

**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD
MONDAY, AUGUST 13, 2007 AT 7:00 PM IN THE CITY HALL
COUNCIL CHAMBERS**

PRESENT: Mayor McRae, Councillors Chopra, McLeman, Mealey, Patterson, Solda and Whiteman

A. APPROVAL OF AGENDA (including introduction of late items)

Patterson/Mealey

*That the agenda be approved as circulated with the addition of late items:
E.1 - 34 form letters dated August 8, 2007 opposing proposed Homeless Shelter, and e-mails from: E.1.1 - Rob Thompson, E.1.2.1 - Trudi Laws, E.1.3 - Alexandra Pazitch and E.8.1 - Sunbird Ventures Inc (recycling).*

Carried

B. ADOPTION OF MINUTES

Mealey/Solda

That the minutes of the Regular Council Meeting held July 23, 2007 at 7:00 pm be received.

Carried

C. DELEGATIONS

1. Presentation of Certificate in Local Government Service Delivery

Board of Examiners Certificate in Local Government Service Delivery was presented to Diane Sherlaw, Assistant Collector/Accountant.

2. Ron Paulson - Spirit of Hockeyville Award

Ron Paulson presented the Spirit of Hockeyville Award for 2007 to Carly Haggard.

3. Women's Food & Water Initiative

Jen Fisher-Bradley made a presentation regarding the relationship between climate disruption and food security and requesting the City form a Climate Change Committee and use of City owned property for composting purposes on a mini-trial basis.

Solda/Patterson

That Council for the City of Port Alberni form a Climate Change Committee with terms of reference to be determined.

Carried

Solda/Mealey

That staff be directed to work with the Women's Food & Water Initiative regarding specific details of the proposed composting mini-trial on City owned property and provide a report for Council's consideration.

Carried

4. Gillian Trumper

Gillian Trumper updated Council on activities of the Crystal Meth Task Force.

Whiteman/McLeman

That the verbal report from Gillian Trumper be received and a letter be provided thanking Mrs. Trumper for her tireless efforts on the Task Force.

Carried

5. Group Opposed to Proposed Location of the Homeless Shelter

Mr. Dave Badovinac, representing an ad-hoc group, addressed Council regarding their opposition to the proposed homeless shelter on Roger Street and the lack of consultation with residents of the neighbourhood. Council also received comment from Jean Contant, Stephen Fisher-Bradley, Alexandra Pazitch and Elia Nicholson-Nave as well as Patty Edwards, who provided a history on the community stakeholder initiative on Homelessness.

Council agreed to facilitate a meeting inviting representatives from BC Housing in order for stakeholders and the community to provide input.

D. PROCLAMATIONS Nil

E. CORRESPONDENCE FOR ACTION

1. Proposed Homeless Transitional Housing

Solda/Mealey

That the correspondence regarding the proposed "homeless transitional housing" at the Redford Sportsman Lodge on Roger Street from:

- Lori Shirreff - e-mail dated July 27, 2007*
- Todd Patton - e-mail dated July 31, 2007*
- Letters dated August 8, 2007 expressing concern from:*

<i>- L. and Barbara Coombe</i>	<i>- V. Fedirchuk</i>
<i>- Robert and Lynn Smith</i>	<i>- Sharon Fedirchuk</i>
<i>- Thomas Edmondson</i>	<i>- Robert O'Dwyer</i>
<i>- Doug and Elaine Hanson</i>	<i>- Pearl Critchlow</i>
<i>- Judy Bailey</i>	<i>- Karen Newman</i>
<i>- Jean Contant</i>	<i>- Mr. & Mrs. M. Watt</i>

Additional letters (late items) dated August 8, 2007 received from:

