



**REGULAR MEETING OF THE COUNCIL
OF THE VILLAGE OF LIONS BAY
HELD ON TUESDAY, JUNE 20, 2023 at 6:00 PM
COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY
AND VIA ZOOM VIDEO CONFERENCE**

MINUTES

In Attendance: Mayor Ken Berry
Councillor Neville Abbott
Councillor Michael Broughton
Councillor Jaime Cunliffe
Councillor Marcus Reuter

Also Present: Marina Blagodarov, Acting Municipal Coordinator
Karl Buhr, Public Works Manager
Deanna Campbell, Local Government Consultant (via videoconference)
Randy Diehl, Provincial Special Advisor (via videoconference)
Kelsey Guenette, Raincoast Ventures Ltd. (via videoconference)
(Recorder)

Public: 7 in person; 28 via videoconference

1. Call to Order

Mayor Berry called the meeting to order at 6:05 p.m.

2. Closed Council Meeting (6:00 PM)

Proposed topics for discussion in the absence of the public:

- A. Labour
- B. Legal

Moved/Seconded

THAT the meeting be closed to the public on the basis of matters to be considered under the following sections of the *Community Charter* and where required, the Council does consider that the matters could reasonably be expected to harm the interests of the municipality if they were held in public:

90 (1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

- (c) labour relations or other employee relations;
- (e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the municipality;
- (f) law enforcement, if the Council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;
- (g) litigation or potential litigation affecting the municipality;
- (k) 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;
- n) the consideration of whether a council meeting should be closed under a provision of this subsection or subsection (2).

CARRIED

The meeting returned to open session at 7:05 p.m.

3. Reporting Out from Closed Portion of Meeting

The Mayor reported the following:

- The following motion was carried, with Councillor Reuter opposed:
THAT Deanna Campbell be appointed as the Lions Bay Corporate Officer on an interim basis.
- The following motion was carried, with Mayor Berry and Councillor Broughton opposed:
BE IT RESOLVED THAT Council hereby directs that, for a period lasting through Council's summer recess and to be revisited thereafter, there be no inclusions within the Village Update from any member of Council or other uses of the Village's communication system to residents by members of Council unless approved in advance by Council;
AND THAT any communications from Staff within the Village Update or otherwise as above be confined to brief operational updates;
AND THAT the approving jurisdiction and authority for the Village Update and other electronic communications to residents shall reside within the sole discretionary authority of the Acting Municipal Coordinator, in consultation with contractor Campbell on an ad hoc basis, as determined to be necessary by the Acting Municipal Coordinator.
- The following motion was carried, with Councillor Broughton abstaining:
BE IT RESOLVED THAT Council hereby directs that the authority of approving jurisdiction over Agendas be within the sole purview of the Acting Municipal

Coordinator, in consultation with contractor Campbell on an ad hoc basis, as determined necessary by the Acting Municipal Coordinator.

- The Citizen of the Year and Distinction Award will be announced on July 1, 2023.
- The following motion was carried, with Councillors Abbott and Reuter opposed:
THAT Council approve the recommendation made by the Lions Bay Beach Park Revitalization Project Committee to accept the proposal by Millenia Architecture Corp submitted on April 28, 2023 for architectural and structural consulting services as described in the Architectural RFP issued on April 6, 2023.
- A motion made during the May 16, 2023 closed meeting to not renew the contract of Acting Chief Administrative Officer (A/CAO), Ron Miller, which expired on May 30, 2023, was carried, with Mayor Berry and Councillor Broughton opposed.
- With the guidance of provincial advisors, the CAO replacement is progressing.
- Councillor Abbott resigned from the Lions Bay Beach Park Committee during the June 6, 2023 closed meeting.

4. Adoption of Agenda

Moved/Seconded

THAT the agenda of the June 20, 2023 Regular Council Meeting be adopted with the following amendments:

- Addition of Item 10(A)iii Recycling
- Remove Items 10(B)i., iv., and v.
- Addition of Item 10(D)ii. Request for Decision
- Addition of Item 10(D)iii. Parking Committee and Highway Noise Committee; and

THAT the statement of etiquette for the public participation period be stated prior to Item 5.

CARRIED

Councillor Jaime Cunliffe re-stated the public viewing etiquette, as posted on the Village of Lions Bay website.

