



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

**MINUTES
SPECIAL MEETING
OF MUNICIPAL COUNCIL
MONDAY, DECEMBER 12, 2011**

**5:32 P.M.
COUNCIL CHAMBERS**

PRESENT:

Mayor Barbara Desjardins
Councillor Meagan Brame
Councillor Dave Hodgins
Councillor Lynda Hundleby
Councillor Robert McKie
Councillor Tim Morrison
Councillor David Schinbein

STAFF:

Laurie Hurst, Chief Administrative Officer
Barbara Snyder, Director of Development Services
Jeff Miller, Director of Engineering & Public Works
Scott Hartman, Director of Parks and Recreation Services
David Ward, Fire Chief
Pat Mulcahy, Manager of Human Resources
Anja Nurvo, Manager of Corporate Services
Louise Payne, Recording Secretary

1. CALL TO ORDER

Mayor Desjardins called the Special Meeting of Council to order at 5:32 p.m.

2. MOTION TO GO *IN CAMERA*

MOTION: Moved by Councillor Brame/Councillor Hundleby:
That Council convene *In Camera* pursuant to Section 90 of the *Community Charter* to discuss:

- The receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and
- 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
- 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; and
- Labour relations or other employee relations;

in accordance with Section 90 (1) (c), (i), (k) and 90 (2) (b) of the *Community Charter*, and that the general public be excluded.

CARRIED UNANIMOUSLY.

3. RECONVENE THE SPECIAL MEETING OF COUNCIL

Mayor Desjardins reconvened the Special Meeting of Council at 7:55 pm.

4. LATE ITEMS

The following late item was introduced:

- (1) Add to Agenda as Item 13.A. Rise and Report.

5. APPROVAL OF THE AGENDA

MOTION: Moved by Councillor Hodgins/Councillor Schinbein:
That the Agenda be approved as amended.

CARRIED UNANIMOUSLY.

6. MINUTES

- (1) Minutes of the Special Meeting of Council, November 14, 2011

MOTION: Moved by Councillor Brame/Councillor McKie:

That the minutes of the Special Meeting of Council held November 14, 2011 be adopted as circulated.

CARRIED UNANIMOUSLY.

(2) Minutes of the Inaugural Meeting of Council, December 5, 2011

MOTION: Moved by Councillor McKie/Councillor Hodgins:
That the minutes of the Inaugural Meeting of Council held December 5, 2011 be adopted as circulated.

CARRIED UNANIMOUSLY.

7. PUBLIC INPUT

There was no public input.

8. STAFF REPORTS

Administration

(1) 2011 General Local Election, Staff Report No. ADM-11-055

The Manager of Corporate Services, who acted as the Chief Election Officer for the local government election, advised that this was a mandated report, for Council's information.

MOTION: Moved by Councillor McKie/Councillor Hundleby:
That the 2011 General Local Election Report No. ADM-11-055 from the Chief Election Officer, which includes the Declaration of Election by Acclamation, Declaration of Official Election Results, Determination of Official Election Results, and Ballot Accounts for the Advance and General Local Election, be received for information.

CARRIED UNANIMOUSLY.

(2) CUPE, IAFF and Exempt Staff Compensation, Staff Report No. ADM-11-057

The Manager of Human Resources was present to answer questions from Council.

MOTION: Moved by Councillor Hodgins/Councillor Brame:
That Council receive CUPE, IAFF and Exempt Staff Compensation, Staff Report No. ADM-11-057 for information.

CARRIED UNANIMOUSLY.

Finance

(3) Eva Chafe Reserve Fund, Staff Report No. FIN-11-045

The Chief Administrative Officer advised that the establishment of a Reserve Fund was a requirement of the Trust.

Council requested more detailed information regarding the intent/usage of the Reserve Fund, to ensure that the project is properly funded. Council also requested information on options for the property

once funds in the Reserve Fund are used up. The Chief Administrative Officer agreed to distribute this information to all members of Council.

MOTION: Moved by Councillor Hundleby/Councillor McKie:
That Staff Report No. FIN-11-045 regarding Eva Chafe Reserve Fund Bylaw, 2011, No. 2782 be received for information.

