

Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Monday, May 13, 2013 at 4:00 p.m.

Attending:

Mayor: L. V. Jangula
Councillors: J. K. Ambler
B.F. Anglin
D. A. Hillian
R-R. Leonard
M. Theos
S.L. Winchester

Staff:

D. Allen, CAO
J. Ward, Director of Legislative Services
T. Manthey, Director of Financial Services/Deputy CAO
K. Lagan, Director of Operational Services
P. Crawford, Director of Planning
R. Wiwchar, Director of Community Services
I. Buck, Manager of Planning
L. Hatch, Municipal Engineer
K. Gervais, Manager of Operations
A. Gornall, Sustainability Planner
N. Hofer, Environmental Planner
C. Armstrong, Project Engineer
D. Mirabelli, Chief Building Inspector

1.00 ADOPTION OF MINUTES

.01 Moved by Anglin and seconded by Ambler that the May 6, 2013
MINUTES Council meeting minutes be adopted.
Carried

4.00 COMMITTEE/STAFF REPORTS

Mayor Jangula afforded the opportunity for the property owners of the 751 and 759 9th Street to address Council regarding the proposed Notices on Title, pursuant to section 57 (3) of the *Community Charter*.

Ted Sklarchuk, owner of the properties located at 751A and 751B 9th Street, addressed Council, indicating that he was also representing the owner of 759A and 759B 9th Street. Mr. Sklarchuk reviewed that he had been issued MTI tickets for illegal suites, but he had disputed them. He stated that he did not know what the violations were on the properties, and requested that Council not place the notice on title.

.01 Moved by Winchester and seconded by Ambler that pursuant to
NOTICE OF TITLE section 57(3) of the *Community Charter*, the Corporate Officer to file a
751A & B- 9TH ST notice in the Land Title Office against the properties located at 751A and
3800-20 751B 9th Street Courtenay, BC stating that:

- (a) a Council resolution relating to that land has been made under this section; and
- (b) further information about it may be inspected at the offices of the municipality.

Carried

.02
NOTICE ON TITLE
759A & 759B 9TH ST
3800-20

Moved by Winchester and seconded by Theos that pursuant to section 57(3) of the *Community Charter*, the Corporate Officer to file a notice in the Land Title Office against the properties located at 759A and 759B – 9th Street, Courtenay, BC stating that:

- (a) a Council resolution relating to that land has been made under this section; and
- (b) further information about it may be inspected at the offices of the municipality.

Carried

.03
EROSION &
SEDIMENT CONTROL
BYLAW
5280-13

Moved by Ambler and seconded by Leonard that third reading of “Erosion and Sediment Control Bylaw No. 2570, 2012” be rescinded;

That “Erosion and Sediment Control Bylaw No. 2570, 2012” be amended as outlined in this report; and

That Council consider third reading of “Erosion and Sediment Control Bylaw No. 2570, 2012” as amended.

Carried

.04
MULTI-MODAL
TRANSPORTATION
8620-01

Emily Sinclair of O2 Planning and Design, and Jennifer Armstrong of Morrison Herschfield presented the “25 Year Vision for Multi-Modal Transportation Summary Report”.

The meeting recessed at 5:25 p.m. and reconvened at 5:35 p.m.

Moved by Hillian and seconded by Leonard that Council receive the report on an update of “City of Courtenay – 25 Year Vision for Multi-Modal Transportation” for information.

Carried

.05
BRISTOL WAY
ROAD CLOSURE
3320-20-12660

Moved by Theos and seconded by Ambler that Council approve the closure of a portion of Bristol Way opposite Monarch Drive;

That “Road Closure Bylaw No. 2738, 2013” proceed to 1st, 2nd and 3rd reading; and

That Council approve the disposition of the closed road of 459 square metres in size with an assessed value of \$20,498.94 legally described as Part of Block 72, dedicated as road at the Victoria Land Title Office by Plan EPP11548, Comox District, outlined in bold black on the draft

Reference Plan EPP27746 prepared by Bruce Lewis, B.C.L.S. on the 23rd day of April 2013, a reduced copy of which is attached to this report as Schedule “A”, to Silverado Land Corp., (Inc. No. BC0870074), in exchange, for 617 square metres of land along Anderton Road with an assessed value of \$27,555.22 legally described as noted in Schedule “B” attached to this report and outlined in bold black on the draft Reference Plan EPP27748 prepared by Bruce Lewis, B.C.L.S. on the 21st day of February, 2013, a reduced copy of which is attached to this report as Schedule “C”.

