

MINUTES
REGULAR COUNCIL MEETING
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2022-DEC-05, AT 3:00 P.M.

Present: Mayor L. Krog, Chair
Councillor S. Armstrong (arrived at 3:03 p.m.)
Councillor T. Brown
Councillor H. Eastmure
Councillor B. Geselbracht
Councillor E. Hemmens
Councillor P. Manly
Councillor J. Perrino
Councillor I. Thorpe

Staff: J. Rudolph, Chief Administrative Officer
D. Lindsay, General Manager, Development Services/Deputy Chief
Administrative Officer
R. Harding, General Manager, Parks, Recreation and Culture
B. Sims, General Manager, Engineering and Public Works
J. Van Horne, Director, Human Resources
Supt. L. Fletcher, Nanaimo Detachment RCMP
T. Doyle, Fire Chief
L. Bhopalsingh, Director, Community Development
B. Corsan, Director, Corporate and Business Development
L. Mercer, Director, Finance
P. Rosen, Director, Engineering
W. Fulla, Deputy Director, Finance
D. Myles, Manager, Utilities
T. Webb, Manager, Communications
R. Botwright, Senior Applications Analyst
A. Coronica, Senior Financial Analyst
M. Elliott, Project Manager
T. Loewen, Communications & Marketing Specialist
S. Gurrie, Director, Legislative Services
N. Sponaugle, Legislative Communications Clerk
S. Snelgrove, Recording Secretary

1. CALL THE REGULAR MEETING TO ORDER:

The Regular Council Meeting was called to order at 3:00 p.m.

2. INTRODUCTION OF LATE ITEMS:

(a) Add *Community Charter* Section 90(1)(i).

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*:

- (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;
- (e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of 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; 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 3:01 p.m.

Council moved out of In Camera at 6:25 p.m.

Council recessed the Open Meeting 6:25 p.m.

Council reconvened the Open Meeting at 7:00 p.m.

2. INTRODUCTION OF LATE ITEMS: (continued)

- (b) Add Agenda item 10(a) Consent Items - Special Finance and Audit Committee Meeting Recommendations from 2022-DEC-01.

4. APPROVAL OF THE AGENDA:

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

5. MAYOR'S REPORT:

Mayor Krog advised:

- The City is pleased to announce that two winter warming centres to support the homeless during cold winter weather will be established. The warming centres will be operated by the Risebridge Society and the 7-10 Club. The centres will be open from December to March and warm meals and outreach services will be provided. Funding for these centers was received through the Union of British Columbia Municipalities (UBCM) Strengthening Communities' Services grant
- The City has been recognized for its climate action work by the Climate Disclosure Project as one of 122 local governments across the world taking leadership on environmental action and transparency
- The City uses a three tiered approach to clearing snow on City roads. The first tier cleared are emergency and priority roads and all major roads, the second tier is secondary roads and lastly as priority three, residential cul-de-sacs and dead ends. Emergency routes, key transit routes and main arterial roads are priority one. As long as it is snowing, crews will be focussed on keeping priority one then priority two routes clear.
- It may take up to 96 hours or more to clear residential areas.
- The BC Ministry of Transportation and Infrastructure maintains Stewart Avenue, Brechin Road, the Nanaimo Parkway and the old Island Highway through Main Road Contracting, who can be reached at 1-877-215-6006
- There is a bylaw requirement for everyone to clear their own sidewalks. There is not enough staff to clear everyone's sidewalk and Mayor Krog noted that not everyone can clear their own sidewalk; however, this doesn't change the importance of keeping sidewalks clear.
- Mayor Krog thanked citizens who have cleared their own and other residents' sidewalks
- The Winter Wonderland event is back at Frank Crane Arena with six days of free skating and a pancake breakfast from 9 a.m. to 12 p.m. on December 28th. More details can be found at Nanaimo.ca.

6. PRESENTATIONS:

(a) eTOWN Hall to Discuss the 2023-2027 Financial Plan

An eTown Hall regarding the 2023-2027 Financial Plan took place from 7:10 pm to 8:14 p.m.

7. CONSENT ITEMS:

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

Prior to the vote Councillor Armstrong requested that Agenda Item 10(a)(10) Unallocated Pedestrian Improvement Budget be removed to be voted on separately.