- Elsie Isaac	- D. Bondue
- James T. Cassin	- R.P. Mayo
- Donna & Art Phillips	- I. Clem
- Fred & Ann Warm	- E.B. Hardy
- Dave & Teresa Brown	- M.E. Hardy
- Joe & Pat Kozsan	- Lori Fitzpatrick
- Ron & Linda DeVito	- Patricia Fitzpatrick
- Leanne Murphy	- Janet Russell
- Carolyn & Doug Greenard	- T. Dith
- C. Panton	- Roland Brown
- Norm & Barb Bailey	- E. Blake
- M. Sabiston	- G. Wangler
- Tracy & Mike Locke	- L. Wangler
- Glenn Marsden	- K.M. Clarke
- Laura Marsden	- Doug Lalonde
- Ken & Trudy Parke	- James T. Cassin, Laura Johnston, Robert Smith, Pearl Chritchton, Norm Bailey, P. Johansen
- Andy & Elva Chapman	

and late items E.1.1 from Rob Thompson, E.1.2 from Alison Sundstrum, E.1.2.1 from Trudi Laws and E.1.3 from Alexandra Pazitch , be received.

Carried

2. Alberni Valley Gaming Association dba Chances Rimrock Gaming Centre

McLeman/Whiteman

That the letter dated July 17, 2007 from the Alberni Valley Gaming Association dba Chances Rimrock Gaming Centre requesting bus service for the Rim Rock Gaming Centre at 4890 Cherry Creek Road starting in September, 2007 be received and the writer advised that the matter has been referred to BC Transit for detailed cost of providing the service.

Carried

3. Chances Rim Rock Gaming Centre

Mealey/Patterson

That the letter dated August 8, 2007 from P.A. (Pat) Edwards, Chief of Security, Chances Rim Rock Gaming Centre requesting that, for safety reasons, Council reconsider their motion from October 24, 2005 excluding the installation of an ATM (Automatic Teller Machine) machine at the new Gaming Centre, and amend the resolution to include an ATM on site at the Gaming Centre, be received and any lighting or pedestrian safety issues be referred to the Advisory Traffic Committee for Review.

For the Motion: Councillors Mealey, Patterson and Whiteman
Against the Motion: Mayor McRae, Councillors Chopra, McLeman and Solda
Defeated

Whiteman/Chopra

That Council for the City of Port Alberni approve the request to support the location of an ATM machine in the new Chances Rim Rock Gaming Centre.

Carried

4. Alberni Valley Lions Club

Whiteman/McLeman

That the letter dated July 27, 2007 from the Alberni Valley Lions Club inviting the Mayor and Council members to assist in judging at the Port Alberni Salmon Festival Bullhead Derby on Sunday, September 2, 2007 at Clutesi Haven Marina from 9:30 am to 11:00 am, be received and all available Councillors participate in the event.

Carried

5. Lyn Turner

Solda/Whiteman

That the e-mail dated July 24, 2007 from Lyn Turner be received and Council for the City of Port Alberni concur with the request for the Alberni Valley Hospice Society to hold a raffle on the grass beside the Batstar Café on Beaver Creek Road, during the Salmon Festival weekend (August 31 to September 3, 2007).

Carried

6. Alberni District Fall Fair Association

Whiteman/Chopra

That the letter dated August 2, 2007 from the Alberni District Fall Fair Association requesting permission to utilize City-owned property adjacent to the Batstar Café on the corner of Beaver Creek and River Roads during the Salmon Festival weekend to display the 2007 Fall Fair car, be received and the request approved.

Carried

7. British Columbia Society for the Prevention of Cruelty to Animals (BC SPCA)

Solda/Patterson

That the letter dated July 30, 2007 from the British Columbia Society for the Prevention of Cruelty to Animals (BC SPCA) requesting support of the resolution from the City of Vancouver regarding regulation of the keeping and sale of exotic animals in BC be received and Council for the City of Port Alberni concur with the request.

Carried

8. Sunbird Ventures Inc

McLeman/Solda

That the Letter dated July 30, 2007 from Sunbird Ventures Inc. advising their contract for services at the 4th Avenue Recycling Site expires July 31, 2007 and submitting a proposed 5 year contract for Council's review, and a letter dated August 9, 2007 from the Alberni-Clayoquot Regional District advising their Board passed a resolution not to support this request, and a late item (8.1) from Sunbird Ventures Inc advising they would consider a 3-5 year option, be received and Council for the City of Port Alberni direct staff to secure recycling services on a month to month basis for up to one year.

