



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

**MINUTES
REGULAR MEETING
OF MUNICIPAL COUNCIL
MONDAY, OCTOBER 15, 2012**

**7:01 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
Bill Brown, Director of Development Services
Ian Irvine, Director of Financial Services and IT
Pat Mulcahy, Human Resources Manager
Anja Nurvo, Manager of Corporate Services
Louise Payne, Recording Secretary

OTHER:

Inspector Keith Lindner, West Division, VicPD

1. CALL TO ORDER

Mayor Desjardins called the meeting to order at 7:01 pm.

2. LATE ITEMS

There were no late items.

3. APPROVAL OF THE AGENDA

MOTION: Moved by Councillor McKie/Councillor Hundleby:
That the Agenda be approved as circulated.

CARRIED UNANIMOUSLY.

4. MINUTES

(1) Minutes of the Regular Meeting of Council, October 1, 2012

MOTION: Moved by Councillor Hundleby/Councillor Brame:
That the minutes of the Regular Meeting of Council held October 1, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY.

5. PRESENTATION

(1) Certificates of Appreciation to Matthew Pomeroy and Gabrielle Martin

Mayor Desjardins presented Certificates of Appreciation to Matthew Pomeroy and Gabrielle Martin in appreciation for their assistance in creating and designing the poster for the 2012 Esquimalt Arts Festival. Mayor Desjardins advised that Gabrielle Martin was unable to attend the presentation.

6. PUBLIC INPUT

Terry Prentice, resident, expressed concern for Council's resolution regarding Acting Mayor's pay.

Rod Lavergne, resident, expressed concern for Council's resolution regarding Acting Mayor's pay.

Muriel Dunn, resident, expressed concern with the lack of consultation with residents in proposing that Old Esquimalt Road be added to the Esquimalt Community Heritage Register.

Sandy Rozon, resident, questioned whether taxes would increase for properties on Old Esquimalt Road if it were added to the Esquimalt Community Heritage Register. She also noted that residents were still looking for a solution to the speeding problem along Old Esquimalt Road.

7. STAFF REPORTS

Administration

- (1) Council Policy No. PER-05: Officers and Exempt Employees, Staff Report No. ADM-12-050

The Manager of Corporate Services reviewed Staff Report No. ADM-12-050 and answered questions from Council.

MOTION: Moved by Councillor Hundleby/Councillor Brame:
That Council amends Council Policy No. PER-05 titled Terms and Conditions of Employment for Officers and Exempt Employees, as follows:

1. Add a new Clause 6 to Procedures, and re-number the balance of the Policy accordingly:
“Family Illness
When no person other than the employee can provide for the needs during illness of an immediate member of his or her family, an employee upon approval by the Employer may be entitled to use a maximum of three (3) accumulated sick leave days per year for this purpose.”
2. Add a new Item (b) to the re-numbered Procedure 7 – Vacation, and re-letter the balance of that clause accordingly:
“(b) Deputy Fire Chief and Assistant Fire Chief vacation entitlements are earned per calendar year of service (pro-rated for year of hire and/or termination) on the following basis:
 - up to and including 25 years of service: 4 blocks (of 4 workdays each); and
 - over 25 years of service: 5 blocks (of 4 workdays each).”
3. Delete the re-numbered Procedure 8 - Compensatory Time, and replace it with the following:
“In addition to vacation entitlement pursuant to Clause 7 hereof, Officers and Exempt Employees shall be entitled to five additional working days and the Deputy and Assistant Fire Chiefs shall be entitled to one block [4 working days] in each calendar year (pro-rated for year of hire and/or termination) as paid leave in recognition of hours worked beyond the normal work schedule.”

MOTION: Moved by Councillor Schinbein/Councillor Morrison:
That the motion be amended to consider each amendment to Council Policy No. PER-05 titled Terms and Conditions of Employment for Officers and Exempt Employees separately.

CARRIED (Mayor Desjardins and Councillor Hundleby opposed).

MOTION: Moved by Councillor Schinbein/Councillor Morrison:
That Council amends Council Policy No. PER-05 titled Terms and

Conditions of Employment for Officers and Exempt Employees, as follows:

1. Add a new Clause 6 to Procedures, and re-number the balance of the Policy accordingly:

“Family Illness

When no person other than the employee can provide for the needs during illness of an immediate member of his or her family, an employee upon approval by the Employer may be entitled to use a maximum of three (3) accumulated sick leave days per year for this purpose.”

CARRIED UNANIMOUSLY.

MOTION: Moved by Councillor Schinbein/Councillor Morrison:

That consideration of the following amendments to Council Policy No. PER-05 titled Terms and Conditions of Employment for Officers and Exempt Employees be deferred until Council has the opportunity to review it further:

2. Add a new Item (b) to the re-numbered Procedure 7 – Vacation, and re-letter the balance of that clause accordingly:

“(b) Deputy Fire Chief and Assistant Fire Chief vacation entitlements are earned per calendar year of service (pro-rated for year of hire and/or termination) on the following basis:

- up to and including 25 years of service: 4 blocks (of 4 workdays each); and
- over 25 years of service: 5 blocks (of 4 workdays each).”

