



**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET,
NORTH VANCOUVER, B.C., ON **MONDAY, DECEMBER 3, 2007**
AT 6:00 P.M.**

PRESENT:

COUNCIL MEMBERS

Mayor D.R. Mussatto
Councillor P.J. Bookham
*Councillor R.J. Fearnley
Councillor R.N. Heywood
Councillor C.R. Keating
Councillor B.W. Perrault
Councillor S.A. Schechter

STAFF MEMBERS

A.K. Tollstam, City Manager
S.E. Dowey, City Clerk
R.G. Anderson, Deputy City Clerk
F. Caouette, Director, Corporate Services
S. Ono, City Engineer
I. Gordon, Director, Finance
M. Pavao, Director, Human Resources
R.H. White, Director, Community Development
C. Kathler, Community Planner
J. Irwin, Manager of Financial Services
C. Jackson, Environmental Coordinator
D. Pope, Deputy City Engineer
S. Wilks, Timekeeper

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

ADOPTION OF MINUTES

Moved by Councillor Schechter, seconded by Councillor Keating

THAT the following Minutes be adopted as circulated:

1. Regular Council Meeting Minutes, November 26, 2007.
2. In Camera Committee of the Whole Meeting Minutes, November 26, 2007.

CARRIED UNANIMOUSLY

PUBLIC INPUT PERIOD – 6:00 P.M. – File: 1090-21

Nil.

CONSENT AGENDA ITEMS

{Items *11, *12, *13, *14, *15 and *16}

Moved by Councillor Schechter, seconded by Councillor Perrault

THAT the resolutions listed within the "Consent Agenda" of December 3, 2007, be approved, as follows:

BYLAWS - Reconsideration and Final Adoption

- *11.** "Solid Waste Management Service Bylaw, 1997, No. 6920, Amendment Bylaw, 2007, No. 7886".
- *12.** "Sewerage and Drainage Utility Bylaw, 1995, No. 6746, Amendment Bylaw, 2007, No. 7887".
- *13.** Water Utility Bylaw, 1994, No. 6417, Amendment Bylaw, 2007, No. 7888".

THAT the said Bylaws Nos. 7886, 7887 and 7888 be reconsidered.

(CARRIED UNANIMOUSLY)

THAT the said Bylaws Nos. 7886, 7887 and 7888 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

(CARRIED UNANIMOUSLY)

CORRESPONDENCE

- *14. Metro Vancouver, Greater Vancouver Regional District, Board in Brief, October 26, 2007 - File: 1180-06**

THAT the Metro Vancouver, Greater Vancouver Regional District, Board in Brief, dated October 26, 2007, be received and filed.

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

***15. Special Events & Festival Fund – 2008 Round One (January – June)
Grant Recommendations – File: 1670-03-05**

Report: Community Planner, Community Development,
November 28, 2007.

PURSUANT to the report of the Community Planner, Community Development, dated November 28, 2007, entitled “Special Events & Festival Fund – 2008 Round One (January – June) Grant Recommendations”:

THAT the members of the Joint Evaluation Committee be thanked for their adjudication of the 2008 Round One Special Events & Festivals grant applications;

AND THAT the following events totaling \$18,150 be funded from the City’s 2008 Special Events & Festival Fund budget:

Family Spring Fest at Mahon Park	\$1,500
North Shore High School Drama Festival.....	\$1,500
North Shore Jazz Festival	\$6,500
North Shore Seniors Picnic	\$650
North Shore Writer’s Festival.....	\$1,000
Penguin Plunge	\$500
Random Acts of Art Festival	\$1,500
Vancouver International Mountain Film Festival	\$4,000
Teddy Bear’s Picnic.....	<u>\$1,000</u>
	\$18,150

AND THAT the following events be declined City grants:

St. Andrew’s Sustainability Fair
Persian New Year

AND THAT the District of North Vancouver be notified of Council’s decision;

AND THAT the Office of Cultural Affairs, in its review of jointly administered cultural grant programs, be requested to address fundraising as an aspect of community and regional special events, and make recommendations as to appropriate provision of municipal funds.

(CARRIED UNANIMOUSLY)

***16. 2007 3rd Quarter Waterfront Project Update – File: 3330-02-W1-02**

Report: Waterfront Development Project Manager and Manager,
Special Services and Projects, November 26, 2007.

PURSUANT to the joint report of the Waterfront Development Project Manager and the Manager, Special Services and Projects, dated November 26, 2007, entitled “2007 3rd Quarter Waterfront Project Update”:

THAT the November 26, 2007 report be received and filed.

CARRIED UNANIMOUSLY

END OF CONSENT AGENDA ITEMS

Moved by Councillor Keating, seconded by Councillor Schechter

THAT “Any Other Business – New Items”, on the agenda be brought forward for consideration at this time.

CARRIED UNANIMOUSLY

ANY OTHER BUSINESS – NEW ITEMS

Moved by Councillor Keating, seconded by Councillor Schechter

THAT the confidential memorandum from Metro Vancouver dated November 30, 2007, regarding “Pacific Spirit Park” be added to the agenda, in camera, as Item 17.