(a) Special Finance and Audit Committee Meeting Recommendations
2022-DEC-01

1. Utility Rate Review Recommendations - New Overhead Allocation Method

That Council support the New Overhead Allocation Method and proposed sewer and water user fee increases.

2. Utility Rate Review Recommendations - Water and Sewer Utility Rate Structures

That Council direct Staff to implement the recommended Water and Sewer Utility rate structures as presented to the Committee at the Special Finance and Audit Committee meeting on November 24, 2022, to be effective January 1, 2023.

3. Fire Master Plan Implementation

That Council:

- add 20 new firefighters effective August 2023 and increase the budget for the planned Heavy Rescue Vehicle from \$1,157,500 to \$1,600,000 to include pumper capabilities to the 2023 – 2027 Financial Plan; and
- add 20 new firefighters effective January 2025, add a project to 2024 for \$1,224,300 funded from the strategic infrastructure reserve for a new fire engine and a project to 2023 and 2024 for up to \$1,451,000 for modifications/renovations to Fire Stations to the 2023 – 2027 Financial Plan with staff to provide updated costing for modifications/renovations for final budget.

4. Positions added to the 2023 – 2027 Financial Plan

That the following items be approved, resulting in an additional 0.42% tax increase:

- HR Advisor: OH & S Support position added to the 2023 – 2027 Financial Plan effective April 1, 2023 and funded by General Revenue.
- Records Management Clerk position added to the 2023 -2027 Financial Plan effective April 1, 2023 and funded by General Revenue.
- Cemetery Clerk – Temporary full-time position for 15 months (April 1, 2023 to June 30, 2024) funded by General Revenue.
- Community Development Clerk position added to the 2023 – 2027 Financial Plan effective April 1, 2023 and funded by General Revenue.
- Project Accountant position added to the 2023 – 2027 Financial Plan effective April 1, 2023 and funded by General Revenue.

- Project Budget Accounting Clerk position added to the 2023 – 2027 Financial Plan effective April 1, 2023 and funded by General Revenue.
- Recreation & Culture Assistant Coordinators – 2 positions added to the 2023 – 2027 Financial plan with one position effective April 1, 2023 and one effective January 1, 2024 and funded by General Revenue.

5. EV Ready Fleet Plan Study

That Council add a \$50,000 project for an EV Ready Fleet Plan Study to 2023 of the 2023 – 2027 Financial Plan.

6. Road Safety and Performance Coordinator

That Council add a Road Safety & Performance Coordinator position to the 2023 – 2027 Financial Plan effective April 1, 2023.

7. Sewer Operator in Training

That Council add a Sewer Operator in Training position to the 2023 – 2027 Financial Plan effective April 1, 2023.

8. Water Operator in Training

That Council add a Water Operator in Training position to the 2023 – 2027 Financial Plan effective April 1, 2023.

9. RCMP Contract

That Council budget the RCMP contract at 92% for 2023 and 95% for 2024 to 2027 for the 2023 – 2027 Financial Plan.

The motion carried unanimously.

(b) Separately Addressed Consent Items

10. Unallocated Pedestrian Improvement Budget

That Council increase the unallocated pedestrian improvement budget from \$300,000 to \$1,000,000 for 2023, funded from the Strategic Infrastructure Reserve. The motion carried.

Opposed: Mayor Krog, Councillors Armstrong, Perrino, Thorpe

8. DELEGATIONS:

(a) Introducing the Nanaimo Area Public Safety Association (NAPSA)

Collen Middleton, Nanaimo Area Public Safety Association, spoke regarding NAPSA's advocacy position, the impact of drug use on communities, and noted safety concerns in Nanaimo. He requested that Council:

- Expand the Community Safety Officer operating zone to include the 400 block of Victoria Road, Nicol Street and laneways
- Make public safety and security the highest level of priority in the Reimagine Nanaimo Plan
- Move the Nanaimo Area Network of Drug Users (NANDU) operation to a safe location away from family residences, businesses and heavy traffic
- Forward NAPSA's concerns to the applicable Provincial Ministers and critics; and,
- Provide transparency for public money used for safe supply and harm reduction

(b) Concerns Regarding the Nanaimo Area Drug User's Site (NANDU)

Tim McGrath spoke regarding concerns with the NANDU site and requested that Council take action. He noted NANDU's lack of record keeping, open air drug use, numerous overdoses on site and in nearby areas, demise of neighbourhoods along Terminal Avenue and Victoria Crescent and noted the need for a permanent plan to address the issues.

