

**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD
MONDAY, DECEMBER 8, 2003 AT 7:00 PM IN THE CITY HALL COUNCIL CHAMBERS**

PRESENT: Mayor McRae, Councillors Chopra, Lord, Mealey, Patterson, Price, and Solda.

A. MINUTES

A. 1. Adoption of Agenda Mealey/Patterson
That the agenda be adopted as presented with the addition of C. (ii) 6. Correspondence for Action from Nora Niles and C. (iii) 16. Informational Correspondence from the BC Achievement Foundation. Carried

A. 2. Adoption of Minutes Mealey/Lord
That the minutes of the Regular Council meeting held November 24, 2003 and Special Council meetings held November 24 and December 1, 2003, be adopted as circulated. Carried

B. DELEGATIONS

B. 1. Lisa Kimura and Ann Graboski of the Port Alberni Women's Resources Society were in attendance to discuss the Community Based Victim Assistance Program.
Lisa Kimura and Ann Graboski of the Port Alberni Women's Resources Society
- Community Based Victim Assistance Program

C. CORRESPONDENCE

C. (i) PROCLAMATIONS

C. (i) 1. Ministry of Community, Aboriginal and Women's Services - "Heritage Week" Patterson/Chopra
That the letter from the Ministry of Community, Aboriginal and Women's Services dated November 17, 2003 requesting that February 16 to 22, 2004 be proclaimed as "Heritage Week" in Port Alberni be received and the request approved. Carried

C. (i) 2. Gyro Club of the Albernis - "Gyro Polar Bear Day" Mealey/Solda
That the letter from the Gyro Club of the Albernis dated November 20, 2003 requesting that January 1, 2004 be proclaimed as "Gyro Polar Bear Day" in Port Alberni, and inviting Council to participate in or attend the polar bear swim at Clutesi Haven Marina at 2:00 pm, January 1, 2004 be received and the request be approved. Carried

C. (i) 3. Literacy BC
- "Family Literacy Day"
Patterson/Mealey
That the letter from Literacy BC dated November 21, 2003 requesting that January 27, 2004 be proclaimed as "Family Literacy Day" in Port Alberni be received and the request be approved.
Carried

C. (ii) CORRESPONDENCE FOR ACTION

C. (ii) 1. Association of Vancouver Island and Coastal Communities
- deadline for resolutions
Chopra/Mealey
That the notice dated November 17, 2003 from the Association of Vancouver Island and Coastal Communities advising that February 11, 2004 is the deadline for resolutions for the Annual General Meeting and Convention in March 2004, be received.
Carried

C. (ii) 2. Holy Family/Notre Dame Parish
- World Day of Peace Walk
Price/Chopra
That the letter from the Holy Family/Notre Dame Parish dated November 28, 2003 seeking Council's permission to host their annual "World Day of Peace Walk" on January 1, 2004, starting at 11:30 am from the old hospital site to Glenwood Centre.
Carried

C. (ii) 3. Winston Joseph
- 2004 BC Winter Games Torch
Mealey/Solda
That the letter from Winston Joseph dated November 27, 2003 requesting that the 2004 BC Winter Games Torch located at Echo Centre be left in place permanently, be received and Mr. Joseph be thanked for his suggestion, but it be explained that the torch does not belong to the City.
Carried

C. (ii) 4. City of Fort St. John
- Alternative Justice Program Funding Grants
Solda/Patterson
That the letter from the City of Fort St. John dated November 26, 2003 requesting the City's support of its resolution regarding Alternative Justice Program Funding Grants, be received and Council write a letter to the Province as requested.
Carried

C. (ii) 5. Helga Fry and Jeanette Bouver - removal of washroom in the sauna area at Echo Centre
Mealey/Patterson
That the letter from Helga Fry and Jeanette Bouver dated November 26, 2003 expressing concerns about the removal of the washroom in the sauna area at Echo Centre and wish to see it replaced, be received. Carried

C. (ii) 6. Nora Niles - concerns regarding stumps on City property
Mealey/Patterson
That the letter from Nora Niles of 5005 Spencer Street expressing concern for nine stumps on City property be received and staff be directed to prepare a report for the next regular meeting of Council on January 12, 2004. Carried

C. (iii) INFORMATIONAL CORRESPONDENCE

C. (iii) 1. Neil Malbon, Manager, McLean Mill National Historic Site - Kettle Valley Railway
Neil Malbon, Manager, McLean Mill National Historic Site submitting a copy of his letter to the Minister of Canadian Heritage requesting a meeting with the Ministry to discuss the possibility of the McLean Mill preparing lumber for the rebuilding of the trestles destroyed in the summer fires.

