



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY
**REGULAR MEETING OF THE COUNCIL
OF THE VILLAGE OF LIONS BAY**
HELD ON TUESDAY, SEPTEMBER 2, 2014 at 7:00 PM
GLENEAGLES COMMUNITY CENTRE, 6262 MARINE DRIVE, WEST VANCOUVER

MINUTES

In Attendance: Mayor Brenda Broughton
Councillor Scott Ando
Councillor Fred Bain
Councillor Ron McLaughlin
Councillor Joanne Ronsley
Grant McRadu, Interim CAO
Carol Lee, Raincoast Ventures Ltd. (Recorder)

1. Call to Order

Mayor Broughton called the meeting to order at 7:00 p.m.

2. Approval of Agenda

Mayor Broughton suggested that the order of business on the Agenda be varied to address Item 7A – Community Centre Renewal Project Update upon the arrival of Gerald Longson, Project Manager.

Moved: Councillor Ando

Seconded: Councillor Bain

BE IT RESOLVED THAT the Village of Lions Bay Council approves the Agenda of the September 2, 2014 Regular Council meeting, as amended.

CARRIED

3. Public Participation

Mayor Broughton reviewed the procedures for Public Participation.

A. Marilyn Blusson

Ms. Blusson expressed concern regarding the tree topping that was performed across from 140 Lions Bay Avenue. The trees were removed, rather than being topped, in accordance with the approved plan that was circulated to the community. In addition, the site was left unsightly condition. Ms. Blusson questioned Council on the actions that would be taken to rectify the situation.

Action Item: Interim CAO McRadu was requested to review the tree topping approval granted by Council for the property across from 140 Lions Bay Avenue.

B. Jeffrey Stone

Mr. Stone posed questions and provided comments and requests regarding:

- Notification of the September 2, 2014 Regular Council meeting was not provided, in contravention of the Council Procedural Bylaw
- A response to the question that was asked nine months ago regarding when preventative maintenance would be performed by CN Rail has not yet been received
- The rationale for staff proceeding with the Community Centre Renewal Project without the consent of Council and prior to the modification of the provincial Small Community Recreation Grant
- The provisions of the Council Procedural Bylaw that allows Council to rescind the third reading of a bylaw.

Action item: Interim CAO McRadu was requested to provide responses to Mr. Stone's questions at the September 16, 2014 Regular Council meeting.

C. Louis Peterson

Dr. Peterson provided comments regarding the Land Use Master Plan, the need for the Official Community Plan to be reviewed and updated before the proposals in the Land Use Master Plan are implemented and the need to protect treed and green spaces.

Dr. Peterson questioned whether proper procedures and permitting processes were followed with respect to the cutting of trees on Isleview Place.

Dr. Peterson provided a document containing his remarks, a copy of which is retained with the agenda material.

D. Carole Conlin

Ms. Conlin requested that Council advise the public of the number of trees cut on Isleview Place by Michael Broughton that were located on Village owned property.

Ms. Conlin provided a document containing her remarks, a copy of which is retained with the agenda material.

4. Delegations

A. Penny Nelson

Ms. Nelson advised that her comments provided during the September 3, 2013 meeting had not been recorded correctly and have not yet been corrected, despite the fact that she had requested that the record be corrected almost one year ago.

Ms. Nelson advised that her remarks will focus on the enforcement of the Lions Bay Ethical Conduct Policy for Elected Officials. There have been an inordinate number

of in-camera meetings with Section 90.1 (c) being provided as the basis for the necessity of an in-camera discussion. In addition, over \$127,543 has been expended on legal fees paid to four law firms during the tenure of the current Council, which represents a significant percentage of tax revenues. Given that there is no record of litigation other than staff issues and the high rate of staff turnover, Ms. Nelson has concluded that the bulk of the legal fees are related to labour relations and other employee relations.

Ms. Nelson noted the provisions of the Ethical Conduct Policy for Elected Officials with respect to the requirement for conducting business in a manner that is respectful of all residents, taxpayers, staff and other Council members. Ms. Nelson questioned the specific actions that have been taken by Council and/or the CAO to address the issues that have given rise to the high staff turnover and legal expenses.

Ms. Nelson commented that the taxpayers have a right to know the reason for the disproportionately high legal bills. Councillor McLaughlin advised that the Q1 2014 Financial Report that was published in the Lions Bay Community News provides the extent of the disclosure permitted regarding the legal fees.

Ms. Nelson provided a document containing her remarks, a copy of which is retained with the agenda material.

B. Michael Broughton

Mayor Broughton recused herself for the discussion of this item and Councillor Ando assumed the Chair.

