

1984 JANUARY 09

A regular meeting of the Municipal Council was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C. on Monday, 1984 January 09 at 19:00 h.

PRESENT: Mayor W.A. Lewarne (In the Chair)
Alderman D.N. Brown
Alderman D.P. Drummond
Alderman A.H. Emmott
Alderman G.H.F. McLean
Alderman L.A. Rankin
Alderman V.V. Stusiak

ABSENT: Alderman D.A. Lawson
Alderman E. Nikolai

STAFF: Mr. M.J. Shelley, Municipal Manager
Mr. J.E. Fleming, Director Administrative and Community Services
Mr. E.E. Olson, Director Engineering
Mr. A.L. Parr, Director Planning and Building Inspection
Mr. J.G. Plesha, Administrative Assistant to Manager
Mr. C.A. Turpin, Deputy Municipal Clerk
Mr. R.D. Seath, Municipal Clerk's Assistant

M I N U T E S

(a) The minutes of the regular Council Meeting held on 1984 January 03 came forward for adoption.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN McLEAN:

"THAT the minutes of the regular Council Meeting held on 1984 January 03 be now adopted."

CARRIED UNANIMOUSLY

B Y L A W S

CONSIDERATION AND THIRD READING:

#8108 5976 Sprott Street

RZ #46/83

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN DRUMMOND:

"THAT Council do now resolve itself into a Committee of the Whole to consider and report on

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 51, 1983'

#8108"

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN DRUMMOND:

"THAT the Committee now rise and report the bylaw complete."

CARRIED
OPPOSED: MAYOR LEWARNE,
ALDERMEN BROWN AND
McLEAN

The Council reconvened.

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MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN DRUMMOND:

"THAT the report of the Committee be now adopted."

CARRIED
OPPOSED: MAYOR LEWARNE,
ALDERMEN BROWN AND
McLEAN

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN DRUMMOND:

"THAT

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 51, 1983' #8108

be now read a third time."

CARRIED
OPPOSED: MAYOR LEWARNE,
ALDERMEN BROWN AND
McLEAN

RECONSIDERATION AND FINAL ADOPTION:

"THAT

'Burnaby Temporary Borrowing Bylaw No. 1, 1984' #8150

'Burnaby Temporary Borrowing Bylaw No. 2, 1984' #8151

'Burnaby Noise or Sound Abatement Bylaw 1979, Amendment
Bylaw No. 1, 1984' #8153

be now reconsidered and finally adopted, signed by the Mayor and Clerk and the
Corporate Seal affixed thereto.

CARRIED UNANIMOUSLY

CORRESPONDENCE AND PETITIONS

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN McLEAN:

"THAT all of the following listed items of correspondence be received and those
items of the Municipal Manager's Report No. 02, 1984 January 09 which pertain
thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

- (a) The Banff Centre, School of Management,
Program Manager, 1983 December 19,
Re: Request services of Municipal Manager
to act as Course Director/Resource Person
on Municipal Manager Development Seminar
- 1984, Sunday, May 06 - Friday, May 18.

A letter dated 1983 December 19 was received requesting the services of the
Municipal Manager to act as a course director/resource person for the Banff
Centre School of Management, Municipal Management Development Seminar to be
held 1984 May 06 through 1984 May 18.

Item 01, Municipal Manager's report No. 02, 1984 January 09, was brought
forward for consideration at this time.

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The Municipal Manager submitted a report advising that from the years 1977 to 1981, Council authorized the Municipal Manager to take a one week leave of absence to participate as a Seminar Leader at the Municipal Management Development Seminar subject to an agreement that the honorarium received for his services be paid to the Municipality. In 1982 the Centre requested that the Manager serve as Course Director/Resource Person for a two week period, and this also was approved by Council. The Manager's duties at the seminar in 1984 would be essentially the same as they were in 1983.

The Municipal Manager recommended:

- (1) THAT the Municipal Manager be authorized to accept the invitation to join the faculty of the School of Management, at the Banff Centre, as the Course Director for the Municipal Management Seminar, from 1984 May 06 to 18 with the understanding that the honorarium received for his services will be paid to the Municipality.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN BROWN:

"THAT the recommendation of the Municipal Manager be adopted."

CARRIED UNANIMOUSLY

- (b) Union of British Columbia Municipalities
President, 1983 December 07, Re: U.B.C.M.
Membership Dues for 1984

A memorandum dated 1983 December 07 was received enclosing a statement requesting payment from the Municipality of the Union of British Columbia Municipalities' membership dues for the year 1984.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN DRUMMOND:

"THAT Council authorize the payment of the Union of British Columbia Municipalities' membership dues for the year 1984."

CARRIED UNANIMOUSLY

- (c) E. Vogt, 1983 December 17, Re: Pond at
South end of Mandeville Avenue that is
a health hazard.

An undated letter was received requesting that Council investigate a potential health hazard respecting a pond at the south end of Mandeville Avenue. The writer advised that this problem has existed for the past 20 years and requested that the Municipality take action to rectify the existing situation.

