

**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD
MONDAY, APRIL 10, 2007 AT 7:00 PM IN THE CITY HALL
COUNCIL CHAMBERS**

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

EXCUSED: Councillor Chopra

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

Mealey/Patterson

That the agenda be approved as circulated with the addition of late items:

C.5 - Judith Sayers;

E.8 - correspondence from Tsawaayuus (Rainbow Gardens), and

I.8.1 - Inventory of Parks, Open Space and Civic Properties

Carried

B. ADOPTION OF MINUTES

Mealey/Whiteman

That the minutes of the Regular Council Meeting held March 26, 2007 at 7:00 pm be received.

Carried

C. DELEGATIONS

1. Community Arts Council of the Alberni Valley

Sharon Hillman, Co-President of the Community Arts Council invited the Mayor and Council to participate in their Mosaic walk on April 23, 2007 as part of Arts and Culture Week.

2. Chamber of Commerce/Alberni Valley Tourism (Karen Goldby)

Karen Goldby provided a status report on the branding exercise undertaken by the AV Tourism and the Chamber of Commerce.

Whiteman/Mealey

That Council for the City of Port Alberni accept the recommendation of Alberni Valley Tourism to delay implementation of the sign plan until completion of the branding exercise scheduled for June 15th.

For the Motion: *Mayor McRae, Councillors Mealey, Patterson, Solda and Whiteman*

Against the Motion: *Councillor McLeman*
Carried

3. Bev Denning – SOS Committee

Bev Denning addressed Council regarding issues relating to West Coast General Hospital.

Whiteman/McLeman

That Council for the City of Port Alberni receive Ms. Denning's report, forward it to Mr. Waldner, President/CEO of the Vancouver Island Health Authority, and invite him to visit the community to address issues of concern.

Carried

4. Mike and Jeanette Steves – Sunbird Disposal and Recycling

Mike Steves of Sunbird Disposal and Recycling addressed Council regarding recycling and the contracting out of disposal services in the Valley.

McLeman/Solda

That Council for the City of Port Alberni receive the verbal report from Mr. Steves and consider his concerns.

Carried

5. Judith Sayers – Upnit Power Corporation

Presented Council with a \$5,000 dividend cheque for its partnership in the Upnit Power Corporation.

McLeman/Mealey

That the \$5,000 dividend cheque from Upnit Power Corporation be received for Green Energy purposes.

Carried

D. PROCLAMATIONS

1. Parkinson Society British Columbia

Solda/McLeman

That the letter dated March 26, 2007 be received and Council for the City of Port Alberni proclaim April as "Parkinson's Awareness Month" in Port Alberni.

Carried

2. Mount Klitsa Garden Club

Mealey/Patterson

That the e-mail dated April 3, 2007 be received and Council for the City of Port Alberni rescind the motion proclaiming June 17 – 23, 2007 as "Broombusting Week" in the City of Port Alberni.

Carried

Mealey/Whiteman

That Council for the City of Port Alberni declare June 3 – 9, 2007 as "Broombusting Week" in Port Alberni, that citizens be permitted to drop off cut broom at a suitable site to be determined and that the City support the request to the Alberni-Clayoquot Regional District that fees for broom brought to the landfill site during that week be waived.

Carried

E. CORRESPONDENCE FOR ACTION

1. Vancouver Island Economic Alliance

Whiteman/Patterson

That the letter dated March 23, 2007 from the Vancouver Island Economic Alliance be received and Council for the City of Port Alberni take out a membership in the Alliance at a cost of \$1,000 to be funded from the Economic Development budget.

Carried

2. Union of British Columbia Municipalities

Solda/McLeman

That the fax received March 20, 2007 be received and Council for the City of Port Alberni endorse the UBCM's resolution to petition the provincial government to reduce the ultimate limitation period from 30 years to 10 years and further that the provincial government require all participants in the building system to have insurance.

Carried

3. Shape Properties

McLeman/Whiteman

That the letter dated March 29, 2007 from Shape Properties be received and Council for the City of Port Alberni refer the letter regarding Post Office use zoning to the Advisory Planning Commission for consideration.

Carried

4. Canadian Union of Public Employees

Solda/Mealey

That the letter dated March 21, 2007 from CUPE BC providing information regarding the Trade, Investment and Labour Mobility Agreement be received and Council concur with the request to ask that this agreement not be imposed on municipalities and also request public hearings be held to allow all British Columbians to express their views on the agreement.

Carried

5. BC Hydro

McLeman/Mealey

That the letter dated March 30, 2007 inviting the City of Port Alberni participate in the "Turn It Off Challenge" between June 1st and August 31st, 2007, be received and the City participate in the Challenge.