Dr. Broughton expressed concern regarding several events:

- The recording of the July 22, 2014 Council meeting provides evidence of Councillor Ando calling him a liar
- False and misleading information disseminated by the Infrastructure Committee regarding the frequency of collection of mail from the postal box located on the commercial property and the limited use of the pay phone, which has led to it being scheduled for removal by Telus
- The negative climate and culture that have resulted from the aforementioned comments
- Repeated vandalism of the commercial property since January 2014.

Dr. Broughton requested that following actions be taken to remedy the events:

- An apology and a retraction from Councillor Ando
- Correction of the record published on lionsbay.net and in the Lions Bay Community News
- An apology and a retraction from the Infrastructure Committee.

Councillor Ando reviewed the events and circumstances of the July 22, 2014 Council meeting wherein Dr. Broughton claims that he called him a liar and the subsequent correspondence regarding the land survey and windowing of trees on Isleview Place. Councillor Ando provided a document noting additional details of these events, a copy of which is retained with the Agenda package.

Mayor Broughton rejoined the meeting and reassumed the Chair.

Agenda Varied

In accordance with Item 2, the order of the Agenda was varied to now consider Item 7A.

7. Unfinished Business

A. Community Centre Renewal Project Update

Gerald Longson, Project Manager highlighted the report included with the agenda material:

- The Reroofing and Seismic Upgrade Project is complete, including all deficiencies, and exceeded the contract price by \$17,975.64 (11.3%)
- The Repairs and Upgrade Project is 21% complete as of August 25, 2014 and is expected to be completed by October 15, 2014
- There are a number of scope changes to the Repairs and Upgrade Project that have the potential of increasing the construction budget
- The construction is currently within the funds that are available.

Mr. Longson responded to questions and comments from Council regarding the construction schedule, oversight of the construction budget, additional seismic upgrading required and structural safety of the east wall of the Village Hall.

Action Item: Interim CAO McRadu was requested to ensure that there is not a Worksafe BC requirement to address the issue of the structural safety of the east wall of the Village Hall.

Mr. Longson responded to questions and comments from the public regarding the interconnecting hallway, separation of costs for the Village Hall and the Community Centre projects, construction budget and schedule, seismic upgrades and interior finishing and space planning in the Village Hall.

Interim CAO McRadu and Council thanked Mr. Longson for his diligence in overseeing this challenging project.

Moved: Councillor Bain

Seconded: Councillor Ronsley

BE IT RESOLVED THAT the Village of Lions Bay Council receives the report of the Project Manager.

CARRIED

Agenda Varied

The order of the Agenda was now resumed.

5. Adoption of Minutes

Revisions to the Minutes of July 22, 2014 were requested as follows:

- Page 20 of 160, Item 7B – Replace the word “recommendation” with “recommendations” in the first sentence
- Page 20 of 160, item 7B – Utilize all capitals in the word “draft” in the first resolution
- Page 21 of 160, Item 8B – Utilize all capitals in the word “draft” in the second bullet of the first paragraph.

Moved: Councillor Bain

Seconded: Councillor Ronsley

BE IT RESOLVED THAT the Village of Lions Bay Council adopts the minutes of the July 22, 2014 Regular Council meeting, as amended.

CARRIED

6. Business Arising from the Minutes

None

7. Unfinished Business

B. Land Use Master Planning Update

Mayor Broughton advised that the venue of the September 8, 2014 public meeting has been changed from the Gleneagles Community Centre to the Gleneagles Golf Club to accommodate a larger gathering.

C. Trees on Isleview Place

Mayor Broughton recused herself for consideration of this item and Councillor Bain assumed the Chair.

Councillor Ando expressed his opinion that this matter has not been resolved and the two trees on the eastern side of 225 Isleview Place may have been located on Village property. There is a need to identify the owner of the lands adjacent to the private property in question and determine whether Village property has been damaged and whether the Tree Bylaw is required to be enforced.

At the invitation of Council, Dr. Broughton advised that all trees were surveyed and a survey plan was created and provided to the Village of Lions Bay.

Action Item: Interim CAO McRadu was requested to distribute the tree survey plan provided by Dr. Broughton by email to Council members.

Action Item: Interim CAO McRadu was requested to contact the Ministry of Transportation and Highways to question if there is a survey that they would be willing to share with the Village of Lions Bay in order to determine the owner of the property that abuts the southern boundary of the Povill property.

It was agreed to defer further consideration of this item until the surveys have been obtained and reviewed. Interim CAO McRadu confirmed that the Ministry of Transportation and Highways has indicated that they have no interest in the trees in question.

Mayor Broughton rejoined the meeting and reassumed the Chair.

8. Reports

Moved: Councillor Ando

Seconded: Councillor Ronsley

BE IT RESOLVED THAT the Village of Lions Bay Council receives the reports of September 2, 2014, as submitted.

CARRIED

A. Manager of Public Works

Nikii Hogland, Public Works Manager advised that the smell remediation project had been inadvertently omitted from the report provided in the agenda material.

Ms. Hogland responded to questions and comments from Council regarding the capital projects and planned work.

Interim CAO McRadu advised that a staff recommendation may be brought to the September 16, 2014 Regular Council meeting to proceed with the Harvey Intake Road Safety Upgrade project in the absence of funding from the Build Canada Grant Program.

B. Mayor and Council

Mayor Broughton highlighted the Council Portfolio Update, for the period from July 22 to September 2, 2014, provided in the agenda material

- Meeting with the Honourable Lisa Raitt, Minister of Transport, regarding Howe Sound
- Work performed to advance enforcement of the Parking Bylaw.

Councillor Ronsley referenced the Information Report to Council, dated September 2, 2014, provided in the agenda material, and highlighted the establishment of the place of hope and recovery in North Vancouver for nine female residents.

C. Committees

(i) Finance Committee – Third Quarter Report

Councillor McLaughlin provided an on-table report titled “Village of Lions Bay Finances & Operations – 3rd Quarter – 2014”. Councillor McLaughlin acknowledged the contribution of the Finance Committee and Village staff in preparing the report.

Clarification was provided that the report covers financial data from the first and second quarters of 2014.

D. Emergency Services

Mayor Broughton referenced the July 2014 monthly reports from the RCMP and the Lions Bay Fire Department that were provided with the agenda material.

9. Resolutions

A. Resolution for Water Intake Safety Improvements

Council questioned whether funding received from the Build Canada grant program could be applied retroactively to works that have been undertaken. It was recommended that work be staged to take advantage of future federal funding that may be provided.

Mayor Broughton advised meeting with Minister Todd Stone has been requested regarding the necessity for funding for the water intake safety improvements.

Moved: Councillor Ronsley

Seconded: Councillor Bain

WHEREAS the Village of Lions Bay believes safety to staff and residents to be paramount and supports the undertaking of safety improvements to the Harvey Creek and Magnesia Creek water intakes;

AND WHEREAS the Village of Lions Bay Council has approved funding in the 2014 capital budget in support of water intake safety improvements for both Harvey and Magnesia Creeks;

AND WHEREAS the new Build Canada grant program may be available as a source of funding for this project;

THEREFORE BE IT RESOLVED THAT Village of Lions Bay Council authorizes staff to proceed with compiling and submitting an application to Build Canada when the application period has commenced, if such commencement date is feasible with a 2014 construction completion schedule;

AND THAT staff be authorized to proceed with the project tendering process should the Build Canada grant application commencement date not be feasible to meet a 2014 construction completion schedule.

CARRIED

10. Bylaws

A. Bylaw No. 461 Animal Control and Licensing

Moved: Councillor Bain

Seconded: Councillor McLaughlin

BE IT RESOLVED THAT the Village of Lions Bay Council adopts Bylaw No. 461 Animal Control and Licensing, as presented.

CARRIED

Councillor Ando provided the following questions and comments:

- Whether the reference to Item 6.5 in Item 6.6.3 is correct
- Item 6.7.2 does not allow for the application of the bylaw to new trails with new names.

B. Bylaw No. 465 Repeal of Prior Fees and Charges

Moved: Councillor Bain

Seconded: Councillor Ronsley

BE IT RESOLVED THAT the Village of Lions Bay Council adopts Bylaw No. 465 Repeal of Prior Fees and Charges, as presented.

CARRIED

11. Correspondence

Councillor Bain noted Correspondence Item 8, included on Page 98 of 160 of the agenda material, from the Ambulance Paramedics regarding a proposal to implement a "Community Paramedicine Framework" in BC.

Action Item: Councillor Bain was requested to review the Ambulance Paramedic's proposal and provide comments to the Lions Bay representatives who will be attending the Union of BC Municipalities conference.

Councillor Ando questioned the rationale for the inclusion of the correspondence Page 136 of 160 of the agenda package. Interim CAO McRadu advised that there is not a clear policy regarding the inclusion of correspondence in the agenda and staff

will be developing a recommendation for a clear policy and practice to be incorporated into the Council Procedural Bylaw for Council's consideration.

Interim CAO McRadu confirmed that staff responds to the correspondence received, as appropriate.