5. Public Participation

A. Brenda Broughton

Brenda Broughton expressed concerns regarding the potential removal of stop signs at identified railway crossings.

B. Mary McLaughlin

Mary McLaughlin raised concerns regarding property tax increases. There was also a concern around inaccurate information on the tax notices brochure.

C. Randi Byrne

Randi Byrne expressed appreciation for the decision to terminate the previous Chief Administrative Officer (CAO) and noted concerns regarding the previous Interim CAO's contract.

D. Norma Rodgers

Norma Rodgers requested that a process to respond to public participation questions be formed.

E. Glen Dodd

Glen Dodd expressed concerns regarding the disappearance of the Mayor's message in a recent Village Update.

6. Delegations

A. None.

7. Review and Approval of Minutes of Prior Meetings

A. Special Council Meeting – November 24, 2022

Moved/Seconded

THAT the Special Council Meeting Minutes of November 24, 2022 be approved, subject to confirmation of whether the Lions Bay Beach Park Advisory Committee was re-established with two Chairs or a Chair and Co-Chair (Item 6[B]i.).

CARRIED

B. Special Council Meeting – November 30, 2022

Moved/Seconded

THAT the Special Council Meeting Minutes of November 30, 2022 be approved as presented.

CARRIED

C. Special Council Meeting – December 8, 2022

Moved/Seconded

THAT the Special Council Meeting Minutes of December 8, 2022 be approved as presented.

CARRIED

D. Regular Council Meeting – June 6, 2023

Moved/Seconded

THAT the Regular Council Meeting Minutes of June 6, 2023 be approved with amendment to the statement in Item 10(B)i. to read "The organizational chart was included with meeting materials for information and would be revisited at a strategy session."

CARRIED

8. Business Arising from the Minutes

Action: It was requested that an Emergency Planning Committee meeting be scheduled.

Moved/Seconded

THAT the noise bylaw exemption, requested by Craig Doherty, Lions Bay General Store & Café, be granted ad hoc for any events until the next Council meeting.

CARRIED

9. Unfinished Business

A. Follow-Up Action Items from Previous Meetings

VILLAGE OF LIONS BAY FOLLOW-UP ACTION ITEM LIST				
ACTION NO.	DATE	ITEM/ACTION/DESCRIPTION	PERSON	STATUS
265	February 21, 2023	Follow up with Ministry regarding Vacancy Tax and report back to Council.	Councillor Reuter	Ongoing
280	June 6, 2023	Action item list is updated regularly.	A/MC, Marina Blagodarov	Complete
281	June 6, 2023	Look into reconstruction of speed bumps on Bayview Road near the Lions Bay Elementary School	PWM, Karl Buhr	Ongoing
282	June 6, 2023	Hiring seasonal/summer staff	Council	For Discussion

The following updates were provided:

- 265: Ongoing
- 280: Complete
- 281: A cost implications report was provided to Council with recommendation to not reconstruct the speed bumps
- 282: This discussion was moved to the closed meeting.

Moved/Seconded

THAT Council supports the staff recommendation to not proceed with speed bump reconstruction.

CARRIED

(Councillor Reuter abstained)

10. Reports

A. Staff

- i. Public Works Manager, Karl Buhr – Stop Signage at Railway Crossing
Public Works Manager, Karl Buhr, reviewed the ISL Engineering Report, and recommended its findings be followed as railways are federally regulated.

Discussion ensued on a blind spot on the identified route and concerns that pedestrian traffic was not considered in the report.

Action: Councillor Broughton to contact the local Member of Parliament and Member of the Legislative Assembly to inform of CN Rail’s request and seek required support.

Moved/Seconded

THAT Council defer decision on stop sign removal at identified railway crossings until further clarification is received from CN Rail.

CARRIED

- ii. Public Works Manager, Karl Buhr – Disaster Mitigation and Adaptation Fund

Public Works Manager, Karl Buhr, reviewed the Disaster Mitigation and Adaptation Fund requirements, noting that it provides 40% project coverage, and a deadline to apply by July 23, 2023.

Moved/Seconded

THAT Council direct the Public Works Manager to apply for the Disaster Mitigation and Adaptation Fund or otherwise report back to Council.

CARRIED

- iii. Recycling

During discussion, it was noted that options for residents to recycle items not permitted in regular recycling pick up were being considered by the Climate Action Committee.

B. Mayor

- i. Rain Barrels and Rain Storage tanks
This item was removed from the agenda.