Carried

6. Island Corridor Foundation

Solda/Mealey

That the letter dated March 27, 2007 be received and Council for the City of Port Alberni authorize the Mayor and City Clerk to execute the Rail Track License Agreement as presented.

Carried

7. Clint Dow - Waters Edge Bistro

Solda/Mealey

That the letter dated April 2, 2007 be received and staff directed to request more information from the owner regarding the rationale for a sub-lease.

Carried

8. Tsawaayuus (Rainbow Gardens)

Solda/McLeman

That the letter dated April 2, 2007 be received and Council for the City of Port Alberni will write a letter of support to VIHA requesting that First Nations be included in their "Pathways" program.

Carried

F. INFORMATIONAL CORRESPONDENCE

1. Baltimore County, Maryland

Letter dated March 22, 2007 from James T. Smith Jr., County Executive, responding to Mayor McRae's letter to TimberWest, expressing their interest in retaining one of the Martin Mars Water Bombers and in developing community to community collaboration related to our common Mars heritage.

2. Canadian Association of Home & Property Inspectors (BC)

Letter dated March 20, 2007 advising that the National Certification Program for house and home inspectors is up and running in BC.

3. Ministry of Energy, Mines and Petroleum Resources

Letter dated March 21, 2007 advising of the recent reorganization within the Ministry of Energy, Mines and Petroleum Resources.

4. City of Abashiri

Letter dated March 14, 2007 expressing their appreciation that the Twinning Society has appointed a new board of directors and will continue the Sister City relationship.

5. Union of British Columbia Municipalities

Email dated March 28, 2007 providing information regarding the Trade, Investment and Labour Mobility Agreement (TILMA) and advising they continue to address TILMA on their members behalf.

6. Berni Pearce

Email dated April 3, 2007 providing the legal opinion of Steven Shrybman regarding the Trade, Investment and Labour Mobility Agreement (TILMA).

7. Pamela Day

Email received March 29, 2007 regarding the Watershed Protection Project that was presented to the Alberni Clayoquot Regional District on March 28th and urging reconsideration of the proposal.

8. **Jerri Jelinek**
Letter received March 30, 2007 expressing her concerns regarding garbage and recycling in the Alberni Valley.
9. **Union of British Columbia Municipalities**
Letter dated March 20, 2007 announcing that the 2005 Community Tourism Program (Phase 1) Alberni Valley Tourism Initiative application for funding has been approved in the amount of \$85,000, bringing the total Phase 1 entitlement for the City of Port Alberni to \$124,531.23.
10. **Union of British Columbia Municipalities**
Fax dated March 23, 2007 regarding the Bylaw Dispute Adjudication System and requesting participation in an online survey intended to gather information on local government interest in, and awareness of, the Bylaw Dispute Adjudication System.
11. **Ty Watson House**
News release dated April 4, 2007 advising that an agreement has been reached between Vancouver Island Health Authority and the Alberni Valley Hospice Society for provision of palliative care services at Ty Watson House.

Mealey/Patterson

That Informational Correspondence items numbered 1 through 11 be received and filed.

Carried

McLeman/Patterson

Regarding item F. 8 that a letter be written to Jerri Jelinek thanking her for her correspondence.

Carried

McLeman/Mealey

That a letter be written to Lynn Turner, Ty Watson House and Vancouver Island Health Authority, thanking them for their efforts in reaching an agreement regarding the operation of Ty Watson House.

Carried

G. UNFINISHED BUSINESS

1. Tofino Bus Services Ltd.

McLeman/Mealey

That the e-mail from Tofino Bus Services Ltd. explaining their updated schedule be received and a letter be written thanking them for their service.

Carried

H. **BYLAWS**

1. **"5 Year Financial Plan 2007-2011, Bylaw No. 4657"**

Solda/Mealey

That "5 Year Financial Plan 2007-2011, Bylaw No. 4657" be now finally adopted, signed by the Mayor and Clerk, sealed with the corporate seal and numbered 4657.

Carried

2. **Tax Rates 2007, Bylaw No. 4658**

Solda/Mealey

That the report from the Director of Finance dated April 10, 2007 regarding the 2007 Tax Rates Bylaw, be received.

Carried

Solda/Mealey

That "Tax Rates 2007, Bylaw No. 4658 " be now introduced and read a first time.

Carried

Solda/Mealey

That "Tax Rates 2007, Bylaw No. 4658 " be read a second time.

Carried

Solda/Whiteman

That "Tax Rates 2007, Bylaw No. 4658 " be read a third time.