(c) Concerns Regarding the Nanaimo Area Drug User's Site (NANDU)

Collen Middleton spoke on behalf of Teresa Perry and noted concerns regarding the NANDU site including countless hazardous events witnessed such as ambulances being turned away from the site, people leaving the site and being hit by vehicles, the use of the space as a hostel and the violent people living on the site.

Mayor Krog advised:

- Council fully supports and recognizes the 2016 Ministerial Order and the mandate of the Health Board to provide as many Overdose Prevention Services as required in locations they deem necessary to respond to the health emergency.
- As NANDU was funded by the Province, and is supported by Island Health, the City calls upon the Health Authority and the Province to take necessary steps to support the site and to mitigate the impact on the community.
- Council has directed Staff to pursue compliance with municipal bylaws and to bring forward a report for the consideration of designating the property a nuisance under the "Nuisance Abatement and Cost Recovery Bylaw 2019 No. 7250."

9. REPORTS:

- (a) Covenant Amendment Application No. CA18 - 514, 540 Haliburton Street, 120 Needham Street and 575 Nicol Street

Introduced by Dale Lindsay, General Manager, Development Services/Deputy CAO.

Mayor Krog requested that Council hear anyone wishing to speak with respect to CA18 - 514, 540 Haliburton Street, 120 Needham Street and 575 Nicol Street.

No one in attendance wished to speak with respect to CA18 - 514, 540 Haliburton Street, 120 Needham Street and 575 Nicol Street.

It was moved and seconded that Council direct Staff to discharge and amend the covenants on the property titles of 514, 540 Haliburton Street, 120 Needham Street, and 575 Nicol Street, as outlined in the "Proposed Covenant Amendment" section of the Staff Report dated 2022-DEC-05. The motion carried unanimously.

- (b) Development Variance Permit Application No. DVP441 - 133 Pirates Lane

Introduced by Dale Lindsay, General Manager, Development Services/Deputy CAO.

Mayor Krog requested that Council hear anyone wishing to speak with respect to DVP441 - 133 Pirates Lane.

No one in attendance wished to speak with respect to DVP441 - 133 Pirates Lane.

It was moved and seconded that Council issue Development Variance Permit No. DVP441 at 133 Pirates Lane to allow the construction of a carriage house and make lawful the siting of an existing heat pump with variances outlined in the "Proposed Variances" section of the staff report dated 2022-DEC-05. The motion carried unanimously.

- (c) Liquor Licence Application No. LA151 - 940 Old Victoria Road

Introduced by Dale Lindsay, General Manager, Development Services/Deputy CAO.

- (d) Liquor Licence Application No. LA147 - 1630 East Wellington Road

Introduced by Dale Lindsay, General Manager, Development Services/Deputy CAO.

The meeting recessed at 8:58 p.m.
The meeting reconvened at 9:14 p.m.

- (e) Storm Sewer Regulation and Fee Bylaw

Introduced by Bill Sims, General Manager, Engineering and Public Works.

It was moved and seconded that "Storm Sewer Regulation and Fee Bylaw 2022 No. 7351" (To regulate and collect fees and fines for the storm sewer system service) pass first reading. The motion carried unanimously.

It was moved and seconded that “Storm Sewer Regulation and Fee Bylaw 2022 No. 7351” pass second reading. The motion carried unanimously.

It was moved and seconded that “Storm Sewer Regulation and Fee Bylaw 2022 No. 7351” pass third reading. The motion carried unanimously.

(f) Amendment to Bulk Water Rates for South West Extension

Introduced by Laura Mercer, Director, Finance.

It was moved and seconded that “South West Bulk Water Rate Amendment Bylaw 2022 No. 7099.11” (To set the 2023 bulk water rate for South West Extension) pass first reading. The motion carried unanimously.