Carried

9. Debbie Molloy - Manufactured Home Parks

Mealey/Whiteman

That the e-mail dated August 2, 2007 requesting Council's progress in addressing the issue of protecting Manufactured Home Park homeowners when redevelopment is under consideration, be received and the writer advised of the status of amendments to the Manufactured Home Park Tenancy Act, 2002.

Carried

10. BC SPCA, Alberni Clayoquot Branch

McLeman/Chopra

That the letter dated August 3, 2007 from the BC SPCA, Alberni Clayoquot Branch, requesting permission to suspend a banner across Johnston Road from mid-August to late September advertising their fundraiser, the "5th Annual Hole in One Golf Tournament" be received and the request approved subject to \$5 million dollars in liability insurance and permission from the Ministry of Transportation while the banner is up.

Carried

11. Ministry of Economic Development and Minister Responsible for the Asia Pacific Initiative and the Olympics

Chopra/McLeman

That the letter dated August 1, 2007 from the Ministry of Economic Development and Minister Responsible for the Asia Pacific Initiative and the Olympics advising that Ministry officials are willing to meet with Councils/Boards wishing to seek information and provide input into the negotiations to extend the British Columbia-Alberta Trade, Investment and Labour Mobility Agreement (TILMA) to local governments, be received and a meeting be arranged during the UBCM Convention.

Carried

12. Union of British Columbia Municipalities (UBCM)

Chopra/Mealey

That the fax dated July 20, 2007 from the Union of British Columbia Municipalities (UBCM) requesting input regarding topics for discussion at the "Urban Forum" workshop to be held at the Union of British Columbia Municipalities (UBCM) Convention on Tuesday, September 25, 2007 be received and Councillors advise the Administrative Assistant of topics/speakers for the "Urban Forum" prior to the August 31, 2007 deadline.

Carried

13. BC Transit

McLeman/Chopra

That the letter dated July 24, 2007 from BC Transit inviting the Mayor and Council members to attend a Transit Forum on September 24, 2007 at the Union of British Columbia Municipalities (UBCM) Convention, be received and Councillors interested in participating advise the Administrative Assistant by August 31, 2007.

Carried

F. INFORMATIONAL CORRESPONDENCE

1. Community Arts Council of the Alberni Valley

Letter dated July 23, 2007 thanking the City of Port Alberni for their 2007 grant-in-aid of \$4,500 to assist in ongoing programs.

2. Smart Growth BC

Letter received August 3, 2007 providing information regarding their report released in April 2007 entitled *A Legal Review of the Question of "Community Need"*.

3. City of Abbotsford

Letter dated July 25, 2007 regarding the Agricultural Waste Control Regulations - Wood Fired Boilers Policy Intentions Paper for Consultation, and enclosing a letter from the Fraser Valley Regional District dated July 17, 2007 requesting extension of the deadline for comments.

McLeman/Mealey

That Council for the City of Port Alberni support the request for an extension of the deadline for comments with regard to the Agricultural Waste Control Regulations - Wood Fired Boilers Policy Intentions Paper for Consultation..

Carried

4. **Minister of Small Business and Revenue/Minister of Community Services**
Letter dated July 26, 2007 providing further information regarding the Single Business Licence and consultation to date and attaching a summary of the draft proposed Single Business Licence Model.
5. **District of Sooke**
Resolution requesting the UBCM ask the provincial government that local government elected officials and the public have access to the provincial Conflict of Interest Commissioner for conflict of interest complaints under the *Community Charter*.
6. **Village of Port Clements**
Letter dated July 24, 2007 advising of their resolution that the Union of British Columbia Municipalities (UBCM) Convention forward a recommendation to the Ministry of Health that regularly scheduled routine eye exams be covered under the British Columbia Medical Services Plan.

McLeman/Solda

That Council for the City of Port Alberni support the resolution that the UBCM forward a recommendation to the Ministry of Health that regularly scheduled routine eye exams be covered under the British Columbia Medical Services Plan.