CARRIED UNANIMOUSLY.

(4) Local Grants – Esquimalt High School Athletic Program Distribution, Staff Report No. FIN-11-046

Mike Thompson, teacher at Esquimalt High School, made a presentation to Council summarizing the grant application for travelling expenses to and from tournaments and competitions for the wrestling team, and answered questions from Council.

Council comments:

- High school Athletic programs provide a huge benefit to the community by instilling a sense of pride in students and attracting “at risk” youth;
- Travel costs to sporting events is very expensive;
- Concerned that School Board not providing funding for athletic programs in schools;
- Issue of balance and funding for all athletic programs.

Mr. Thompson suggested changing the wording in the Local Grant Policy to include “and/or registration fees” rather than just referring to travel costs.

MOTION: Moved by Councillor Hundleby/Councillor Morrison:
That the application for funding in the amount of \$1,250.00 to the Esquimalt High School under the Athletic Program section of the Council Policy Local Grants – Esquimalt High School No. ADMIN-29 be approved from the 2011 Local Grant budget.

CARRIED UNANIMOUSLY.

(5) Appointments of Auditors for Municipal Audit Services, Staff Report No. FIN-11-047

MOTION: Moved by Councillor Hundleby/Councillor Brame:
That KPMG be appointed as the Township’s auditors for the 2011 fiscal year.

CARRIED UNANIMOUSLY.

(6) Reallocation of Operating Funds to Capital Funds, Staff Report No. FIN-11-048

The Chief Administrative Officer confirmed that the reallocation of funds does not affect any increase in the overall budget.

MOTION: Moved by Councillor Hodgins/Councillor McKie:
That the transfer of \$18,400 of 2011 operating budget funds to the 2011 GIS capital budget be approved.

CARRIED UNANIMOUSLY.

(7) Banking and Cheque Signing Resolution, Staff Report No. FIN-11-049

MOTION: Moved by Councillor Brame/Councillor Hodgins:
That the following resolution for banking and cheque signing authority for the Township of Esquimalt be adopted:

1. That, except as hereinafter provided, all cheques of the Corporation of the Township of Esquimalt (the "Corporation") drawn on its accounts at the Bank of Montreal (the "Bank") be signed on its behalf by the Mayor, or in his/her absence by Councillor Lynda Hundleby, and by the Director of Financial Services, or in his/her absence by the Chief Administrative Officer or by the Deputy Director of Financial Services.
2. (a) That the Bank is and is hereby authorized and directed to pay any and all cheques or instruments purporting to be cheques of the Corporation presented for payment bearing the facsimile signatures of the Mayor and the Director of Financial Services.
(b) That such cheques or instruments shall have the same legal effect, may be dealt with to all intents and purposes and shall bind the Corporation as fully and effectually as if signed in the handwriting of and duly issued by such officers for and on behalf of the Corporation, regardless of howsoever or by whomever the said facsimile signatures shall have been mechanically or electronically affixed.
3. That the Director of Financial Services, the Chief Administrative Officer or the Deputy Director of Financial Services be and are hereby authorized for and on behalf of the Corporation to negotiate with, deposit with or transfer to the Bank (but for the credit of the Corporation's accounts only) all or any bills of exchange, promissory notes, cheques and orders for payment of money and other negotiable paper, and for the said purpose to endorse the same on behalf of the Corporation, in writing, by rubber stamp or by other means.
4. (a) That the Director of Financial Services, or in his/her absence, the Chief Administrative Officer or the Deputy Director of Financial Services, be and are hereby authorized for and on behalf of the Corporation to transfer funds between accounts of the Corporation at the Bank.
(b) That the Director of Financial Services, or in his/her absence, the Chief Administrative Officer or the Deputy Director of Financial Services, be and are hereby

authorized for and on behalf of the Corporation to transfer funds between accounts of the Corporation at the Bank and accounts of other governments or governmental agencies for the credit of the Corporation.

5. That the Director of Financial Services, the Chief Administrative Officer or the Deputy Director of Financial Services, be and are hereby authorized for and on behalf of the Corporation from time to time arrange, settle, balance and certify all books and accounts between the Corporation and the Bank; and to receive all paid cheques and vouchers, unpaid and unaccepted bills of exchange and other negotiable instruments.
6. That the Director of Financial Services, the Chief Administrative Officer or the Deputy Director of Financial Services be and are hereby authorized for and on behalf of the Corporation to obtain delivery from the Bank of any or all stocks, bonds, and other securities held by the Bank in safekeeping or otherwise for the account of the Corporation and give valid and binding receipts therefore.
7. That the Director of Financial Services, the Chief Administrative Officer or the Deputy Director of Financial Services be and are hereby authorized to access the Corporation's safety deposit box(es) at the bank.
8. That a certified copy of this resolution be communicated to the Bank and shall remain in force until written notice to the contrary shall have been given to the Bank and receipt of such notice duly acknowledged in writing.
9. That the Corporate Administrator shall, from time to time, advise the Bank in writing of the names of the Officers of the Corporation referred to in this resolution and provide certified specimens of the facsimile signatures to be used pursuant to Section 2 of this resolution.

CARRIED UNANIMOUSLY.

Parks and Recreation

- (8) Esquimalt Recreation Centre Upgrade Grant Application, Staff Report No. P&R-11-013

The Director of Parks and Recreation Services summarized the grant application report, and answered questions from Council.

MOTION: Moved by Councillor Brame/Councillor Schinbein:

That staff be directed to submit a grant application for Esquimalt Recreation Centre enhancements under the Community Recreation Program from the Ministry of Community, Sport and Cultural Development; and

That a funding commitment of 20% of the project budget, to a maximum of \$100,000 from Capital Project Reserves, should the grant be awarded, be approved.

CARRIED UNANIMOUSLY.

Development Services

- (9) Development Permit, 1054 Colville Road, [Lot 8, Block 13, Section 10, Esquimalt District, Plan 2546], Staff Report No. DEV-11-103

MOTION: Moved by Councillor McKie/Councillor Brame:

That the application for a Development Permit, limiting the form and character of development to that shown on architectural plans provided by Hartmann's Drafting and Design, stamped "Received November 3, 2011", and on the landscape plan prepared by Silverleaf Landscapes, stamped "Received November 3, 2011", and sited as detailed on the survey plan prepared by Glen Mitchell Land Surveying Inc., stamped "Received October 28, 2011", be **approved, issued and registered** on the title of Lot 8, Block 13, Section 10, Esquimalt District, Plan 2546 [1054 Colville Road].

CARRIED UNANIMOUSLY.

9. BYLAWS

For First, Second and Third Reading

- (1) Fire Protection and Control Bylaw, 2011, No. 2783

MOTION: Moved by Councillor Hodgins/Councillor Brame:

That Fire Protection and Control Bylaw, 2011, No. 2783 be read a 1st, 2nd and 3rd time.

CARRIED UNANIMOUSLY.

For Adoption

- (2) Maintenance of Property Bylaw, 1996, No. 2180, Amendment Bylaw [No. 1], 2011, No. 2779

MOTION: Moved by Councillor Hundleby/Councillor Brame:

That Maintenance of Property Bylaw, 1996, No. 2180, Amendment Bylaw [No. 1], 2011, No. 2779 be adopted.

CARRIED UNANIMOUSLY.

- (3) Ticket Information Utilization Bylaw, 2005, No. 2619, Amendment Bylaw [No. 8], 2780

MOTION: Moved by Councillor Brame/Councillor Hodgins:

That Ticket Information Utilization Bylaw, 2005, No. 2619, Amendment Bylaw [No. 8], 2780 be adopted.

CARRIED UNANIMOUSLY.

- (4) Eva Chafe Reserve Fund Bylaw, 2011, No. 2782

MOTION: Moved by Councillor Hundleby/Councillor Schinbein:

That Eva Chafe Reserve Fund Bylaw, 2011, No. 2782 be adopted.

CARRIED UNANIMOUSLY.

10. MAYOR'S AND COUNCILLORS' REPORTS

- (1) Report from Mayor Barbara Desjardins, Re: UBCM 2011

Mayor Desjardins reported on her attendance at the annual UBCM Convention in Vancouver, BC, and encouraged all members of Council to attend this annual event.

MOTION: Moved by Councillor Brame/Mayor Desjardins:
That the report from Mayor Desjardins regarding UBCM 2011 be received for information.

CARRIED UNANIMOUSLY.

11. REPORTS FROM COMMITTEES

MOTION: Moved by Councillor McKie/Councillor Schinbein:
That the following reports from Committees be received:

- (2) Draft minutes from the Heritage Advisory Committee meeting, October 26, 2011
- (3) Draft minutes from the Access Awareness Advisory Committee meeting, November 10, 2011
- (4) Memorandum from the Access Awareness Advisory Committee, dated December 5, 2011, Re: SAFERhome Standards Society
- (5) Draft minutes from the Advisory Planning Commission meeting, November 15, 2011
- (6) Draft minutes from the Centennial Celebrations Select Committee meeting, November 22, 2011
- (7) Draft minutes from the Environmental Advisory Committee meeting, November 24, 2011

CARRIED UNANIMOUSLY.

- (1) Committee of the Whole Report, December 12, 2011

MOTION: Moved by Councillor Hundleby/Councillor Schinbein:
That Council approve the following recommendations from the Committee of the Whole meeting of December 12, 2011:

1. Fire Protection and Control Bylaw Revision, Staff Report No. FIRE-11-008

That the Fire Protection and Control Bylaw, 2011, No. 2783 be forwarded to Council for consideration of 1st, 2nd and 3rd readings of the Bylaw.

2. Rezoning Application and Development Permit, 616 Lampson Street, [Lot 5, Section 11, Esquimalt District, Plan 4618], Staff Report No. DEV-11-102

That the application for rezoning authorizing a new single family dwelling and Development Permit, limiting the form and character of development to that shown on architectural plans provided by Keay and Associate, Architecture Ltd.,

stamped "Received October 25, 2011", and on the landscape plan prepared by LADR Landscape Architects, stamped "Received October 25, 2011", at 616 Lampson Street [Lot 5, Section 11, Esquimalt District, Plan 4618] be forwarded to Council with a **recommendation of approval**.

3. Recommendations Regarding SAFERhomes, Staff Report No. DEV-11-104

That the Township of Esquimalt not purchase a membership in the SAFERhomes Standards Society but that staff investigate the use of universal design standards and compile a list of materials to be provided to developers and builders and discussed with applicants at the time new construction is proposed and staff to provide this information to the Access Awareness Committee representative on the Advisory Planning Commission.

CARRIED UNANIMOUSLY.

(8) Memorandum from the Environmental Advisory Committee, dated December 7, 2011, Re: Carryover of Remaining 2011 Committee Budget Funds

The Chief Administrative Officer reviewed the memorandum from the Environmental Advisory Committee outlining the breakdown and allocation of funds requested to be carried over into 2012. She advised, as a rule, the municipality does not carry over funds, although exceptions are made if a specific project has been started in one year and has not been completed in that year.

Council comments:

- Local businesses are working hard to make distribution of "plastic free" bags happen in the community with incentive programs, etc. and this initiative is seen, by the business community, with "concern";
- Concerned with request for carry over of funding – need to ensure that this committee is working in concert with businesses and there is nothing in their report addressing that.

MOTION: Moved by Councillor Hodgins/Councillor McKie:

That Council request additional information from the Environmental Advisory Committee regarding their request to carry over the remaining funds in the 2011 committee budget with specific detail as to how the money will be utilized.

Council comments:

- Council has already requested this clarification at their November 14, 2011 meeting;
- All (2011) committees will continue until the end of February, 2012 and the EAC would have to meet to discuss provision of this information to Council;

- Feel the Committee may be wishing to spend money just because they have it.

The mover and seconder of the motion agreed to **withdraw** the motion.