It was moved and seconded that “South West Bulk Water Rate Amendment Bylaw 2022 No. 7099.11” pass second reading. The motion carried unanimously.

It was moved and seconded that “South West Bulk Water Rate Amendment Bylaw 2022 No. 7099.11” pass third reading. The motion carried unanimously.

(g) Amendment to Rates and Charges for Municipal Solid Waste Collection

Introduced by Laura Mercer, Director, Finance.

It was moved and seconded that “Municipal Solid Waste Collection Amendment Bylaw 2022 No. 7128.14” (To update set the solid waste collection rates for 2023) pass first reading. The motion carried unanimously.

It was moved and seconded that “Municipal Solid Waste Collection Amendment Bylaw 2022 No. 7128.14” pass second reading. The motion carried unanimously.

It was moved and seconded that “Municipal Solid Waste Collection Amendment Bylaw 2022 No. 7128.14” pass third reading. The motion carried unanimously.

(h) Amendment to User Fee Subsidies for 2023

Introduced by Laura Mercer, Director, Finance.

It was moved and seconded that “User Fee Subsidies Amendment Bylaw 2022 No. 7095.04” (To set the 2023 thresholds for User Fee Subsidies) pass first reading. The motion carried unanimously.

It was moved and seconded that “User Fee Subsidies Amendment Bylaw 2022 No. 7095.04” pass second reading. The motion carried unanimously.

It was moved and seconded that “User Fee Subsidies Amendment Bylaw 2022 No. 7095.04” pass third reading. The motion carried unanimously.

(i) Amendment to Rates and Charges for Water

Introduced by Laura Mercer, Director, Finance.

It was moved and seconded that “Waterworks Rate and Regulation Amendment Bylaw 2022 No. 7004.18” (A bylaw to set the water rates for 2023) pass first reading. The motion carried unanimously.

It was moved and seconded that “Waterworks Rate and Regulation Amendment Bylaw 2022 No. 7004.18” pass second reading. The motion carried unanimously.

It was moved and seconded that “Waterworks Rate and Regulation Amendment Bylaw 2022 No. 7004.18” pass third reading. The motion carried unanimously.

(j) Amendment to Rates and Charges for Sanitary Sewer

Introduced by Laura Mercer, Director, Finance.

It was moved and seconded that “Sewer Regulation and Charge Amendment Bylaw 2022 No. 2496.35” (A bylaw to set the 2023 rates for sanitary sewer) pass first reading. The motion carried unanimously.

It was moved and seconded that “Sewer Regulation and Charge Amendment Bylaw 2022 No. 2496.35” pass second reading. The motion carried unanimously.

It was moved and seconded that “Sewer Regulation and Charge Amendment Bylaw 2022 No. 2496.35” pass third reading. The motion carried unanimously.

(k) 2023 Acting Mayor Schedule

Introduced by Sheila Gurrie, Director, Legislative Services.

It was moved and seconded that Council approve the 2023 Acting Mayor Schedule as presented:

NAME	DATE
Councillor Brown	2023-JAN-01 to 2023-FEB-12
Councillor Armstrong	2023-FEB-13 to 2023-MAR-26
Councillor Thorpe	2023-MAR-27 to 2023-MAY-07
Councillor Geselbracht	2023-MAY-08 to 2023-JUN-25
Councillor Hemmens	2023-JUN-26 to 2023-AUG-13
Councillor Perrino	2023-AUG-14 to 2023-SEP-24
Councillor Manly	2023-SEP-25 to 2023-NOV-05

Councillor Eastmure

2023-NOV-06 to 2023-DEC-31

The motion carried unanimously.

(I) 2023 Council and Committee Key Date Calendar

Introduced by Sheila Gurrie, Director, Legislative Services.

It was moved and seconded that Council approve the 2023 Council and Committee Key Date Calendars as presented on Attachment D of the Staff report titled “2023 Council and Committee Key Date Calendars”. The motion carried unanimously.

10. QUESTION PERIOD:

Council received no questions from the public regarding agenda items.

11. ADJOURNMENT:

It was moved and seconded at 9:31 p.m. that the meeting adjourn. The motion carried unanimously.

C H A I R

CERTIFIED CORRECT:

CORPORATE OFFICER