Carried

7. **BC Transit**
Letter dated July 27, 2007 enclosing their 2006/07 BC Transit Annual Report.
8. **Vancouver Island Health Authority (VIHA)**
Copy of a letter to Scott Fraser, MLA (Alberni-Qualicum) dated July 24, 2007 providing information regarding the West Coast Native Health Care Society's Assisted Living and Complex Care development.
9. **Provincial Health Services Authority**
Letter dated July 25, 2007 enclosing their progress report *Stepsforward 2007* showing how the Provincial Health Services Authority is improving specialized health services.
10. **BC Hydro**
Letter dated August 1, 2007 advising that funding is available for Electric Beautification Projects and inviting applications by November 15, 2007.
11. **Minister of Indian Affairs and Northern Development and Federal Interlocutor for Metis and Non-Status Indians**
Letter dated July 27, 2007 responding to the Mayor's letter dated May 24, 2007 concerning the settlement of the Huu-ay-aht First Nation's specific claim and advising the legal review has been assigned a top priority.

- 12. Bike to Work Week BC Background**
Information Sheet received August 3, 2007 encouraging commuter Cycling and advising a Planning Workshop will be held September 14, 2007 in Vancouver.
- 13. Union of British Columbia Municipalities (UBCM)
Gas Tax/Public Transit Management Services**
Letter dated July 20, 2007 advising that the Union of British Columbia Municipalities (UBCM) is in the process of distributing the first of two Community Works Funds payments, and enclosing a cheque for \$158,272.16, with the remaining portion scheduled for payment in November, 2007.
- 14. Union of British Columbia Municipalities (UBCM)**
Memorandum dated July 23, 2007 attaching a letter from the Minister of Public Safety and Solicitor General dated June 25, 2007 and background information outlining the cost of implementing PRIME-BC to local government.
- 15. Union of British Columbia Municipalities (UBCM)
Local Government Program Services**
Memorandum dated August 1, 2007 thanking the City for the reporting package outlining activities undertaken under the 2005 Community Tourism Grant (Phase 1) and advising a cheque for \$8,900, representing the final payment on the total grant amount approved for this project, will be forwarded in August.
- 16. Union of British Columbia Municipalities (UBCM)**
Fax dated July 27, 2007 providing highlights of the July 20, 2007 UBCM Executive Meeting.

*Mealey/Whiteman
That Informational Correspondence items numbered 1 through 16 be
received and filed.*

Carried

G. UNFINISHED BUSINESS

- 1. Resolution from Councillor Mealey regarding Wireless Internet Access at City Hall (Notice of Motion from July 23, 2007 Meeting)**

*Mealey/Patterson
That the report dated August 8, 2007 from the Manager of Information Services outlining costs associated with installation of a wireless internet connection in City Hall, be received.*

Carried

2. City Clerk - Publishing of Crime Locations

Solda/Mealey

That the report dated August 7, 2007 from the City Clerk in response to a request from Council, advising that with the implementation of PRIME the RCMP are unable to share crime locations with the local media, be received.

Carried

H. BYLAWS

1. "Fees and Charges Bylaw 2007, Bylaw No. 4665"

Chopra/Mealey

That "Fees and Charges Bylaw 2007, Bylaw No. 4665" be now finally adopted, signed by the Mayor and Clerk, sealed with the corporate seal and numbered 4665.

Carried

2. City Planner - "Zoning Amendment No. 58 (3979 Compton Road - Power and Frost), Bylaw No. 4664"

Mealey/Solda

That "Zoning Amendment No. 58 (3979 Compton Road - Power and Frost), Bylaw No. 4664" be now finally adopted, signed by the Mayor and Clerk, sealed with the corporate seal and numbered 4664.

Carried

3. City Planner – Advisory Planning Commission

Mealey/Chopra

1. *That Council for the City of Port Alberni proceed with an amendment to the map of the Zoning Bylaw to rezone 4678 Margaret Street (Lot 11, Block 1, District Lot 1, Alberni District, Plan 197) from CMX1 - Northport Downtown Core District to C6 -Transitional Office Commercial District.*

Carried

Mealey/Chopra

2. *That Council for the City of Port Alberni proceed with an amendment to the map of the Zoning Bylaw to rezone 5350 Falls Street from MH1 – Mobile Homes District to RM1 – Low Density Multiple Family Residential District.*