MOTION: Moved by Councillor Brame/Mayor Desjardins:

That the request from the Environmental Advisory Committee to carry over the remaining funds in the 2011 committee budget (\$1,800.00) into 2012 to complete the implementation of 2011 initiatives be denied.

CARRIED UNANIMOUSLY.

12.

COMMUNICATIONS

MOTION: Moved by Councillor Brame/Councillor McKie:

That the following correspondence be received:

- (3) Letter from Sheila Malcolmson, Islands Trust, dated November 10, 2011, Re: Salish Sea Shipping and Oil Spill Concerns
- (6) Letter from Heath Slee, UBCM, dated November 24, 2011, Re: Gas Tax Agreement Community Works Fund Payment
- (7) Letter from J.A. Hull, Capital Regional District, dated November 25, 2011, Re: Appointments to Water Commissions

CARRIED UNANIMOUSLY.

- (1) Letter from Lorna Reid, Esquimalt High School, dated November 8, 2011, Re: Letter of Appreciation for Donation

Council noted that only the minimum amount of donation was provided to Esquimalt High School; however the Province is keen to provide support for Centennial activities, especially involving youth and schools.

MOTION: Moved by Councillor Brame/Councillor Hodgins:

That the letter from Lorna Reid, Esquimalt High School, dated November 8, 2011 be received, and referred to the Centennial Celebrations Select Committee.

CARRIED UNANIMOUSLY.

- (2) Letter from Elena Bolster, Town of View Royal, dated November 10, 2011, re: Department of National Defence, Victoria, BC – Blue Boat Service

MOTION: Moved by Councillor Brame/Councillor Hodgins:

That the letter from Elena Bolster, Town of View Royal, dated November 20, 2011 regarding Department of National Defence (DND), Victoria, BC – Blue Boat Service be received; and that the letter be referred to the Mayor for a report from the DND representative, and be referred to the Joint Council/DND meeting.

CARRIED UNANIMOUSLY.

- (4) Letter from Mayor Bruce Lantz, City of Fort St. John, dated November 16, 2011, Re: National Sex Offender Registry

MOTION: Moved by Councillor Hundleby/Councillor Brame:
That the letter from Mayor Bruce Lantz, City of Fort St. John dated November 16, 2011 regarding a National Sex Offender Registry be received.

CARRIED UNANIMOUSLY.

- (5) Email from Nancy Falconer, Canadian Cancer Society, dated November 24, 2011, Re: Letter of Support for Provincial Pesticide Legislation

MOTION: Moved by Councillor Schinbein/Councillor Hodgins:
That the email from Nancy Falconer, Canadian Cancer Society dated November 24, 2011 regarding a letter of support for Provincial Pesticide Legislation be received; and that the email be referred to the Environmental Advisory Committee for input and report back to Council.

CARRIED UNANIMOUSLY.

13. PUBLIC QUESTION AND COMMENT PERIOD

Ron Lavergne, resident, inquired as to who would pay for the removal of the Eva Chafe house if it becomes necessary, as this property was not a good location for a park. He also pointed out that the new Council profiles were not yet posted on the municipal website.

13.A. RISE AND REPORT

- (1) Report from the *In Camera* Meeting of Council, November 14, 2011.

- (a) Request to Purchase Municipal Property Road Right-of-Way at the North End of Dellwood Road, Staff Report No. DEV-11-098

The Mayor read the following motion that was passed by Council at its *In Camera* Meeting held on November 14, 2011:

That the Township of Esquimalt not dispose of the municipal property at the north end of Dellwood Road as requested by the adjacent property owners; and
That discussions take place with the Director of Parks and Recreation regarding the possibility of returning the waterfront area to managed park land.

14. ADJOURNMENT

MOTION: Moved by Councillor Hodgins/Councillor Brame:
That the Special Meeting of Council be adjourned at 9:09 p.m.

CARRIED UNANIMOUSLY.

MAYOR OF THE CORPORATION OF THE
TOWNSHIP OF ESQUIMALT
THIS 16th DAY OF JANUARY, 2012

CERTIFIED CORRECT:

ANJA NURVO
CORPORATE OFFICER