo Sidewalk Clearing Practice.”
- (b) Sheila Gurrie, Director, Legislative Services, noted that there had been a late delegation request from Dorothy Houghton regarding Agenda Item 5(d)(2) – Commercial Properties along Bus Routes, but Ms. Houghton removed her delegation.
- (c) Remove delegation, Wanda Thompson, from Agenda Item 5(d)(1) – Bylaw Enforcement Function and add delegation, Wanda Thompson, to Agenda Item – 5(d)(2) – Commercial Properties Along Bus Routes.

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 following minutes be adopted as circulated:

- Minutes of the Special Governance and Priorities Committee Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2019-SEP-30 at 1:00 p.m.
- Minutes of the Governance and Priorities Committee Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Monday, 2019-OCT-07 at 1:00 p.m.

The motion carried unanimously.

5. REPORTS:

(a) COMMUNITY WELLNESS AND LIVABILITY

1. Bylaw Enforcement Function

Introduced by Dale Lindsay, General Manager, Development Services.

Presentation:

1. Dave LaBerge, Manager, Bylaw Services, provided a presentation regarding Bylaw Enforcement which included the following information:
 - Overview of the Bylaw Enforcement Department including: location, duties, dispatching and current issues
 - Bylaw officers are dispatched from three different locations: RCMP detachment, Community Policing and Services Office and the Service and Resource Centre (SARC)
 - Bylaw Enforcement Officers are located in SARC building and their duties include: enforcement of all bylaws, assistance to all departments, nuisance property abatement, administration of ticketing and adjudication system

D. Blackwood vacated the Boardroom at 1:06 p.m.

- Downtown Parking Patrol is located in the Community Policing and Services Office and their duties include: bylaw/security issues downtown and Protection Island, parking permits, parking and traffic enforcement

- Provided a brief history of the Community Policing and Services Office – now operates as a parking office but is currently becoming more involved in security/homeless issues in the surrounding area
- Municipal Enforcement Officers work out of the Nanaimo RCMP detachment and their duties relate to commercial vehicles and all traffic and parking issues not covered by the downtown bylaw unit

R. Harding entered the Boardroom at 1:15 p.m.

- Number of calls for service and specifically calls related to homelessness/security
- Overview of how complaints are received and processed – priority is given to matters of public safety
- Importance of fairness and impartiality
- Dealing with frivolous, repeat and multiple complaints
- Tools available for bylaw officers to enforce bylaws
- Court and litigation costs related to enforcement
- Example of the City of Penticton's litigation costs related to an aggressive panhandler in their community
- What is an acceptable level of nuisance
- Diversity of local government approaches to bylaw enforcement
- The majority of the work that the bylaw department is currently responding to relate to homelessness
- Weapons found by bylaw officers in encampments
- Previous graffiti task force and methods used to address graffiti – currently a large issue and efforts focus on prevention with minimal success

Committee discussion took place regarding:

- Average number of bylaw officers in comparable cities
- Exploring a work program to address graffiti removal – liabilities and cost to the City made this impractical
- Potential increases in bylaw staff to address homelessness – two new positions have been added recently
- Possibility of relocating the two officers from the RCMP detachment building to the SARC building
- Call volumes regarding graffiti reduced since 2016
- Timeframe for addressing bylaw complaints
- Budget information coming forward at a future meeting
- Potential of generating revenue from the bylaw enforcement department – difficulties with compliance
- Varied perspectives on how to enforce bylaws
- Role of Councillors regarding bylaw enforcement – some of the bylaws are dated, potentially dedicating a team to address homeless issues
- Homeless individuals ability to pay fines

- Goal of compliance rather than revenue
- Costs of adjudications held in the SARC building
- Revenues listed are amounts issued and not what has been collected
- Understanding the revenues and outputs for these services to make better decisions and fill gaps

Dave LaBerge, Manager, Bylaw Services, continued his presentation regarding the following:

- Downtown parkades and surface lots - increased requests for parking in the downtown area which is currently almost at capacity
- Parkades bring in revenue but are also costly to maintain

Committee discussion took place regarding:

- Month to month lease of parking spots to Casino Nanaimo and surrounding hotels
- Geographic extent of the Downtown Mobility Study and the Hospital Area Parking Plan

Dave LaBerge, Manager, Bylaw Services, continued his presentation regarding:

- Overview of Animal Control Services

J. Rose vacated the Boardroom at 2:57 p.m.

- Nanaimo Animal Control currently contracted until 2020
- Key initiatives 2020: update animal control bylaw, renewal of the animal control contract, existing shelter requires extensive updating and service review

The Governance and Priorities meeting recessed at 3:02 p.m.

The Governance and Priorities meeting reconvened at 3:10 p.m.

2. Commercial Properties along Bus Routes

Delegation:

1. Wanda Thompson, Walk in Nanaimo, spoke regarding:

- Ensuring streets are safe for all users during snowfalls
- Engaging with commercial property owners, the Chamber of Commerce and School District 68 to clear snow from sidewalks

F. Farrokhi returned to the Boardroom at 3:12 p.m.

- Enforcement of existing bylaws

- City of Nanaimo leading by example by clearing its own sidewalks, not plowing snow onto sidewalks and reallocating resources to make pedestrians a priority

Committee discussion took place regarding:

- Practical methods of snow removal within a responsible fiscal policy
- Commercial properties and transit sidewalks being cleared as priorities
- Alternative methods of clearing roads to avoid pushing snow onto sidewalks
- Private snow removal contracts including sidewalks and not just parking lots

1. City of Nanaimo Sidewalk Clearing Practice

Bill Sims, General Manager, Engineering and Public Works, spoke regarding the following:

- No location to relocate snow during a storm
- Emergency services and transit routes are the top priorities to clear
- Increasing the level of communication regarding snow clearing

Sheila Gurrie, Director, Legislative Services, spoke regarding previous news releases, social media posts and videos prepared regarding snow removal during December 2018 – February 2019.

Committee discussion took place regarding:

- Communicating with neighbourhoods to put pressure on individuals and businesses to clear sidewalks
- Snow Angel volunteers clearing sidewalks
- Separating commercial properties from residential properties

Sheila Gurrie, Director, Legislative Services, spoke regarding claims against the City through the Municipal Insurance Association and potential liability associated with a Council policy if it is not adhered to.

Committee discussion continued regarding:

- Enhancing the level of communication around snow removal
- Public support and costs for additional snow removal equipment in this climate
- Creating a communications strategy to educate the public on snow removal
- Staff capacity
- Methods of communicating to the public
- A potential strategy being in place before snow arrives

- Incentives for neighbourhoods to clear their sidewalks

L. Mercer vacated the Boardroom at 3:58 p.m.

- Staff continuing efforts of best practices

It was moved and seconded that the Governance and Priorities Committee recommend that Council direct Staff to prepare a communication strategy around snow and ice removal with the aim of educating residents and business owners about City bylaws relating to snow removal on sidewalks. The motion carried.

Opposed: Councillors Hemmens, Thorpe and Turley

6. QUESTION PERIOD:

- (a) Bill Manners re: removing social issues from the responsibilities of bylaw officers and neighbourhood groups being involved in snow removal.
- (b) Wanda Thompson re: drafting an enforcement policy as recommended by BC Ombudsperson and if a communication strategy is completed regarding snow removal will key stakeholders be included.
- (c) Darcy Ambler re: liability issues regarding volunteers performing snow removal.

7. ADJOURNMENT:

It was moved and seconded at 4:11 p.m. that the meeting terminate. The motion carried unanimously.

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER