



**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET,
NORTH VANCOUVER, B.C., ON **MONDAY, FEBRUARY 10, 2003**
AT 6:00 P.M.**

FULL VIDEO

PRESENT:

COUNCIL MEMBERS

Mayor B.A. Sharp
Councillor R.C. Clark
Councillor R.J. Fearnley
Councillor R.N. Heywood
Councillor C.R. Keating
*Councillor D.R. Mussatto
Councillor B.W. Perrault

STAFF MEMBERS

A.K. Tollstam, City Manager
B.A. Hawkshaw, City Clerk
S.E. Dowey, Deputy City Clerk
F.A. Smith, Director, Community Development
T. Christie, Director of Finance
I. Gordon, Deputy Director of Finance
R.H. White, City Planner
B. Taylor, City Solicitor
B. Susak, Deputy City Engineer
L. Orr, Social Planner
R. Bruckshaw, Purchasing Manager
J. Laughlin, City Engineer
A. Lynch, Co-ordinator, North Shore Recycling
Program

The meeting was called to order at 6:00 p.m.

VIDEO CLIP 1

Moved by Councillor Perrault, seconded by Councillor Keating

THAT item 1, *Consent Agenda Items 3. *(c), *(d), 4. *(a) and *(b) and items 5. (a), 6. (b) (i), (ii), (iii), (iv) and (v) on the agenda be brought forward for consideration at this time.

CARRIED UNANIMOUSLY

VIDEO CLIP 2

1. ADOPTION OF MINUTES

Moved by Councillor Keating, seconded by Councillor Perrault

THAT the Minutes of the Regular Council Meeting of February 3, 2003 be adopted as circulated.

CARRIED UNANIMOUSLY

CONSENT AGENDA {Items 3 *(c), 3 *(d), 4 *(a) and 4*(b)}

Moved by Councillor Keating, seconded by Councillor Perrault

THAT the resolutions listed within the “Consent Agenda” of February 10, 2003, with the exception of item 3. *(c), be approved, as follows:

3. CORRESPONDENCE

***(d) Mr. Sam Monfared, General Manager, Sunshine Cabs Ltd., North Vancouver, February 4, 2003**

Re: Rate Increase - File: 4160-01

PURSUANT to the correspondence received from Mr. Sam Monfared, General Manager, Sunshine Cabs Ltd., North Vancouver, dated February 4, 2003 regarding “Rate Increase”:

THAT the February 4, 2003 correspondence regarding a request before the Motor Carrier Commission for a rate increase of 3.34% be received for information.

(CARRIED UNANIMOUSLY)

4. REPORTS OF COMMITTEES, COUNCIL, AND STAFF

***(a) Construction Bylaw Fee Increases - File: 1660-01**

Report: Manager, Inspections, Community Development,
January 29, 2003

PURSUANT to the report of the Manager, Inspections, dated January 29, 2003, entitled “Construction Bylaw Fee Increases”:

THAT “Electrical Inspection Bylaw, 1957, No. 2572, Amendment Bylaw, 2003, No. 7476” (Fee Schedule), “Plumbing Bylaw, 1964, No. 3443, Amendment Bylaw, 2003, No. 7477” (Fee Schedule), “Building Bylaw, 1972, No. 4361, Amendment Bylaw, 2003, No. 7478” (Fee Schedule), “Gas Permit Fee Structure Bylaw, 1997, No. 4971, Amendment Bylaw, 2003, No. 7479” (Fee Schedule), and “City of North Vancouver Oil Burner and Compressed Gas System Permit and Inspection Bylaw, 1938, No. 1491, Amendment Bylaw, 2003, No. 7480” (Fee Schedule), be considered.

(CARRIED UNANIMOUSLY)

4. ***(b) Director of Recreation - Appointment of Councillor to Selection Panel - File: 1800-06**

THAT the resolution of July 29, 2002 which reads as follows:

“PURSUANT to the report of the Director of Human Resources dated July 25, 2002 entitled “Director of Recreation - Replacement of Position”:

THAT the recommendations contained in the July 25, 2002 report for replacement of the Director of Recreation position, be endorsed;

AND THAT Mayor Barbara A. Sharp, and Councillor D.R. Mussatto, be appointed as the two City Council representatives on the selection panel.”

be amended by substituting Councillor B.W. Perrault for Councillor D.R. Mussatto.

CARRIED UNANIMOUSLY

END OF CONSENT AGENDA ITEMS.

VIDEO CLIP 4

3. **CORRESPONDENCE - Continued**

(c) **Ms. Betty Griffin, Secretary, End the Arms Race, Vancouver, January 28, 2003**

Re: Annual Walk for Peace - File: 1110-12-01

Requested by Mayor Barbara A. Sharp

Moved by Councillor Keating, seconded by Councillor Perrault

PURSUANT to the correspondence received from Ms. Betty Griffin, Secretary, End the Arms Race, dated January 28, 2003 regarding the “Annual Walk for Peace”:

THAT the City of North Vancouver supports the cause of peace by endorsing the Peace Walk on February 15, 2003.

CARRIED UNANIMOUSLY

5. MOTIONS AND NOTICES OF MOTION

- (a) **Court of Revision - Local Improvement Frontage Tax
File: 1625-03-02**

Moved by Councillor Keating, seconded by Councillor Perrault

THAT a Court of Revision be held on Monday, April 14, 2003 at 7:00 p.m., in the Council Chamber, City Hall, to consider and deal with the frontage tax rolls with respect to local improvement works constructed under the provisions of Part 10 of the Local Government Act.

CARRIED UNANIMOUSLY

6. BYLAWS

- (b) **Introduction and First Three Readings**

Moved by Councillor Keating, seconded by Councillor Clark that

- (i) "Electrical Inspection Bylaw, 1957, No. 2572, Amendment Bylaw, 2003, No. 7476" (Fee Schedule)
- (ii) "Plumbing Bylaw, 1964, No. 3443, Amendment Bylaw, 2003, No. 7477" (Fee Schedule)
- (iii) "Building Bylaw, 1972, No. 4361, Amendment Bylaw, 2003, No. 7478" (Fee Schedule)
- (iv) "Gas Permit Fee Structure Bylaw, 1997, No. 4971, Amendment Bylaw, 2003, No. 7479" (Fee Schedule)
- (v) "City of North Vancouver Oil Burner and Compressed Gas System Permit and Inspection Bylaw, 1938, No. 1491, Amendment Bylaw, 2003, No. 7480" (Fee Schedule)

be introduced and read a first time in short form, copies of same having been distributed to Council members and read by them.

CARRIED UNANIMOUSLY

Moved by Councillor Keating, seconded by Councillor Clark

THAT the said Bylaws Nos. 7476, 7477, 7478, 7479 and 7480 be read a second time in short form.

CARRIED UNANIMOUSLY

Continued....

6. (b) Introduction and First Three Readings - Continued

Moved by Councillor Keating, seconded by Councillor Clark

THAT the said Bylaws Nos. 7476, 7477, 7478, 7479 and 7480 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

VIDEO CLIP 7

Moved by Councillor Clark, seconded by Councillor Keating

THAT Item 4. (c) on the agenda be brought forward for consideration at this time.

CARRIED UNANIMOUSLY

4. REPORTS OF COMMITTEES, COUNCIL, AND STAFF - Continued

(c) Public Art on the Lower Lonsdale Lands - File: 1085-03-L8

Report: City Planner, Community Development on behalf of the Lower Lonsdale Team, February 4, 2003

Moved by Councillor Keating, seconded by Councillor Perrault

THAT the report of the City Planner, dated February 4, 2003, entitled "Public Art on the Lower Lonsdale Lands" be referred to the Arts and Culture Commission of North Vancouver and the Public Art Program Steering Committee for comment.

CARRIED UNANIMOUSLY

9. CONFIDENTIAL REPORTS

Moved by Councillor Keating, seconded by Councillor Clark

THAT the meeting recess to the Committee of the Whole in camera, to consider the items as listed under Section 9 of the Council Agenda, for the following reasons respectively, for each item:

9(a) Section 242.2 (2) (b)

9(b) Section 242.2 (1) (c)

9(c) Section 242.2 (1) (c)

CARRIED UNANIMOUSLY

The meeting recessed at 6:29 p.m., and reconvened at 8:07 p.m., with the same personnel present and with the addition of *Councillor Mussatto.

9.1 REPORT OF THE COMMITTEE OF THE WHOLE

Moved by Councillor Clark, seconded by Councillor Perrault, that the following recommendations of the Committee of the Whole in camera be ratified:

(b) City Parking Lots - Service Contract - File: 3060-03-04

Report: Property Valuator/Negotiator, Community Development,
February 4, 2003

PURSUANT to the report of the Property Valuator/Negotiator dated February 4, 2003, entitled "City Parking Lots – Service Contract":

THAT staff be authorized to negotiate a Personal Services Contract with Mr. E. Mahon for a period from February 1, 2003 to January 31, 2004, substantially as outlined in the February 4, 2003 report of the Property Valuator/Negotiator;

AND THAT the Mayor and City Clerk be authorized to sign and execute the said contract.

(CARRIED UNANIMOUSLY)

**(c) Leave of Absence Without Pay Request – Stewart Easton
File: 1800-06/1880-03-09**

Report: Director of Human Resources, February 3, 2003

PURSUANT to the report of the Director of Human Resources, dated February 3, 2003, entitled "Leave of Absence Without Pay Request – Stewart Easton":

THAT Mr. Stewart Easton be granted a leave of absence without pay for a period of up to seven (7) weeks.

CARRIED UNANIMOUSLY

PROCLAMATIONS

Nil.

Moved by Councillor Mussatto, seconded by Councillor Perrault

THAT Items 2. (b), 3. (b) and 3. (a) on the agenda be brought forward for consideration at this time.

CARRIED UNANIMOUSLY

2. DELEGATIONS

- (b) **Councillor Craig R. Keating, Chair, North Shore Task Force on Substance Abuse and Dr. Brian O'Connor, Medical Health Officer, Vancouver Coastal Health Authority**

Re: Task Force on Substance Abuse - File: 1085-03-N32-03

Councillor Craig Keating introduced Dr. Brian O'Connor, Medical Health Officer, Vancouver Coastal Health Authority, and updated members of Council on the role of the North Shore Task Force on Substance Abuse and their actions to implement a Substance Abuse Strategy.

Councillor Keating advised that the Task Force puts emphasis on prevention, enforcement and harm reduction and in the future will rely on local resources and will be back before this Council and other Councils with specific proposals for transfer of funding or more funding to implement the Substance Abuse Strategy.

Councillor Keating then responded to questions from members of Council.

3. CORRESPONDENCE - Continued

- (b) **Councillor Craig R. Keating, Chair, North Shore Task Force on Substance Abuse and Dr. Brian O'Connor, Medical Health Officer, Vancouver Coastal Health Authority, February 5, 2003**

Re: Task Force on Substance Abuse - File: 1085-03-N32-03

Moved by Councillor Heywood, seconded by Councillor Clark

THAT the correspondence dated February 5, 2003 received from Councillor Craig R. Keating, Chair, North Shore Task Force on Substance Abuse and Dr. Brian O'Connor, Medical Health Officer, Vancouver Coastal Health Authority, regarding "Task Force on Substance Abuse" be received and filed.

CARRIED UNANIMOUSLY

3. **CORRESPONDENCE - Continued**

- (a) **Ms. Fiona Black, Theatre Programmer, Capilano College Performing Arts Theatre, January 30, 2003**

Re: North Shore Jazz Festival - File: 1670-03-01

Moved by Councillor Perrault, seconded by Councillor Keating

PURSUANT to the correspondence dated January 30, 2003, received from Ms. Fiona Black, Theatre Programmer, Capilano College Performing Arts Theatre, regarding "North Shore Jazz Festival":

THAT the City of North Vancouver endorses the idea of the North Shore Jazz Festival and that funding of up to \$10,000. be provided;

AND THAT the funding be provided from the General Contingency Account.

Moved by Councillor Clark, seconded by Councillor Mussatto

THAT consideration of the motion be deferred until Ms. Fiona Black, Theatre Programmer, Capilano College Performing Arts Theatre, appears as a delegation.

CARRIED UNANIMOUSLY

4. **REPORTS OF COMMITTEES, COUNCIL, AND STAFF - Continued**

- (e) **Meeting with Outside Groups on Issues other than Public Hearings- File: 1090-01**

General Discussion with City Solicitor

Mr. Brian Taylor, City Solicitor, updated members of Council on meeting procedures.

Mr. Taylor advised that issues have arisen when Council gathers informally with people from time to time and the question arises, "does this constitute a meeting either open or in camera?"

Mr. Taylor advised that there is no difficulty with Council members meeting individually with people but concerns can arise when Council members meet as a group with people and business matters are discussed as a group. It was noted however that there are no legal concerns when members of Council have dinner with a group on an informal basis and no business is being discussed.

Mr. Taylor then responded to questions from members of Council.

Continued....

4. (e) Meeting with Outside Groups on Issues other than Public Hearings - File: 1090-01 - Continued

Moved by Councillor Mussatto, seconded by Councillor Heywood

THAT whenever we ask a group to come for dinner we explain our dilemma and ask that they do not discuss the issue prior to the formal meeting commencing.

A recorded vote was taken on the motion.

Voting in favour: Councillor Fearnley
Councillor Mussatto
Councillor Keating
Councillor Perrault
Councillor Heywood
Mayor Sharp

Voting against: Councillor Clark

The motion was **CARRIED** by a vote of six to one.

VIDEO CLIP 12

**(d) Lower Mainland Municipal Association (LMMA)
File: 1040-03-L5-01**

Report: City Clerk, February 6, 2003

Moved by Councillor Fearnley, seconded by Councillor Keating

PURSUANT to the report of the City Clerk, dated February 6, 2003 entitled, "Lower Mainland Municipal Association (LMMA)":

- (1) **THAT** the City Clerk be authorized to designate staff within his Department to assist with the duties associated with the Secretary/Treasurer of the Lower Mainland Municipal Association.
- (2) **THAT** the Council members, the City Clerk and designated Clerk's Department staff be authorized to attend the Lower Mainland Municipal Association Annual Conference and Convention being held in Whistler from May 7 - 9, 2003;

AND THAT their expenses be paid in accordance with City Policy with funds provided from the 2003 Legislative Conventions and Delegations Account.
- (3) **THAT** Councillor R.J. Fearnley be authorized to be nominated for and accept an Executive position on the Lower Mainland Municipal Association Board of Directors for the 2003/2004 year commencing May, 2003.

Continued....

4. (d) **Lower Mainland Municipal Association (LMMA)**
File: 1040-03-L5-01 - Continued

Moved by Councillor Keating, seconded by Councillor Mussatto

THAT consideration of recommendation No. (1) be deferred until a report is received on the financial and staffing requirements of the Lower Mainland Municipal Association.

DEFEATED

The vote upon the recommendations was taken separately, as follows.

PURSUANT to the report of the City Clerk, dated February 6, 2003 entitled, "Lower Mainland Municipal Association (LMMA)":

- (1) **THAT** the City Clerk be authorized to designate staff within his Department to assist with the duties associated with the Secretary/Treasurer of the Lower Mainland Municipal Association.

Moved by Councillor Keating, seconded by Mayor Sharp

THAT the motion be amended to add the following after the words "Lower Mainland Municipal Association":

"up to a value of 5% of the City Clerk's rate of pay."

A recorded vote was taken on the amendment to the motion.

Voting in favour: Councillor Keating
Councillor Perrault
Councillor Heywood
Councillor Clark
Mayor Sharp

Voting against: Councillor Fearnley
Councillor Mussatto

The amendment to the motion was **CARRIED** by a vote of five to two.

Continued....

4. (d) **Lower Mainland Municipal Association (LMMA)**
File: 1040-03-L5-01 - Continued

A recorded vote was taken on the motion, as amended, which reads as follows:

“**PURSUANT** to the report of the City Clerk, dated February 6, 2003 entitled, “Lower Mainland Municipal Association (LMMA)”:

- (1) **THAT** the City Clerk be authorized to designate staff within his Department to assist with the duties associated with the Secretary/Treasurer of the Lower Mainland Municipal Association up to a value of 5% of the City Clerk’s rate of pay.”