Carried

3. **"Official Community Plan, Bylaw No. 4602, 2005"**

Mealey/Solda

That the April 4, 2007 Public Hearing Report regarding "Official Community Plan, Bylaw No. 4602, 2005" be received.

Carried

Mealey/Whiteman

That staff be directed to bring forward an amendment to the Official Community Plan to designate the Johnston Road corridor residential on the north side of Johnston Road between Ian Avenue and Cherry Creek Road, and on the south side of Johnston Road between Ian Avenue and Tebo Avenue; excluding existing parkland and commercial property already developed.

For the Motion: Councillor Mealey

Against the Motion: Mayor McRae, Councillors McLeman, Patterson,
Solda and Whiteman

Defeated

Solda/Patterson

That "Official Community Plan, Bylaw No. 4602, 2005" be now read a third time.

Recorded vote:

For the Motion: *Mayor McRae, Councillors Patterson, Solda and Whiteman*

Against the Motion: *Councillors McLeman and Mealey*
Carried

Solda/Patterson

That "Official Community Plan, Bylaw No. 4602, 2005" be now finally adopted, signed by the Mayor and Clerk, sealed with the corporate seal and numbered 4602.

Recorded vote:

For the Motion: *Mayor McRae, Councillors Patterson, Solda and Whiteman*

Against the Motion: *Councillors McLeman and Mealey*
Carried

I. REPORTS

1. Accounts

Solda/McLeman

That the certification of the Director of Finance dated April 10, 2007 be received and the cheques numbered 95156 to 95313 inclusive, in payment of accounts totalling \$773,288.36 be approved.

Carried

2. Engineering and Public Works

McLeman/Solda

That the monthly report from the City Engineer providing information about current departmental operations, be received.

Carried

3. Planning

Mealey/Patterson

That the monthly report from the City Planner providing information about current departmental operations, be received.

Carried

4. Fire Department

Solda/Mealey

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

Carried

5. Director of Finance - Transit Operating Agreement

Solda/Whiteman

That the report from the Director of Finance dated March 26, 2007 be received and Council for the City of Port Alberni approve the 2007/08 Annual Operating Agreement for transit services in Port Alberni.

Carried

6. Director of Parks and Recreation - Amendment to VIHA Lease

Whiteman/Mealey

That Council for the City of Port Alberni amend the lease with VIHA for the medical clinic to include the upper floor space under the same terms and conditions as the original lease and the Mayor and City Clerk be authorized to sign the amended lease agreement on behalf of the City.

Carried

7. City Planner - Development Variance Permit - 3596 Huff Drive

Mealey/Solda

That the report from the City Planner dated March 29, 2007 regarding proposed Development Variance Permit No. 61, be received and Council proceed with consideration of the Development Variance Permit.

Carried

Mealey/Patterson

That Development Variance Permit No. 61 vary Zoning Bylaw #4395 as follows:

Vary Section 6.1.4 (a) Conditions of Use Side Yard Setback for the West Side Yard from 2.13 metres to 1.5 metres for 3596 Huff Drive (Lot A, District Lot 92, Alberni District, Plan VIP67182).

for the land legally described as Lot A, District Lot 92, Alberni District, Plan VIP67182, be authorized by resolution of the City Council on April 10, 2007.

Carried

8. City Engineer – Terasen Gas

McLeman/Mealey

That Council for the City of Port Alberni support the City of Nanaimo's resolution at the Association of Vancouver Island and Coastal Communities' Conference to amend the Gas Safety Regulation.

Carried

8.1 City Clerk - Inventory of Parks, Open Space and Civic Properties

Whiteman/Mealey

That the report from the City Clerk dated April 5, 2007 be received and Council for the City of Port Alberni receive the Parks, Open Space and Civic Properties inventory.

Carried

9. Current Status Report

Solda/Mealey

That the Current Status Report be received.

Carried

10. Mayor's Report

The Mayor reported on recent activities and matters of current interest.

Mealey/Patterson

That the Mayor's report be received.

Carried

11. Councillors' Reports

The Councillors reported on recent activities related to their various portfolios.

Mealey/Patterson

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

McLeman/Mealey

That a representative from BC Transit be invited to attend a regular meeting of Council to discuss transit issues.

Carried

McLeman/Mealey

That staff be directed to investigate the potential of providing public bus service on Sundays.

Carried

Mealey/McLeman

That staff be directed to provide a formal report at the next regular meeting regarding the status of the nuisance property at 5165 Golden Street.

Carried

L. ADJOURNMENT

Mealey/Patterson

That the meeting adjourn at 9:23 pm.

Carried

Mayor

Clerk