C. (iii) 2. District of Port Hardy - motion regarding "fixed link"
District of Port Hardy submitting a fax dated November 27, 2003 providing a copy of a motion regarding requesting a "fixed link" from Vancouver Island to the Mainland to be completed in time for the 2010 Olympic Winter Games, for consideration at the spring 2004 annual AVICC convention.

C. (iii) 3. District of Lillooet - boycott against sale of BC wood products to China
District of Lillooet submitting a copy of a letter to the Council of Resource Communities of BC dated November 20, 2003 condemning the boycott campaigns against the sale of BC wood products to China and supporting the efforts taken by the Province in promoting Bc wood to the Chinese marketplace.

C. (iii) 4. RCMP - 2003 Annual Report
RCMP submitting a letter dated November 18, 2003 enclosing a copy of its "Final 2003 Annual Report" of the RCMP Pay Council.

C. (iii) 5. CUPE BC - research department information
CUPE BC submitting a letter dated November 19, 2003 providing reports regarding Bill 65 - Local Government Bylaw Notice Enforcement, Bill 75 - *The Significant Projects Streamlining Act* and a report on *Changes to Safety Standards Act*, produced in CUPE's research department for Council's information.

- C. (iii) 6. Federation of Canadian Municipalities - 2004 FCM-CH2M HILL Sustainable Community Awards
Federation of Canadian Municipalities submitting a letter dated November 6, 2003 providing an application and information regarding the 2004 FCM-Ch2M HILL Sustainable Community Awards: Honouring Excellence in Municipal Service Delivery.
- C. (iii) 7. Human Resources Development Canada - 2004 Therese Casgrain Volunteer Award
Human Resources Development Canada submitting a nomination package for the 2004 Therese Casgrain Volunteer Award.
- C. (iii) 8. Ken White - Labour Council boycotting Salvation Army
Ken White submitting a letter dated November 23, 2003 expressing disapproval of the Port Alberni District Labour Council's boycott of the Salvation Army.
- C. (iii) 9. Agricultural Land Commission - ALR exclusion
The Agricultural Land Commission submitting a letter dated November 21, 2003 providing a copy of the commission's letter to the Registrar of Titles authorising exclusion of Lot A, District Lot 14, Alberni District, Plan VIP75261 from the Agricultural Land Reserve.
- C. (iii) 10. Peace River Regional Hospital District - Health Services Management
Peace River Regional Hospital District submitting a copy of a letter dated November 28, 2003 to the Minister of Health Services regarding the importance of a health services management system which has local accountability.
- C. (iii) 11. Alberni Valley Citizen Advocacy Society - appreciation for computer donation
The Alberni Valley Citizen Advocacy Society submitting a letter thanking Council for its donation of a computer.
- C. (iii) 12. Ministry of Sustainable Resource Management - Working Forest Initiative
Ministry of Sustainable Resource Management submitting a letter thanking the City for its support for the government's Working Forest Initiative.
- C. (iii) 13. District of West Vancouver - Bill 75
District of West Vancouver submitting a copy of a letter to Premier Campbell dated November 25, 2003 opposing Bill 75 - *Significant Project Streamlining Act*.

- C. (iii) 14. City of Merritt
- Bill 75
City of Merritt submitting a copy of a letter to Premier Campbell dated November 21, 2003 opposing Bill 75 - *Significant Project Streamlining Act*.
- C. (iii) 15. City of Burnaby
- Bill 75
City of Burnaby submitting a letter dated November 27, 2003 providing information regarding its opposition of Bill 75 - *Significant Project Streamlining Act*.
- C. (iii) 16. BC Achievement Foundation - introduction of Achievement Awards
Premier Gordon Campbell submitting a letter dated November 28, 2003 introducing the BC Achievement Foundation, outlining the Achievement Awards and requesting nominations.
- Chopra/Mealey
That the Informational Correspondence Items numbered 1 through 16 be received and filed. Carried
- Patterson/Mealey
That the e-mail from Ken White dated November 23, 2003 expressing disapproval of the Port Alberni District Labour Council's boycott of the Salvation Army, be referred to the Port Alberni Salvation Army for a response. Carried
- D. BYLAWS**
- D. 1. "Community Heritage Commission Bylaw, Amendment No. 2 Bylaw", No. 4542 - for final adoption
Patterson/Chopra
That "Community Heritage Commission Bylaw, Amendment No. 2 Bylaw", No. 4542, be now finally adopted, signed by the Mayor and Clerk, sealed with the Corporate Seal and numbered 4542. Carried
- D. 2. "Business Licence Bylaw", No. 4543 - for 1st, 2nd and 3rd readings
Chopra/Patterson
That the report from the City Clerk dated December 4, 2003 regarding the Business Licence Fee Bylaw be received and the recommendation that staff discuss funding with the Chamber and report back with a new policy with respect to the funding of the tourist information service, be approved. Carried
- Chopra/Mealey
That "Business Licence Bylaw", No. 4543, be introduced and read a first time. Carried
- Chopra/Mealey
That "Business Licence Bylaw", No. 4543, be read a second time. Carried