His Worship, Mayor Lewarne, advised that the Medical Health Officer is preparing a report in response to this item of correspondence which will be submitted to Council at the regular Council Meeting to be held on 1984 January 16.

T A B L E D M A T T E R

- (a) Hart Mansion - Correspondence from
Mr. L. McDonnell, Chairman, C.P.M.A.,
Board of Directors.

This matter was tabled at the regular Council Meeting held on 1983 August 08:

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Hart Mansion - Correspondence from Mr. L. McDonnell,
Chairman, C.P.M.A., Board of Directors

The Acting Municipal Manager submitted a report from the Director Planning and Building Inspection evaluating a proposal by the Century Park Museum Board of Directors for the Hart Mansion against other possible options, including renting or leasing it out for residential purposes. Because of the cost implications of restoration for either heritage or residential purposes, the report recommended that Council authorize one final restaurant proposal call for the Mansion.

The Acting Municipal Manager recommended:

- (1) THAT Council authorize a restaurant proposal call for the Hart Mansion based on the Terms of Reference previously adopted by Council.
- (2) THAT a copy of this report be forwarded to the Parks and Recreation Commission for its concurrence.
- (3) THAT a copy of this report be forwarded to the C.P.M.A. Board of Directors.

MOVED BY ALDERMAN CONSTABLE:

SECONDED BY ALDERMAN LAWSON:

"THAT the recommendations of the Municipal Manager be adopted."

MOVED BY ALDERMAN CONSTABLE:

SECONDED BY ALDERMAN EMMOTT:

"THAT recommendation No. 1 as contained in the report be amended to read as follows:

- '(1) THAT Council authorize a restaurant proposal call for the Hart Mansion based on the Terms of Reference previously adopted by Council and further that the proposal call be reviewed by Council at the second Council Meeting of the month in 1984 January.'

and further that the following recommendation be added to the report as recommendation No. 4:

- '(4) THAT in the interim, staff bring forward a report dealing with the current maintenance cost and the present state of the building.'

CARRIED UNANIMOUSLY

A vote was then taken on the original motion as moved by Alderman Constable and seconded by Alderman Lawson, "That the recommendations of the Acting Municipal Manager be adopted", AS AMENDED, and same was CARRIED UNANIMOUSLY.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN BROWN:

"THAT this matter be now lifted from the table."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN BROWN:

"THAT Item 03, Municipal Manager's Report No. 02, 1984 January 09 be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

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The Municipal Manager submitted a report from the Director Planning and Building Inspection advising that as a result of the restaurant proposal call for the Hart Mansion two restaurant proposals have been received. Staff are presently reviewing these proposals and awaiting additional clarifying information from one of the proponents. It is anticipated that the report will be forwarded to Council at its regular Meeting to be held on 1984 January 23.

The Municipal Manager recommended:

- (1) THAT this report be received for information purposes.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN McLEAN:

"THAT the recommendation of the Municipal Manager be adopted."

CARRIED UNANIMOUSLY

R E P O R T S

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN BROWN:

"THAT Council do now resolve itself into a Committee of the Whole."

CARRIED UNANIMOUSLY

- (a) Municipal Clerk's Certificate of Sufficiency - construction and paving of lane bounded by Neville Street to North, Gray Avenue to West, Clinton Street to South and Nelson Avenue to East.

The Municipal Clerk submitted a Certificate of Sufficiency advising that the petition of Mr. Robert T. Cuthbertson and others requesting the construction and paving of the lane bounded by Neville Street to the north and the extension northerly of Lot E, District Lot 157, Group 1, Plan 21142 (4669 Clinton Street) with Gray Avenue to the west, Clinton Street to the south and Nelson Avenue to the east is sufficient.

The Municipal Clerk recommended:

- (1) THAT Council receive the Municipal Clerk's Certificate of Sufficiency covering the lane bounded by Neville Street to the north and the extension northerly of Lot E, District Lot 157, Group 1, Plan 21142 (4669 Clinton Street) with Gray Avenue to the west, Clinton Street to the south and Nelson Avenue to the east.
- (2) THAT Council direct the Director Engineering to prepare a project estimate.
- (3) THAT Council direct the Local Improvement Assessor to assess the project.
- (4) THAT Council direct the Director Finance to prepare a cost report under Section 662 of the Municipal Act.
- (5) THAT on receipt of the cost report, the Municipal Solicitor be authorized to prepare a Local Improvement Construction Bylaw for this project.

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN BROWN:

"THAT the recommendations of the Municipal Clerk be adopted."

CARRIED UNANIMOUSLY

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(b) The Municipal Manager presented Report No. 02, 1984 January 09 on the matters listed following as Items 01 to 03 either providing the information shown or recommending the courses of action indicated for the reasons given:

1. Letter from the Banff Centre School of Management
Box 1020, Banff, Alberta, T0L 0C0
Municipal Management Development Seminar
The Banff Seminar
1984 May 06 - 18

This Item was dealt with previously in the meeting in conjunction with Item 3.(a) under Correspondence and Petitions.