3. Delete the re-numbered Procedure 8 - Compensatory Time, and replace it with the following:

“In addition to vacation entitlement pursuant to Clause 7 hereof, Officers and Exempt Employees shall be entitled to five additional working days and the Deputy and Assistant Fire Chiefs shall be entitled to one block [4 working days] in each calendar year (pro-rated for year of hire and/or termination) as paid leave in recognition of hours worked beyond the normal work schedule.”

CARRIED (Mayor Desjardins, Councillors Brame and Hundleby opposed)

- (2) Addition to the Esquimalt Community Heritage Register, Staff Report No. DEV-12-039

The Director of Development Services presented Staff Report No. DEV-12-039 and answered questions from Council.

Council Comments:

- Not in support of staff recommendation because no public consultation;

- Should add statement on the impacts to property owners on Old Esquimalt Road;
- Intent of the Heritage Advisory Committee was to recognize that Old Esquimalt Road is the original road between Esquimalt and Victoria.

Staff were directed to inquire at BC Assessment Authority if property values would be affected.

MOTION: Moved by Councillor Hundleby/Councillor Morrison:
That consideration of Old Esquimalt Road being added to the Esquimalt Community Heritage Register be tabled until the December 10, 2012 Committee of the Whole Meeting, following consultation, by staff, with property owners along Old Esquimalt Road and clarification on the impacts on properties if Old Esquimalt Road was added to the Esquimalt Community Heritage Register.

CARRIED UNANIMOUSLY.

8. BYLAWS

For Adoption

- (1) Tax Exemption (Non-Profit Organizations) Bylaw, 2012, No. 2793

Council Comments (*Staff comments in Italics*):

- Need discussion of permissive tax exemptions; *This is an "Action Item" to discuss changes to this Bylaw during Budget discussions*
- Agencies that have received grants need to be notified in advance of any proposed changes; *This will be part of the report back to Council.*

MOTION: Moved by Councillor Brame/Councillor Hundleby:
That Tax Exemption (non-profit organizations) Bylaw, 2012, No. 2793 be **adopted**.

CARRIED (Councillor Hodgins opposed).

9. MAYOR'S AND COUNCILLORS' REPORTS

- (1) Report from Mayor Barbara Desjardins, Re: Reconsideration of Resolution Re: Acting Mayor's Pay

Mayor Desjardins advised that she was requesting Council to reconsider the motion regarding an amendment to Council Remuneration Bylaw, 2011, No. 2778 to include a provision for Acting Mayor's pay in light of Council Policy ADMIN-62 which outlines a process by which any adjustments to Council remuneration would be considered.

MOTION: Moved by Councillor Morrison/Councillor Hodgins:
WHEREAS the annual remuneration for the position of Mayor is approximately sixty percent higher than that of the annual remuneration for the position of Councillor due to the significant

additional workload and responsibilities expected of the position of Mayor; and

WHEREAS Councillors appointed to serve as Acting Mayor currently perform this additional duty without any additional remuneration or compensation for the additional time, duties and responsibilities required;

THEREFORE BE IT RESOLVED that Council Remuneration Bylaw, 2011, No. 2778 be amended to include the following addition:

“Councillors appointed to Acting Mayor duties for a minimum of two full months per one year period shall receive a supplementary stipend per year equal to five percent of the annual Councillor stipend”;

AND BE IT FURTHER RESOLVED that this amendment will be effective January 1, 2013.

CARRIED (Mayor Desjardins and Councillors Brame, Hundleby opposed).

Staff advised that because the above-noted motion goes against the procedures outlined in Council Policy ADMIN-62, Council should also pass a motion to state whether the Policy was to be permanently amended or if this was a one-time exemption to the Policy.

MOTION: Moved by Councillor Hundleby/Mayor Desjardins:

That the adopted amendment to Council remuneration for Acting Mayor pay be a one-time exemption to Council Policy ADMIN-62.

CARRIED (Councillor Hodgins opposed).

(2) Report from Mayor Barbara Desjardins, Re: Union of British Columbia Municipalities Conference, September 24 – 28, 2012

MOTION: Moved by Mayor Desjardins/Councillor Schinbein:

That the report from Mayor Desjardins regarding the Union of British Columbia Municipalities Conference, September 24 – 28, 2012 be received.

CARRIED (Councillor Hodgins opposed).

(3) Report from Councillors Meagan Brame, David Schinbein, Dave Hodgins, Tim Morrison, Lynda Hundleby and Robert McKie, Re: Union of British Columbia Municipalities Conference, September 24 – 28, 2012

Council Comments:

- Workshop on antennae towers outlined Vancouver’s experience – staff to report back on Vancouver’s initiatives with respect to antennae towers;
- Focus on Seniors seminar was excellent;
- Meeting with Premier regarding policing issues – covered in Mayor’s report;
- Municipal Insurance Association workshop advised of the creation of “casual municipal legal advice” – staff to provide further information on this initiative.

