

MINUTES
REGULAR COUNCIL MEETING
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2020-SEP-28, AT 4:29 P.M.

Present: Mayor L. Krog, Chair
Councillor S. D. Armstrong
Councillor D. Bonner
Councillor T. Brown
Councillor B. Geselbracht
Councillor E. Hemmens (joined electronically)
Councillor Z. Maartman
Councillor I. W. Thorpe
Councillor J. Turley

Staff: J. Rudolph, Chief Administrative Officer
S. Legin, General Manager, Corporate Services
D. Lindsay, General Manager, Development Services
B. Sims, General Manager, Engineering and Public Works
F. Farrokhi, Manager, Communications
S. Gurrie, Director, Legislative Services
K. Gerard, Recording Secretary

1. CALL THE REGULAR MEETING TO ORDER:

The Regular Council Meeting was called to order at 4:29 p.m.

2. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 2 – Procedural Motion - Add *Community Charter* Section 90(1)(i) – the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

3. 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*:

Section 90(1) A part of a Council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

- (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;
- (c) labour relations or other employee relations;

- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and,
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 In Camera at 4:30 p.m.
Council moved out of In Camera at 6:46 p.m.

Council recessed the Open Meeting 6:46 p.m.
Council reconvened the Open Meeting at 7:00 p.m. in the Shaw Auditorium.

2. INTRODUCTION OF LATE ITEMS (continued):

- (b) Agenda Item 8(a) – Signy Madden, Executive Director, United Way re: Nanaimo 2020 Point-In-Time Homelessness Count Results - Add Presenters via Zoom:
 1. John McCormick, Co-Executive Director (Strategic Initiatives), United Way
 2. Andrew Thornton, Research Manager, The Centre for Justice, Education and Research.

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 the Regular Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2020-SEP-14, at 4:00 p.m. be adopted as circulated. The motion carried unanimously.

6. MAYOR'S REPORT:

Mayor Krog spoke regarding:

- Orange Shirt Day on September 30th recognizes victims and survivors of Canada's residential school history. The initiative started in 2013 by elder Phyliss Webstad, who had her new orange shirt taken away from her at her first day of classes at a Williams Lake residential school in 1973.

Residential schools operated in Canada between the 1880's and mid 1990's as government sponsored religious schools. Indigenous children were stripped of their culture and some faced physical and sexual abuse. Orange shirt day is an opportunity for First Nations, local governments, schools and communities to come together in the spirit of reconciliation and hope.

- GoByBike Week is taking place from September 28th to October 4th, 2020. To participate register at www.gobybikebc.ca/nanaimo and log your kilometers. New this year is the added Pedal to Places challenge where resident can explore the community by pedalling to specified places and collecting code words. The code words can be used to enter to win a \$200 gift certificate at a local bike shop of your choice. The GoByBike grand prize is a trip for two cycling around the Atlantic Coast of Portugal.
- The final day to pay property taxes, without penalty, is this Wednesday, September 30th. The first 5% penalty will be applied on October 1st, 2020, and the second penalty of 5% will be applied on November 12, 2020. Property taxes can be paid at any financial institution, through online banking and at the pop-up tax office located at Beban Park, Frank Crane Arena.
- World Rivers Day was held on September 27, 2020, which is a day to celebrate the world's waterways and their importance to all life on earth.
- The City of Nanaimo is pleased to announce the commission of new artwork by Eliot White-Hill, Kwulasultun, for Beban Park Pool. The project takes the ecosystems of the Nanaimo River Estuary as inspiration and Mr. White-Hill has designed a series of seven distinctive banners and three new murals, which are being installed this month while the facility is closed to the public.
- In these early days of the Provincial election, Council would like to remind everyone to vote. Democracy is a right that not everyone in the world has and should be taken seriously. Local, Provincial and Federal Governments play a large role in our society and contributes to the economy. If you are not comfortable voting in person please use the mail-in ballots option offered to all residents of BC.