Carried

.06

ELEVATE THE ARTS
5460-08

Moved by Ambler and seconded by Leonard that Council approve the temporary closure of Simms Street between Duncan and England Avenues and of the alleyway between 4th and 5th Streets from Cliffe Avenue to England Avenue from 7:00 a.m. on Friday, June 7, to midnight on Saturday, June 8, 2013 and the closure of Duncan Avenue between 5th and 6th Streets from 7a.m. on Friday, June 7 to midnight on Saturday, June 8 in addition to the already approved lanes north and south of Fifth Street between Cliffe Avenue and Duncan Avenue and Duncan Avenue from Fifth Street to Sixth Street; and

That the necessary insurance be provided and emergency services be advised of the event at least five working days in advance.

Carried

.07

GRANT APP
FLOOD PROTECTION
5225-04 IFMS

Ian Whitehead of McElhanney Consulting made a presentation to Council regarding the proposed grant application for flood protection.

Moved by Anglin and seconded by Theos that Council direct staff to submit a grant application to EMBC for the “ring dike” and proceed with the project based on the following conditions:

- Confirmation of a successful application;
- Completion of additional public engagement highlighting general support for the “ring dike” design concept;
- Council commit to the funding the remaining 1/3 of the project funds from borrowing; and
- Subject to the successful undertaking of the borrowing process

Carried with Mayor Jangula opposed

Mayor Jangula declared a potential conflict of interest regarding the next item due his membership on the Island Corridor Foundation Board, and vacated Council Chambers at 6:30 p.m.

.08

ISLAND CORRIDOR
FOUND TAX LEVY
1850-20

Moved by Hillian and seconded by Winchester that a 2013 grant in the amount of \$2,978.49 to the Island Corridor Foundation be approved; and

That the grant is specifically intended to offset the City of Courtenay municipal and debt portion of 2013 property tax levy.

Carried

Mayor Jangula returned to Council Chambers and took his seat at 6:39 p.m.

.09
STATEMENT OF
FINANCIAL INFO
1870-06

Moved by Winchester and seconded by Hillian that Council approve the 2012 Statement of Financial Information.

Carried

.10
POLICY REVISION
PERMISSIVE TAX
1960-20

Moved by Hillian and seconded by Ambler that Council approve the Permissive Property Tax Exemption Policy No. 1960.00.01 Revision #1; and

That these policy changes will take effect for the permissive tax exemption bylaw for the 2014 taxation year.

Carried

.11
TRAFFIC FINE
REVENUE
1845-20

Moved by Winchester and seconded by Leonard that the report from the Director of Financial Services/Deputy CAO regarding the Strategic Community Investment Funds Plan and Progress Accountability Report for 2012 be received.

Carried

5.00 REPORTS AND CORRESPONDENCE FOR INFORMATION

.01
HERITAGE MINUTES

Moved by Hillian and seconded by Anglin that the Heritage Advisory Commission meeting minutes dated September 2012 to March 2013 be received for information.

Carried

8.00 UNFINISHED BUSINESS

.01
CVRD ELECTED
OFFICIALS FORUM
TOPICS

Moved by Winchester and seconded by Ambler that the following topics be submitted for the upcoming CVRD Elected Officials Forum:

- Regional Transportation including the North Connector
- Shared meeting/office space
- Valley wide approach to carbon offsets
- Comox Valley Transit
- Multi-Modal Transportation Summary Report
- Comox Valley Policing
- Funding of City Civic Facilities
- Storm Water Management
- Fringe area development and clear-cutting

10.00 NEW BUSINESS

.01 Moved by Hillian and seconded by Winchester that the letter from
BOOMERS RIDE Boomers Legacy be received; and

That Council declare Friday, June 14, 2013 as “Red Friday”.

Carried

11.00 BYLAWS

.01 Moved by Hillian and seconded by Winchester that “Road Closure
BYLAW NO. 2738 Bylaw No. 2738, 2013” pass first, second and third reading.
ROAD CLOSURE **Carried**

.02 Moved by Hillian and seconded by Leonard that “Erosion and
BYLAW NO. 2570 Sediment Control Bylaw No. 2570, 2012” pass third reading as amended.
EROSION/SEDIMENT **Carried**

13.00 ADJOURNMENT

.01 Moved by Hillian and seconded by Ambler that the meeting
adjourn at 6:52 p.m.

Carried

CERTIFIED CORRECT

Director of Legislative Services

Adopted this 10th day of June, 2013

Mayor