CARRIED UNANIMOUSLY

Moved by Councillor Heywood, seconded by Councillor Schechter

THAT the Council recess to the Committee of the Whole In Camera, to consider the items as listed under the Committee of the Whole Section of the Council Agenda, for the following reasons respectively for each item:

3. Section 90 (1) (e) & (i)
4. Section 90 (1) (e) & (i)
5. Section 90 (1) (a)
17. Section 90 (2) (b)

CARRIED UNANIMOUSLY

The meeting recessed at 6:02 p.m., and reconvened at 7:40 p.m., with the same personnel present.

REPORT OF COMMITTEE OF THE WHOLE

Moved by Councillor Schechter, seconded by Councillor Heywood that the following recommendation of the Committee of the Whole in camera be ratified:

4. Pier Site Parcels 9 & 10 Site Preparation – File: 3380-02-N3

Report: Manager, Special Services and Projects, November 27, 2007.

THAT the action taken by the Committee of The Whole in camera this evening regarding “Pier Site Parcels 9 & 10 Site Preparation” be ratified;

AND THAT the wording of the recommendation and the report of the Manager, Special Services and Projects, dated November 27, 2007, entitled “Pier Site Parcels 9 & 10 Site Preparation”, remain in camera.

CARRIED

Councillor Perrault and Councillor Bookham are recorded as voting contrary to the motion.

PROCLAMATIONS

Nil.

Moved by Councillor Keating, seconded by Councillor Heywood

THAT the meeting recess to the Finance Committee Meeting regarding the “2008 – 2017 Capital Plan” scheduled for this evening.

CARRIED UNANIMOUSLY

The meeting recessed at 7:42 p.m., and reconvened at 8:25 p.m., with the same personnel present.

MOTIONS AND NOTICES OF MOTIONS

6. **Development Variance Permit – Variance to Sign Bylaw – 800 Automall Drive (GM Dealership/Northstar Signs & Lighting Ltd.) – File: 3345-02 Auto 800 DVP No. 216**

Moved by Councillor Fearnley, seconded by Councillor Keating

THAT Development Variance Permit No. 216 (800 Automall Drive) be issued to GM Dealership/Northstar Signs & Lighting Ltd., in accordance with Section 922 of the Local Government Act;

AND THAT the Mayor and City Clerk be authorized to sign and seal Development Variance Permit No. 216.

CARRIED UNANIMOUSLY

BYLAWS - Reconsideration and Final Adoption

7. “City of North Vancouver Official Community Plan Bylaw, 2002, No. 7425, Amendment Bylaw, 2007, No. 7875” (1404 – 1456 Bewicke Avenue, Level 2 to Level 3 density).

Moved by Councillor Keating, seconded by Councillor Schechter

THAT the said Bylaw No. 7875 be reconsidered.

A recorded vote was taken on the motion.

Voting in favour: Councillor Keating
Councillor Schechter
Mayor Mussatto

Voting against: Councillor Fearnley
Councillor Bookham
Councillor Perrault
Councillor Heywood

The motion was **DEFEATED** by a vote of 4 to 3.

8. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2007, No. 7876" (Ronald W. McIntyre, Barbara E. McIntyre, Ali Daei, Iraj B. Khorzoughi, Mohammadreza Madani, Fatameh Heydari, Michelle C. Graham, Hasan S. Monfared, Giti Eslamian, Mahdi Heidari/Jordan Kutev, Architect, 1404 – 1456 Bewicke Street, CD-543, Sch 79), as amended.

Moved by Councillor Heywood, seconded by Councillor Keating

THAT item 8 be deleted from the agenda.

CARRIED

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

9. **British Columbia Climate Action Charter – File: 1180-39**

Report: Environmental Coordinator, November 28, 2007.

Moved by Councillor Keating, seconded by Councillor Schechter

PURSUANT to the report of the Environmental Coordinator, dated November 28, 2007, entitled "British Columbia Climate Action Charter":

THAT the City of North Vancouver join with other municipalities in signing the BC Climate Action Charter, agreeing to develop strategies and take actions to achieve carbon neutrality in respect of the City's operations by 2012;

AND THAT the "Addendum to the Charter", Attachment 1 of the November 28, 2007 report, listing the accomplishments and undertakings of the City of North Vancouver with respect to reducing the City's greenhouse gas emissions be submitted to the Union of British Columbia Municipalities along with the signed Charter.

CARRIED UNANIMOUSLY

*Councillor Fearnley left the meeting declaring a conflict of interest regarding Item 10 on the agenda because he received legal advice that he was in a conflict of interest.

10. Review of the December 4, 2006 Council Resolution regarding Councillor Bob Fearnley – File: 1800-01

Moved by Councillor Bookham, seconded by Councillor Heywood

THAT the following motion adopted by Council at the December 4, 2006 Special Meeting of Council, be rescinded in its entirety:

“WHEREAS Councillor Bob Fearnley tape recorded a conversation between himself and the City Manager without the knowledge and consent of the City Manager; and

WHEREAS Councillor Bob Fearnley provided that tape to a third party; and

WHEREAS Council wishes to maintain a positive working environment for employees of the City and encourage a relationship of trust between City employees and the members of Council; and

WHEREAS Council wishes to express its condemnation of the actions of Councillor Bob Fearnley;

NOW THEREFORE THE COUNCIL OF THE CITY OF NORTH VANCOUVER HEREBY RESOLVES:

1. That this Council finds the actions of Councillor Bob Fearnley to be dishonourable and not befitting a member of this Council.
2. That this Council is of the view that to accept the actions of Councillor Bob Fearnley without sanction would bring the City and this Council into public disrepute.
3. That this Council condemn this action of Councillor Bob Fearnley.
4. That this Council hereby censures Councillor Bob Fearnley for his actions and calls upon him to publicly apologize to the City Manager and this Council for his actions.
5. That Councillor Bob Fearnley not contact City employees by telephone and that any inquiries Councillor Bob Fearnley may have of City employees be directed in writing to the City Manager or his designate for written response.

continued...

10. Review of the December 4, 2006 Council Resolution regarding Councillor Bob Fearnley – File: 1800-01 - Continued

6. That Councillor Bob Fearnley not be appointed to City Management Bodies (with the exception of the Joint Strategic Planning Committee), Advisory Bodies and Societal Bodies.
7. That Councillor Bob Fearnley not be appointed as Chair of the Policy Committee.
8. That Councillor Bob Fearnley not be appointed as Acting Mayor.

AND THAT the foregoing be reviewed in one year's time."

A recorded vote was taken on the motion.

Voting in favour: Councillor Bookham
Councillor Heywood

Voting against: Councillor Keating
Councillor Perrault
Councillor Schechter
Mayor Mussatto

The motion to rescind was **DEFEATED** by a vote of 4 to 2.

Moved by Councillor Schechter, seconded by Councillor Keating

THAT the Council of the City of North Vancouver review its motion of December 4, 2006, regarding the misconduct of Councillor Bob Fearnley at its first regularly scheduled Council meeting following October 10, 2008.

A recorded vote was taken on the motion.

Voting in favour: Councillor Perrault
Councillor Schechter
Councillor Keating
Mayor Mussatto

Voting against: Councillor Bookham
Councillor Heywood

The motion was **CARRIED** by a vote of 4 to 2.

Moved by Councillor Keating, seconded by Councillor Schechter

THAT the Council recess to the Committee of the Whole In Camera, to consider the items as listed under the Committee of the Whole Section of the Council Agenda, for the following reasons respectively for each item:

- 5. Section 90 (1) (a)
- 17. Section 90 (2) (b)

CARRIED UNANIMOUSLY

The meeting recessed at 9:22 p.m., and reconvened at 9:33 p.m., with the same personnel present.

REPORT OF COMMITTEE OF THE WHOLE

Moved by Councillor Schechter, seconded by Councillor Heywood that the following recommendation of the Committee of the Whole in camera be ratified:

5. City/Library Working Relationship Review –Working Group Appointments – File: 1085-03-N9-05

Report: Manager, Special Services and Projects, November 26, 2007.

PURSUANT to the report of the Manager, Special Services and Projects, dated November 26, 2007, entitled “City/Library Working Relationship Review –Working Group Appointments”:

THAT Councillor Barbara Perrault and Mayor Darrell Mussatto be appointed to the City/Library Working Group Relationship Review working group;

AND THAT the report of the Manager, Special Services and Projects, dated November 26, 2007, entitled “City/Library Working Relationship Review – Working Group Appointments” remain in camera.

CARRIED UNANIMOUSLY

RECESS

Mayor Mussatto declared a recess at 9:34 p.m., for the public question period and reconvened the meeting at immediately.

INQUIRIES

18. Council Committees and Appointments – File: 1090-03

Inquiry by: Mayor D.R. Mussatto

Mayor Mussatto advised that Council appointments to Committees will be considered at the next Regular Council Meeting on December 10, 2007 and inquired of members of Council if they still wished to be re-appointed to the same committees as last year. Mayor Mussatto asked Council members to contact him if they have any changes to these appointments.

19. Maritime Conference in Boston – File: 3330-02-W1-01

Inquiry by: Councillor P.J. Bookham

Councillor Bookham inquired whether Mr. Larry Orr, Manager, Special Projects and Services, and Mr. Gary Penway, Waterfront Project – Development Manager/City Planner, could make a presentation to Council regarding the Maritime Conference in Boston at an upcoming Council meeting.

Mayor Mussatto advised Councillor Bookham that she could submit a Notice of Motion requesting staff to make the presentation.

20. Council Committees and Appointments – File: 1090-03

Inquiry by: Councillor B.W. Perrault

Councillor Perrault inquired whether there would be a culling of Council Committees. Mayor Mussatto advised that the City Clerk would be coming back with a report regarding Committees at the next Regular Council Meeting on December 10, 2007.

ANY OTHER BUSINESS – NEW ITEMS - Continued

Nil.

ADJOURNMENT

Moved by Councillor Schechter, seconded by Councillor Heywood

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 9:37 p.m.