		Chopra/Mealey That "Business Licence Bylaw" No. 4543, be read a third time.	Carried
D. 3.	Advisory Planning Commission - Report	Price/Chopra That the report of the Advisory Planning Commission meeting held on November 19, 2003, regarding the development application from R. Yates (Yates Funeral Services) for proposed Zoning Bylaw Amendment No. 20 for 3 properties at 4450 and 4470 Gertrude Street and 4926 Southgate Road, legally described as Lots 10, 11, and 12, Block 4, District Lot 1, Alberni Land District, Plan 197 (All Saints Church), to rezone the properties from CMX1 Northport Downtown Core District to C3 Service Commercial District to accommodate funeral services within the existing buildings, be received and the recommendations approved.	Carried
	"Zoning Amendment No. 20 (4926 Southgate Road - Funeral Services - All Saints Church) Bylaw", No. 4544 - for 1 st and 2 nd readings	Price/Chopra That "Zoning Amendment No. 20 (4926 Southgate Road - Funeral Services - All Saints Church) Bylaw", No. 4544, be introduced and read a first time.	Carried
		Price/Chopra That "Zoning Amendment No. 20 (4926 Southgate Road - Funeral Services - All Saints Church) Bylaw", No. 4544, be read a second time.	Carried
	- setting of Public Hearing on January 12, 2004 for Bylaw No. 4544	Price/Chopra That "Zoning Amendment No. 20 (4926 Southgate Road - Funeral Services - All Saints Church) Bylaw", No. 4544, be advanced to a Public Hearing on January 12, 2004 at 6:00 pm in the City Hall Council Chambers.	Carried
D. 4.	Deputy Director of Finance - 5 Year Financial Plan 2003-2007 Amendment	Chopra/Mealey That the report from the Deputy Director of Finance dated November 26, 2003 regarding amendments to the Five Year Financial Plan 2003-2007 Bylaw, be received.	Carried

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| | "5 Year Financial Plan Bylaw 2003-2007, Amendment No. 1 Bylaw", No. 4545 | Chopra/Mealey
That "5 Year Financial Plan Bylaw 2003-2007, Amendment No.1 Bylaw", No. 4545, be introduced and read a first time. | Carried |
| | - for 1 st , 2 nd and 3 rd readings | Chopra/Mealey
That "5 Year Financial Plan Bylaw 2003-2007, Amendment No. 1 Bylaw", No. 4545, be read a second time. | Carried |
| | | Chopra/Patterson
That "5 Year Financial Plan Bylaw 2003-2007, Amendment No. 1 Bylaw", No. 4545, be read a third time. | Carried |
| D. 5. | Director of Finance - 5 Year Financial Plan Bylaw 2004-2008 | Chopra/Mealey
That the report from the Director of Finance dated December 3, 2003 regarding the 5 Year Financial Plan Bylaw, 2004-2008, No. 4546, be received. | Carried |
| | "5 Year Financial Plan Bylaw 2004-2008", No. 4546 | Chopra/Patterson
That "5 Year Financial Plan Bylaw 2004-2008", No. 4546, be introduced and read a first time. | Carried |
| | - for 1 st and 2 nd readings | Chopra/Mealey
That "5 Year Financial Plan Bylaw 2004-2008", No. 4546, be read a second time. | Carried |
| E. | <u>UNFINISHED BUSINESS</u> | | |
| E. 1. | Deputy Director of Finance - Travel Expense Policy for Employees and Other Authorized Persons | Chopra/Mealey
That the report from the Deputy Director of Finance dated November 19, 2003 recommending an increase of \$8,000 for 2004 training and travel expenses, be approved. | Carried |
| F. | REPORTS | | |
| F.1. | Accounts | Chopra/Price
That the certification of the Director of Finance dated December 8, 2003 be received and the cheques numbered 77367 to 77584 inclusive, in payment of accounts totaling \$1,259,104.99 be approved. | Carried |

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| F. 2. | Engineering and Public Works Department - Monthly Report | Lord/Patterson
That the report from the Acting City Engineer providing information about departmental operations for the month of November, 2003 be received and filed. | Carried |
| F. 3. | Fire Department - Monthly Report | Solda/Price
That the report from the Fire Chief providing information about departmental operations in October, 2003 be received and filed. | Carried |
| F. 4. | Director of Finance - Income Statements | Chopra/Mealey
That the November 2003 City of Port Alberni Income Statements provided by the Director of Finance be received. | Carried |

Councillor Lord excused herself from the meeting at 8:02 pm on account of a professional conflict of interest with Item F.5.