- ii. Fire Smart Initiatives

Moved/Seconded

THAT a Fire Smart representative, in conjunction with the Fire Chief, be contacted to provide a presentation on measures to mitigate wildfire risks.

CARRIED

- iii. Following the Guidance of Provincial Best Practices
The Mayor requested that the guidance of provincial advisors on best practices be followed at the Council table, except in extraordinary situations. Discussion ensued on Council's obligation to do its best and follow good practice.
- iv. Additional Temporary Help
This item was removed from the agenda.
- v. Appointing Village Counsel
This item was removed from the agenda.

C. Council

- i. Renewable Diesel Request for Further Research
Councillor Abbott reviewed the Climate Action Committee's recommendation regarding clean energy alternatives.

Moved/Seconded

THAT Council directs the Public Works Manager to update identified reports with recent information and report back to Council.

CARRIED

- ii. Code of Conduct
Provided for information. Mayor Berry, Councillors Broughton and Abbott have signed, with Councillors Reuter and Cunliffe to provide signed copies.

D. Committees

- i. Lions Bay Beach Park Advisory Committee
Moved/Seconded
THAT Council appoints Councillor Jaime Cunliffe to the Lions Bay Beach Park Advisory Committee.

CARRIED

- ii. Request for Decision
This item was moved to the closed session.
- iii. Parking Committee and Highway Noise Committee
Discussion ensued on the need to form the Parking and Highway Noise committees due to parking and traffic safety concerns within the Village.

Action: It was requested that minutes of a recent Committee of the Whole meeting be provided to Councillor Jaime Cunliffe for review.

- E. Emergency Services
 - i. None.

11. Resolutions

- A. Canada Day Fireworks
Discussion ensued on the optics of Council overriding the current coastal fire ban.

Moved/Seconded

BE IT RESOLVED THAT as Authority Having Jurisdiction, and being advised by the Fire Chief that it may so do, Council will duly override the current Coastal Fire Centre fire ban in respect of the public fireworks display at Lions Bay Beach Park on July 1, 2023, Canada Day, on grounds that;

- i) The display will be under the control of the Lions Bay Fire Rescue department, which is capable of handling all exigencies, including but not limited to having suitable equipment to hand; and
- ii) Spectators will be kept a safe distance from firework takeoff and landing zones, by barrier; and
- iii) Staff will communicate this resolution in the Village Updates of June 23 and 30, 2023 to alleviate public misgivings in light of the fire ban.

CARRIED

(Councillors Abbott and Reuter opposed)

- B. Canada Day Event
Discussion ensued on diagonal parking occurring in place of parallel parking during the event.

Moved/Seconded

THAT Lions Bay Bylaw Officers have discretion to not enforce parking regulations near the vicinity of the venues on Canada Day, subject to safety considerations for emergency vehicles to operate, such as in front of fire hydrants, at the fire hall or in cul-de-sacs; and

THAT the Canada Day event and its associated activities be exempt from the provisions of Noise Bylaw No. 283, 1998, as amended, pursuant to section 6(m) thereof, up to 12 midnight; and

THAT the Lions Bay Beach Park remain open until midnight.

CARRIED

12. Bylaws

None.

13. Correspondence

A. List of Correspondence to June 15, 2023

The list of correspondence was included with meeting materials for information.

Discussion ensued on insecticide/herbicide use at residences, watershed/trail access, best practices/transparency, installation of water meters, Committee terms of reference, and rainwater harvesting.

Moved/Seconded

THAT general correspondence be received for information; and

THAT Councillor Reuter respond to resident correspondence.

CARRIED

14. New Business

A. None.

15. Public Questions & Comments

A. Tamara Leger

Tamara Leger expressed concerns regarding the granting of a noise bylaw exemption for the Lions Bay General Store & Café.

Moved/Seconded

THAT the meeting be extended to 10:30 p.m.

CARRIED

B. KC Dyer

KC Dyer expressed concerns regarding the sound quality in Council chambers for those attending the meeting via videoconference.

Residents were requested to email Council with any sound quality concerns in order to determine the depth of the problem.

16. Conclusion

Moved/Seconded

THAT the open meeting be now adjourned.

CARRIED

The open meeting adjourned to a closed session at 10:01 p.m.

Mayor

Corporate Officer

Date Adopted by Council:	July 4, 2023
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