MOTION: Moved by Councillor Hodgins/Councillor McKie:
That the report from Councillors Brame, Schinbein, Hodgins, Morrison, Hundleby and McKie regarding the Union of British Columbia Municipalities Conference held on September 24-28, 2012 be received.

CARRIED UNANIMOUSLY.

10. REPORTS FROM COMMITTEES

MOTION: Moved by Councillor Brame/Councillor McKie:
That the following minutes be received for information:

- (1) Draft minutes from the Heritage Advisory Committee meeting, September 19, 2012
- (3) Draft Minutes from the Environmental Advisory Committee meeting, September 27, 2012

CARRIED UNANIMOUSLY.

- (2) Memorandum from the Heritage Advisory Committee, dated October 2, 2012, Re: Heritage Advisory Committee 2012 Work Plan

Councillor Hodgins expressed concern with the roles and responsibilities of Council members on committees of Council and Council's involvement in setting Agendas and Committee work plans. Mayor Desjardins stated that the Terms of Reference with respect to Committee activities and responsibilities were not clear. These issues will be discussed at the October 22, 2012 Committee of the Whole Meeting with Committee Chairs.

MOTION: Moved by Councillor Brame/Councillor Hundleby:
That the 2012 Work Plan for the Heritage Advisory Committee be received.

CARRIED UNANIMOUSLY.

- (4) Memorandum from the Environmental Advisory Committee, dated October 12, 2012, Re: Waste Reduction Week in Canada – October 15 – 21, 2012

MOTION: Moved by Councillor Morrison/Councillor Schinbein:
That Council proclaims October 15 -21, 2012 as "Waste Reduction Week in Esquimalt".

CARRIED UNANIMOUSLY.

Mayor Desjardins read aloud the "Waste Reduction Week in Esquimalt" proclamation. Staff were directed to email a copy of the proclamation to the members of the Environmental Advisory Committee and to post a copy on the website.

11. COMMUNICATIONS

- (1) Letter from Dean Fortin, Chair and Barbara Desjardins, Vice Chair, Victoria Police Board, dated September 26, 2012, Re: 2012 CAPB Conference and AGM, August 16 – 18, 2012, Victoria, BC

MOTION: Moved by Councillor Brame/Councillor Hundleby:
That the letter from Dean Fortin, Chair and Barbara Desjardins, Vice Chair, Victoria Police Board, dated September 26, 2012, Re: 2012 CAPB Conference and AGM, August 16-18, 2012 in Victoria, BC be received for information.

CARRIED UNANIMOUSLY.

- (2) Letter from Sylvia Vink, The Royal Canadian Legion, dated October 2, 2012, Re: Annual Remembrance Day Ceremony and Poppy Distribution

MOTION: Moved by Councillor Schinbein/Councillor Hundleby:
That the letter from Sylvia Vink of the Royal Canadian Legion dated October 2, 2012 regarding the annual Remembrance Day ceremony and poppy distribution be received; and
That permission be granted for the Esquimalt-Dockyard Branch 172 of the Royal Canadian Legion to distribute Remembrance Day poppies within the Township of Esquimalt from October 28 – November 10, 2012.

CARRIED UNANIMOUSLY.

- (3) Letter from G.M. Odsen, Greyhound Canada Transportation ULC, dated October 3, 2012, Re: Reduction of Bus Service

MOTION: Moved by Councillor McKie/Councillor Hundleby:
That the letter from G.M. Odsen, Regional Manager, Passenger and Garage Services, British Columbia, Greyhound Canada Transportation ULC dated October 3, 2012 regarding and application for a reduction of bus service be received for information.

CARRIED UNANIMOUSLY.

12. NOTICE OF MOTION

- (1) Esquimalt Chamber of Commerce Membership – Councillor Morrison

MOTION:
WHEREAS the Township of Esquimalt currently hold three (3) of the Board of Director positions appointed by the Mayor, on behalf of the Township of Esquimalt, for the Esquimalt Chamber of Commerce;
WHEREAS the Township of Esquimalt is a major employer and economic contributor within the municipality;
WHEREAS one of the top priorities of the Township of Esquimalt is to support economic development and specifically the growth of small business and commercial activity within the local community in order to

*help diversify the municipal tax base;
WHEREAS October is "Small Business Month";
THEREFORE BE IT RESOLVED that the Township of Esquimalt
becomes a member of the Esquimalt Chamber of Commerce effective
immediately.*

This matter will be added to the Agenda for the next Regular Meeting of Council, for Council's consideration.

13. PUBLIC QUESTION AND COMMENT PERIOD

Muriel Dunn, resident, thanked Council for deferring the addition of Old Esquimalt Road onto the Esquimalt Community Heritage Register until there has been consultation with property owners.

14. ADJOURNMENT

MOTION: Moved by Councillor Brame/Councillor Hundleby:
That the Regular Meeting of Council be adjourned at 8:24 p.m.

CARRIED UNANIMOUSLY.

MAYOR OF THE CORPORATION OF THE
TOWNSHIP OF ESQUIMALT
THIS 5TH DAY OF NOVEMBER, 2012

CERTIFIED CORRECT:

ANJA NURVO
CORPORATE OFFICER