7. PRESENTATIONS:

- (a) Signy Madden, Executive Director, United Way, John McCormick, Co-Executive Director (Strategic Initiatives), United Way and Andrew Thornton, Research Manager, The Centre for Justice, Education and Research, re: Nanaimo 2020 Point-In-Time Homelessness Count Results

Signy Madden, Executive Director, United Way, John McCormick, Co-Executive Director (Strategic Initiatives) and Andrew Thornton, Research Manager, The Centre for Justice, Education and Research, provided Council with the Nanaimo 2020 Point-In-Time Homelessness Count Results. Highlights included:

- The Point-In-Time Count is funded by the federal government and organized by volunteers, RCMP and other resource providers in Nanaimo
- Homeless numbers have increased since 2016 from 174 to 433 in 2020
- Key findings include:
 - 71.2% have lived in Nanaimo for over 5 years
 - 68.3% identify as male
 - 54% are in the age range from 25 to 44 years old

- 71% said affordable housing is the largest obstacle to permanent housing as well as a increases in rental costs
- The top three reasons for homelessness include insufficient income to support rent or mortgage payment, conflict with landlord or other tenant and conflict with spouse or partner
- Only 10% of homeless people have regular interactions with RCMP
- Key is to develop a response that works for all types of homelessness and for those who need mental health and addiction services
- Small percentage that need more complex solutions and more assistance in acquiring housing and health services

8. COMMITTEE MINUTES:

The following Committee Minutes were received:

- Minutes of the Special Mayor's Task Force on Recovery and Resilience Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Friday, 2020-JUL-31, at 9:02 a.m.
- Minutes of the Health and Housing Task Force Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Wednesday, 2020-SEP-02, at 3:04 p.m.
- Minutes of the Finance and Audit Committee Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Wednesday, 2020-SEP-16, at 9:00 a.m.
- Minutes of the Health and Housing Task Force Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Wednesday, 2020-SEP-16, at 3:02 p.m.

9. CONSENT ITEMS:

Mayor Krog requested that Agenda Item 10(a)(2) be removed to be voted on under Separately Addressed Consent Items.

It was moved and seconded that the following items be adopted by consent:

(a) Health and Housing Task Force Meeting 2020-SEP-16

1. Discussion regarding the Extension of the Health and Housing Task Force

That Council extend the mandate of the Health and Housing Task Force to November 30, 2020.

(b) Finance and Audit Committee Meeting 2020-SEP-16

1. Public Works Facility Upgrades

That Council allocate \$200,000 from the existing 2020 - 2024 Financial Plan to further develop an architectural concept and cost estimate for renewal of the Public Works facility.

2. Federation of Canadian Municipalities Asset Management Program

That Council commits to conducting the Level of Service Study: Asphalt as detailed in the grant application to the Federation of Canadian Municipalities, Municipal Asset Management Program, and commits \$100,000 for 2021 in the 2021 – 2025 Financial Plan toward the costs of this initiative if the grant is successful.

3. Consideration of New Permissive Tax Exemption Applications

That Council:

1. Award a permissive tax exemption for the 2021 tax year to the Nanaimo Community Gardens Society for property that is being leased at 2300 Bowen Road (Beban Park);
2. Award a permissive tax exemption for the 2021 tax year to the Island Crisis Care Society for property donated at 3413 Littleford Road;
3. Award a permissive tax exemption for the 2021 tax year to the Society for Equity, Inclusion and Advocacy for space being leased at #403 – 489 Wallace Street;
4. Award a permissive tax exemption for the 2021 tax year to the Nanaimo Brain Injury Society for space being leased at #101 – 235 Bastion Street;
5. Award a permissive tax exemption for the 2021 tax year to the Vancouver Island Mental Health Society for property owned at 285 Rosehill Street; and,
6. Award a permissive tax exemption for the 2021 tax year to the Nanaimo Unique Kids Organization for property purchased at 60 Needham Street.

(c) Governance and Priorities Committee Meeting 2020-SEP-21

1. Council Dashboard (Voting Record)

That Council direct staff to proceed with the Council Voting Dashboard that has been developed by our IT Department to track Council's voting record for Council Meetings retroactive to July 1, 2020.

The motion carried unanimously.

(d) Separately Addressed Consent Items

1. Health and Housing Task Force Meeting 2020-SEP-16

2. Presentation from Dr. Alina Turner, CEO, HelpSeeker - Updates and Transition Planning

It was moved and seconded that the City of Nanaimo collaboratively through the Health and Housing Task Force and Economic Development Task Force explore an arms-length organization that includes economic development and social development planning coordination.

It was moved and seconded that Council defer consideration of the following motion from the 2020-SEP-16 Health and Housing Task Force Meeting to the Economic Development Task Force:

“It was moved and seconded that the City of Nanaimo collaboratively through the Health and Housing Task Force and Economic Development Task Force explore an arms-length organization that includes economic development and social development planning coordination.”

The motion carried unanimously.

10. REPORTS:

(a) Unsafe Condition – 4063 Old Slope Place

Introduced by Dale Lindsay, General Manager, Development Services.