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| F. 5. | Bylaw Enforcement Officer/Licence Inspector - demolition order for 4561 Bute Street | Chopra/Mealey
That the report from the Bylaw Enforcement Officer/Licence Inspector dated December 1, 2003 regarding the fire damaged building situated at 4561 Bute Street, the complaints from the neighbourhood about the building's safety, unsightliness and emitting of foul odors, and the property owner's refusal to comply with requests to repair or demolish the building, including copies of the following:

a) Registered letter dated December 1, 2003 from the Bylaw Enforcement Officer to the registered owner of the property, Malihe Venus, inviting the owner to attend the Show Cause Hearing;

b) Letter from Malihe Venus dated November 7, 2003 advising that she is unable to rebuild the house due to financial restraints and asking the City for financial assistance.

c) Letter from David Hargrave dated October 24, 2003 expressing concerns about the building.

d) Summary of correspondence regarding the issue. |
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F. 5.
(Cont'd).

be received and that the recommendation to proceed with a "Show Cause" hearing regarding demolition of the building, be approved.

Carried

Show Cause
Hearing
- Removal of
Dangerous
Building (4561
Bute Street)

Order for Demolition of Premises at 4561 Bute Street (owner: Malihe Venus) Lot 13, Block 141, District Lot 1, Alberni District, Plan 197B, PID 009-246-240, under *Local Government Act* Section 727 (1).

The Mayor introduced the Show Cause Hearing which was followed by a report on the status of the property by the City Clerk. The City Clerk circulated 3 pictures of the subject premises taken this afternoon. A copy of these pictures was provided to the land owner, Malihe Venus.

Ms. Malihe Venus addressed Council. She indicated that she has been trying to sell the property. It is listed in the Pennyworth. She asked the City to buy the property from her.

e) Council
Resolution
Recommended

Chopra/Patterson
WHEREAS the *Local Government Act* Section 727 (1), provides for the declaration of a nuisance and removal of dangerous buildings and other structures.

AND WHEREAS there is located upon the property of Lot 13, Block 141, District Lot 1, Alberni District, Plan 197B, PID 009-246-240 (4561 Bute Street) a structure extensively damaged by fire, which in Council's opinion causes the premises to be a nuisance.

NOW THEREFORE BE IT RESOLVED THAT there be notice served upon the owner of the premises described above to demolish the structure within 30 days and further that if such owner fails to do so within the time limited, the City, by its employees and others, shall enter and effect the demolition of the nuisance at the expense of the owner.

AND FURTHER THAT any charges for the City doing the demolition, including all incidental expenses, if unpaid on December 31 in any year, are to be added to and form part of the taxes payable on the subject land as taxes in arrear.

Carried

Councillor Lord returned to the meeting at 8:26 pm.

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| F. 6. | Director of Parks and Recreation
- Tree Removal Request (Huff Drive) | Mealey/Patterson
That the report from the Director of Parks and Recreation dated November 27, 2003 regarding tree removal on Huff Drive be received and the recommendations that: <ul style="list-style-type: none">• the Parks Operations Supervisor proceed with marking individual trees for removal and confirm this selection with the residents of Hillview Villas,• once the selection has been confirmed, the removals will then proceed, and• the seedlings be planted throughout the area in the Spring, be approved. | Carried |
| F. 7. | Councillor Lord - parking improvements at Cathedral Grove (MacMillan Park) | Lord/Mealey
That the City write a letter of support for parking improvements at Cathedral Grove (MacMillan Park) to the Ministry of Water, Land and Air Protection and the City request clarification regarding access to the parking, whether parking fees are to be imposed and how they will minimize the input on old growth trees. | Carried |
| F. 8. | Mayor's Report | The Mayor reported on recent activities and matters of current interest.

Mealey/Chopra
That the Mayor's report be received. | Carried |
| F. 9. | Councillors' Reports | The Councillors reported on recent activities in relation to their various portfolios.

Mealey/Patterson
That the Councillors' reports be received | Carried |
| G. MOTIONS AND NOTICES OF MOTION | | | |
| G. 1. | Tourism Association of Vancouver Island Conference | Patterson/Lord
That staff be directed to investigate the possibility of the City hosting the Tourism Association of Vancouver Island Conference in May 2005 and report back to Council. | Carried |

H. OTHER COMPETENT BUSINESS

- H. 1. Parking Ticket Councillor Chopra requested that staff prepare a
Fees Comparison report comparing parking ticket fees of other
 municipalities and provide it to Council at their
 next regular meeting on January 12, 2004.

I. ADJOURNMENT

Mealey/Patterson
That the meeting terminate at 9:02 pm. Carried

Mayor

Clerk