Carried

Mealey/Chopra

3. *That Council for the City of Port Alberni proceed with an amendment to the text of the Zoning Bylaw to increase the Maximum Number of Principal Building Storeys from 2 to 2.5 in the RM1 District and that as part of the development process the applicant be required to complete the following before the final adoption of the bylaws:*

- a. That the developer's engineer works with the City Engineer to investigate the feasibility of adding a left turn lane into the project. If a left turn lane is feasible, security is required for the off-site improvements.*
- b. That a preliminary geotechnical report be completed to determine if any slope areas of the site need specific investigation.*
- c. That a geotechnical engineering report of the river bank be completed to certify that the dwelling unit sites may be used safely for the use intended.*
- d. That the developers engineer works with the City Engineer and with the Ministry of Transportation to investigate the possibility of adding a right hand turn lane off of River Road onto Falls Street and any other improvements that might be made to that intersection*

Carried

4. "Zoning Amendment No. 59 (4678 Margaret Street - Campbell), Bylaw No. 4667"

Mealey/Chopra

That "Zoning Amendment No. 59 (4678 Margaret Street - Campbell), Bylaw No. 4667" be now introduced and read a first time.

Carried

Mealey/Solda

That "Zoning Amendment No. 59 (4678 Margaret Street - Campbell), Bylaw No. 4667" be read a second time.

Carried

5. "Zoning Text Amendment No. T28 (Maximum of 2.5 Building Storeys in RM1 - Low Density Multiple Family Residential District), Bylaw No. 4668"

Mealey/Whiteman

That "Zoning Amendment No. T28 (Maximum of 2.5 Building Storeys in RM1 - Low Density Multiple Family Residential District), Bylaw No. 4668" be now introduced and read a first time.

Carried

Mealey/Chopra

That "Zoning Amendment No. T28 (Maximum of 2.5 Building Storeys in RM1 - Low Density Multiple Family Residential District), Bylaw No. 4668", be read a second time.

Carried

6. "Zoning Amendment No. 60 (5350 Falls Street - McManus Development), Bylaw No. 4669"

Mealey/Patterson

That "Zoning Text Amendment No. 60 (5350 Falls Street - McManus Development), Bylaw No. 4669" be now introduced and read a first time.

Carried

Mealey/Solda

That "Zoning Text Amendment No. 60 (5350 Falls Street - McManus Development), Bylaw No. 4669" be read a second time.

Carried

7. Setting a Public Hearing Date for Bylaw Numbers 4667, 4668 and 4669

Mealey/Chopra

That the following Bylaws be advanced to a Public Hearing on Monday, September 10, 2007 at 5:30 pm in the Council Chambers at City Hall:

- 1. "Zoning Amendment No. 59 (4678 Margaret Street - Campbell), Bylaw No. 4667",*
- 2. "Zoning Amendment No. T28 (Maximum of 2.5 Building Storeys in RM1 - Low Density Multiple Family Residential District), Bylaw No. 4668" and*
- 3. "Zoning Text Amendment No. 60 (5350 Falls Street - McManus Development), Bylaw No. 4669".*

Carried

8. City Clerk - Animal Control and Pound Bylaw - Amendment to Fees

Solda/Mealey

That "Animal Control and Pound Bylaw, No. 4573" be now introduced and read a first time.

Carried

Solda/Mealey

That "Animal Control and Pound Bylaw, No. 4573" be read a second time.

Carried

Solda/Whiteman

That "Animal Control and Pound Bylaw, No. 4573" be read a third time.

Carried

9. City Planner - Sign Bylaw

Mealey/Solda

That Council for the City of Port Alberni rescind first reading of "City of Port Alberni Sign Bylaw, No. 4578".

Carried

Mealey/Patterson

That "City of Port Alberni Sign Bylaw, No. 4578, 2007" be now introduced and read a first time.

Carried

Mealey/Solda

That "City of Port Alberni Sign Bylaw, No. 4578, 2007" be read a second time.

Carried

Mealey/Chopra

That "City of Port Alberni Sign Bylaw, No. 4578, 2007" be read a third time.