Voting in favour: Councillor Keating
Councillor Mussatto
Councillor Perrault
Councillor Heywood
Councillor Clark
Councillor Fearnley
Mayor Sharp

Voting against: Nil.

The motion, as amended, was **CARRIED UNANIMOUSLY** by a vote of seven to nil.

PURSUANT to the report of the City Clerk, dated February 6, 2003 entitled, “Lower Mainland Municipal Association (LMMA)”:

- (2) **THAT** the Council members, the City Clerk and designated Clerk’s Department staff be authorized to attend the Lower Mainland Municipal Association Annual Conference and Convention being held in Whistler from May 7 - 9, 2003;

AND THAT their expenses be paid in accordance with City Policy with funds provided from the 2003 Legislative Conventions and Delegations Account.

A recorded vote was taken on the motion.

Voting in favour: Councillor Perrault
Councillor Mussatto
Councillor Keating
Councillor Fearnley
Mayor Sharp

Voting against: Councillor Clark
Councillor Heywood

The motion was **CARRIED** by a vote of five to two.

Continued....

4. (d) **Lower Mainland Municipal Association (LMMA)**
File: 1040-03-L5-01 - Continued

PURSUANT to the report of the City Clerk, dated February 6, 2003 entitled, "Lower Mainland Municipal Association (LMMA)":

THAT consideration of recommendation No. (3), which reads as follows:

"(3) **THAT** Councillor R.J. Fearnley be authorized to be nominated for and accept an Executive position on the Lower Mainland Municipal Association Board of Directors for the 2003/2004 year commencing May, 2003."

be deferred to a Policy Committee meeting.

CARRIED

Councillor Fearnley is recorded as voting contrary to the motion.

VIDEO CLIP 13

5. **MOTIONS AND NOTICES OF MOTIONS - Continued**

(b) **Refurbishment and Retention of Public Works - Bylaw Amendments – File: 3410-01**

Submitted by Councillor D.R. Mussatto

Moved by Councillor Mussatto, seconded by Councillor Keating

WHEREAS waste associated with residential and commercial construction and renovation now accounts for more than 40% of the solid waste generated in the Lower Mainland;

AND WHEREAS the City of North Vancouver has a strong record in promoting environmental sustainability in support of a livable region;

THEREFORE BE IT RESOLVED THAT City staff be requested to prepare bylaw amendments to ensure that the refurbishment and retention of public works such as sidewalks, curbs and other works be made a priority in single family, duplex, triplex and fourplex rezonings and subdivisions.

CARRIED UNANIMOUSLY

VIDEO CLIP 14

5. (c) **Member of the Order of Canada – Former Councillor Stella Jo Dean – File: 1035-05**

Councillor R.C. Clark advised that he will present the following motion at the next regular meeting of Council:

“**WHEREAS** former City Councillor, Stella Jo Dean, was recently made a Member of the Order of Canada;

THEREFORE BE IT RESOLVED THAT City Council send a letter of congratulations to her.”

VIDEO CLIP 15

7. **COUNCIL INQUIRIES (Questions of Council Members)**

- (a) **Provincial Submission re. Change in Port Tax Policy
File: 1600-01**

Inquiry by Councillor Clark

Councillor Clark inquired if members of Council were aware that a letter was being circulated by the British Columbia Wharf Operators Association containing a proposed Provincial submission for consideration of a change in Port tax policy on behalf of the City of North Vancouver and the District of North Vancouver. Councillor Clark advised that a copy of this letter was delivered to his home last week.

The City Manager advised that several cities hired a consultant through the Greater Vancouver Regional District in the summer of 2002 to undertake this Study. The City Manager advised that a staff report will be forthcoming on this subject.

Councillor Keating advised that he also had received a copy of this same submission.

Recess – Public Question Period

Mayor Sharp declared a recess at 10:22 p.m., for the public question period and reconvened the meeting immediately.

10. **ADJOURNMENT**

Moved by Councillor Keating, seconded by Councillor Mussatto

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 10:23 p.m.