Councillor Bain commented on Item 5 and 6, included on Pages 105 and 106, respectively, of the agenda package.

Action Item: Councillor Bain was requested to author an article for the Lions Bay Community News regarding the dangers of speeding in Lions Bay and the necessity for lower speeds.

Moved: Councillor Bain

Seconded: Councillor Ronsley

BE IT RESOLVED THAT the Village of Lions Bay Council receives the List of Correspondence to August 28, 2014.

CARRIED

12. New Business

A. Parking Enforcement and Ticket Purchases

Interim CAO McRadu commented that parking is a challenge in the Village during the summer months and snow events. A report on parking will be provided at the September 16, 2014 Regular Council meeting.

Councillor Ando suggested that the draft report be posted to the Village website and suggestions be invited from the community.

B. Into the Future: The Coquitlam Health Campus

Moved: Councillor Ronsley

Seconded: Councillor Bain

WHEREAS the Village of Lions Bay Council recognizes the substantial need for increased opportunities to address health and mental healthcare needs in communities across the Province;

AND WHEREAS the Village of Lions Bay Council believes these initiatives are best served with community-based facilities and services;

THEREFORE BE IT RESOLVED THAT the Village of Lions Bay Council endorses the City of Coquitlam's principle that the Riverview Lands should remain under public ownership;

AND THAT the Village of Lions Bay supports the City of Coquitlam's vision for the lands to be utilized for the proposed Coquitlam Health Campus, as detailed in the report titled "Coquitlam Health Campus: An Overview".

CARRIED

C. POL-1407 Community Facility Rentals

Interim CAO McRadu reported that staff recommends the draft policy be posted to the Village website for comment from the community prior to Council consideration at the September 16, 2014 Regular Council meeting.

Moved: Councillor Ronsley

Seconded: Councillor Ando

BE IT RESOLVED THAT the Village of Lions Bay Council receives the report for information and directs that the draft POL-1407 Community Facility Rentals be posted on the Village website for public comment.

CARRIED

D. POL-1408 Refunds and Cancellations

Moved: Councillor Ronsley

Seconded: Councillor Ando

BE IT RESOLVED THAT the Village of Lions Bay Council receives the report for information and directs that the draft POL-1408 Refunds and Cancellations be posted on the Village website for public comment.

CARRIED

CONTINUANCE MOTION

Moved by: Councillor Ronsley

Seconded by: Councillor McLaughlin

BE IT RESOLVED THAT the Village of Lions Bay Council supports a motion to allow the meeting to continue for up to 12 additional minutes.

CARRIED

13. Public Questions & Comments

A. Penny Nelson

Ms. Nelson posed the following questions:

- When the time allotted to the Public Questions and Comments period was amended to ten minutes from the 30 minutes provided in the Council Procedural Bylaw
- Who defined the hours for the Bylaw Officer's current schedule
- Whether the impact of oil heaters in the Village Hall will impact the target of the Village attaining carbon neutrality by 2020.

B. Jeffrey Stone

Mr. Stone issued the following questions and comments:

- Request for documentation to confirm approval of the modification of the provincial Small Community Recreation Grant
- Action being taken by Council to provide for the 726 square feet of activity space that is the premise for the provincial Small Community Recreation Grant
- Speeding on Lions Bay Avenue is a concern and it is recommended that the speed be reduced to 15 kilometres per hour at the interchange with Highway 99 and to 30 kilometres per hour on lower Lions Bay Avenue
- Need for signage to warn vehicles of the railway crossing on Lions Bay Avenue.

C. Neville Abbott

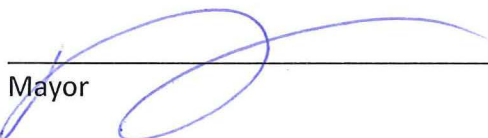
Mr. Abbott questioned why the question he posed during the July 22, 2014 Council meeting was not included in unfinished business of the September 2, 2014 Regular Council meeting and commented on the need for the Parking Bylaw to be enforced equitably.

14. Adjournment

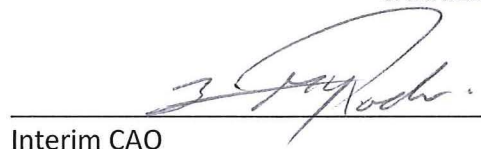
Moved: Councillor Bain
Seconded: Councillor Ronsley

BE IT RESOLVED THAT the Village of Lions Bay Council adjourns the September 2, 2014 Regular Council meeting at 10:15 p.m.

CARRIED



Mayor



Interim CAO