Carried

10. City Clerk - Traffic Bylaw

McLeman/Mealey

That "Traffic Regulation Bylaw, 2007, Bylaw No. 4670" be now introduced and read a first time.

Carried

McLeman/Mealey

That "Traffic Regulation Bylaw, 2007, Bylaw No. 4670" be read a second time.

Carried

McLeman/Whiteman

That "Traffic Regulation Bylaw, 2007, Bylaw No. 4670" be read a third time.

Carried

I. REPORTS

1. Accounts

Chopra/Whiteman

That the certification of the Director of Finance dated August 13, 2007 be received and the cheques numbered 96694 to 96945 inclusive, in payment of accounts totalling \$903,197.50 be approved.

Carried

2. Building & Plumbing Inspection

McLeman/Solda

That the monthly report from the Building & Plumbing Inspection Department providing information about current departmental operations, be received.

Carried

3. Planning

Mealey/Patterson

That the monthly report from the Planning Department providing information about current departmental operations, be received.

Carried

4. Fire Department

Solda/McLeman

That the monthly report from the Fire Department providing information about current departmental operations, be received.

Carried

5. Director of Finance - Audit Committee Minutes

Chopra/Mealey

That the minutes of the July 23, 2007 Audit Committee Meeting and the June, 2007 financial statements be received.

Carried

6. City Clerk – July 23, 2007 Public Hearing Report

Mealey/Patterson

That the report of the Public Hearing held July 23, 2007 relating to Bylaw No. 4664, be received and filed.

Carried

7. Boundary Study Committee

Chopra/McLeman

That the minutes from the Boundary Study Committee meeting held July 9, 2007 be received.

Carried

8. City Clerk - Frigstad Apartments

Solda/Mealey

That the report dated August 8, 2007 from the City Clerk advising of the status of the building and property at 3118 Third Avenue (Frigstad Apartments) be received.

Carried

9. City Planner - Development Permit - 4901 Burke Road

Mealey/Patterson

That the report dated August 8, 2007 from the City Planner requesting consideration of Development Permit No. 07-02 for 4901 Burke Road (multi-family project), be received and Council for the City of Port Alberni approve Development Permit No. 07-02 and that the City Clerk be authorized to sign Development Permit No. 07-02 including the following Schedule B development plans:

- *Site Plan - Sheet No. A-1.1 dated July 25, 2007*
- *Landscape Plan - Sheet No. LA-1.1 & LA-1.12 dated July 23, 2007*
- *Elevation Plan - Sheet No. 4 & 5 dated July 25, 2007.*

Carried

10. City Clerk - 2008 Financial Plan Proposed Timeline

Chopra/Mealey

That the report dated August 8, 2007 from the City Clerk proposing an outline for the 2008-2012 Five Year Financial Plan process, identifying specific consultation with the public, be received and Council for the City of Port Alberni approve the 2008 - 2012 Five Year Financial Plan Proposed Timeline as presented.

Carried

11. Current Status Report

Chopra/Mealey

That the Current Status Report be received.

Carried

12. Mayor's Report

Mealey/Patterson

That the Mayor's report be received.

Carried

13. Councillors' Reports

Mealey/Solda

That the Councillors' reports be received.

Carried

J. QUESTION PERIOD

The public and the press were provided the opportunity to ask questions of the Mayor and Council. There were none.

K. OTHER COMPETENT BUSINESS

1. City Clerk - Resolutions for Council's Consideration from Councillor Chopra

BC Ferries

*Chopra/Mealey
That Council for the City of Port Alberni write to the Minister of Transportation to request that BC Ferries be required to terminate the current reservation system.*

Carried

Mealey/Patterson

That the Regular Council Meeting be extended past the 10:00 pm deadline in order to comply with Council Procedure Bylaw No. 4547.

Carried

Revitalization Tax Exemption

*Chopra/Mealey
That Council for the City of Port Alberni conduct a special meeting on Monday, September 17, 2007 at 2:00 pm in the Council Chambers to review the revitalization tax exemption legislation in consideration of its application to commercial areas within the City of Port Alberni.*

Carried

L. ADJOURNMENT

*Mealey/Patterson
That the meeting adjourn at 10:03 pm.*

Carried

Mayor

Clerk