Delegation:

1. Matthew Watters, Chief Executive Officer, BC Craft Supply Co Ltd., Owner, spoke regarding the safety risk at the property, attempts to find an excavation company and requested an extension.

It was moved and seconded that Council:

1. Issue a Remedial Action Order at 4063 Old Slope Place pursuant to Sections 72, 73, 74 of the *Community Charter*;
2. Direct Staff or its authorized agents to take action in accordance with Section 17 of the *Community Charter* without further notice and at the owner's expense, if said remedial action is not undertaken within 30 days of Council's resolution; and
3. Direct the remedial action consist of filling in the excavation or secure the property with fencing and remove the steel rebar.

The motion carried.

Opposed: *Councillor Turley*

(b) Downtown Restaurant Patios

Introduced by Dale Lindsay, General Manager, Development Services.

Presentation:

1. Dale Lindsay, General Manager, Development Services, provided Council with a presentation regarding Downtown Restaurant Patios. Highlights included:
 - The patio program doubled the amount of patio space in the downtown area and was successful
 - Business owners who originally participated are in support of the extension
 - Challenges include winterizing the patios, impact on snow removal and deterioration of the patios
 - The Province is supportive of the extension and has approved that liquor licensing would be extended

It was moved and seconded that Council:

1. Extend the temporary restaurant patio program until 2021-OCT-31;
2. Direct Staff to notify the Liquor and Cannabis Regulation Branch that the City of Nanaimo has authorized pre-approval for all temporary service area expansions for liquor primary and manufacturing licences until 2021-OCT-31 in response to Liquor Control and Regulation Branch policy directive 20-26; and
3. Continue to suspend the current City approval process for temporary service area expansion of all liquor primary and manufacturing licences until 2021-OCT-31.

The motion carried unanimously.

(c) Development Permit Application No. DP1179 – 227 Prideaux Street

Introduced by Dale Lindsay, General Manager, Development Services.

It was moved and seconded that Council issue Development Permit No. 1179 at 227 Prideaux Street with a variance to reduce the minimum required setback for a refuse enclosure from 3m to 0.46m. The motion carried unanimously.

(d) Amendment to the Appointment of Officers and Delegation of Authority and Management Terms and Conditions Bylaws

Introduced by Sheila Gurrie, Director, Legislative Services.

It was moved and seconded that "Officers Appointment and Delegation Bylaw Amendment Bylaw 2020 No. 7031.07" (To align the bylaw with the revised management organizational structure) pass first reading. The motion carried unanimously.

It was moved and seconded that "Officers Appointment and Delegation Bylaw Amendment Bylaw 2020 No. 7031.07" pass second reading. The motion carried unanimously.

It was moved and seconded that "Officers Appointment and Delegation Bylaw Amendment Bylaw 2020 No. 7031.07" pass third reading. The motion carried unanimously.

It was moved and seconded that “Management Terms and Conditions of Employment Amendment Bylaw 2020 No. 7273.01” (To reflect changes to align with the "Officers Appointment and Delegation Bylaw 2006 No. 7031") pass first reading. The motion carried unanimously.

It was moved and seconded that “Management Terms and Conditions of Employment Amendment Bylaw 2020 No. 7273.01” pass second reading. The motion carried unanimously.

It was moved and seconded that “Management Terms and Conditions of Employment Amendment Bylaw 2020 No. 7273.01” pass third reading. The motion carried unanimously.

11. OTHER BUSINESS:

- (a) Recommendation from 2020-JUL-15 Finance and Audit Committee Meeting re: Indigenous Engagement Specialist

Introduced by Sheila Gurrie, Director, Legislative Services.

It was moved and seconded that Council direct Staff to prepare a business case for an Indigenous Engagement Specialist for the purpose of better incorporating First Nations and urban indigenous perspectives and ways of knowing into our work and decisions. The motion carried.

Opposed: *Councillors Armstrong, Thorpe, and Turley*

- (b) Councillor Bonner Motion re: Pilot Program to Reduce Residential Speed Limits

Introduced by Councillor Bonner.

It was moved and seconded that Council direct Staff to report back to Council on options for Nanaimo to participate in a potential Ministry of Transportation and Infrastructure pilot project limiting residential speed limits. The motion carried unanimously.

12. ADJOURNMENT:

It was moved and seconded at 8:44 p.m. that the meeting adjourn. The motion carried unanimously.

CERTIFIED CORRECT:

CHAIR

CORPORATE OFFICER