2. Rezoning Reference #60/83
Lot A, Except Expl. Plan 33414, D.L. 59, 136
& 137, Plan 7048; Lot B, Except Pcl. 1, Expl. Pl.
11992, N 1/2 of Pcl. 1, Expl. Pl. 11992, of Lot B,
S 1/2 Pcl. 1, Expl. Pl. 11992 of Lot B, D.L. 59 &
136, Plan 7048

The Municipal Manager submitted a report from the Director Planning and Building Inspection advising that the subject rezoning application involves a proposal to subdivide the subject site for the purposes of constructing 20 new single family dwellings. The application was received by the Planning and Building Department in October of 1983 but was not processed along with the last series of rezoning applications in November due to a few items that required further clarification. It is now appropriate to advance this rezoning application to Council for consideration in order to avoid any undue delay.

The Municipal Manager recommended:

- (1) THAT Council receive this report and authorize the Planning and Building Inspection Department to work with the applicant towards the preparation of a suitable plan of development with the understanding that a further and more detailed report will be submitted at a later date.

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN STUSIAK:

"THAT the recommendation of the Municipal Manager be adopted."

CARRIED UNANIMOUSLY

3. Hart Mansion Restaurant Proposal Call

This Item was dealt with previously in the meeting in conjunction with Item 4.(a) under Tabled Matter.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN McLEAN:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN McLEAN:

"THAT the report of the Committee be now adopted."

CARRIED UNANIMOUSLY

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NEW BUSINESS

Alderman Brown:

Alderman Brown requested that the annual grant made to the Chamber of Commerce be placed in a separate account apart from the Grants and Publicity account from which the Grants and Publicity Committee allocate grants throughout the year. Alderman Brown advised that he had received a number of enquiries with respect to the size of the grant given to the Chamber of Commerce as people were unaware of the amount of the grant that is given to the Chamber of Commerce annually.

Following a discussion of this matter Council agreed that the grant to the Chamber of Commerce continue to be allocated from the Grants and Publicity account as has been the practice in the past.

ENQUIRIES

Alderman Drummond:

Alderman Drummond requested that the Director Engineering provide a brief review of any flooding problems that were encountered as a result of the heavy rain this past week.

In response to Alderman Drummond's request the Director Engineering, Mr. E.E. Olson, advised that the upper end of Byrne Creek experienced flooding but the water level at the lower end of the creek was kept well down by the pumps. There were over 100 telephone calls received by the Engineering Department from residents with flooded basements. The Engineering Department provides pumps to these individuals in order to assist them in removing the water from their basements. A close watch was kept on Burnaby Mountain but there were no problems encountered. Mr. Olson further advised that there were no problems encountered with the Trans Mountain Pipeline Company's operations on Burnaby Mountain.

Alderman Stusiak:

Alderman Stusiak enquired as to the method of preparation of the two new playing fields at Riverway west. Alderman Stusiak indicated that the initial playing fields were constructed by making use of bark mulch and sand which has resulted in the fields standing up very well under wet conditions. Alderman Stusiak has observed that the method of preparation for the new fields is substantially different and he is concerned as to whether these new fields will also remain dry and useable during rainy weather.

In response to Alderman Stusiak's enquiry, the Director Engineering, Mr. E.E. Olson, advised that the Municipality is trying to avoid the use of hog fuel and thus the reason for the different method of preparation for the new fields. Mr. Olson advised that he had spoken earlier in the day with the Director Recreation and Cultural Services respecting this matter and that Alderman Stusiak's concerns will be reviewed.

Alderman McLean:

Alderman McLean enquired as to the Municipality's policy with respect to either sewer, water or drainage problems on private property and whether there was any situation whereby the Corporation would assist a homeowner in clearing a blockage on private property.

His Worship, Mayor Lewarne, in response to Alderman McLean's enquiry advised that the property owner is responsible from the dwelling to the property line.

Alderman McLean enquired as to whether there is any circumstance where the responsibility would be carried on past the property line to the opposite side of the road allowance.

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In response to Alderman McLean's enquiry the Director Engineering, Mr. E.E. Olson, advised that there was a change in the bylaw some five years ago which placed the responsibility on the property owner from the dwelling to the main. In 99% of the cases where there is a problem it is usually a blockage which has resulted from material placed into the system from within the dwelling. If the problem is determined to have resulted from tree roots or large rocks within the road allowance then the Municipality pays the full claim. The Municipality also pays the full claim if the problem is determined to be located in the main.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN EMMOTT:

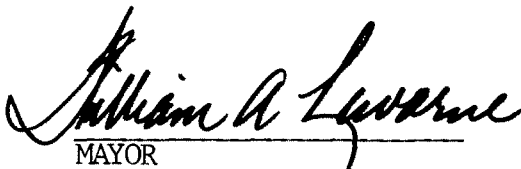
"THAT this regular Council Meeting do now adjourn."

CARRIED UNANIMOUSLY

The regular Council Meeting adjourned at 19:21 h.

Confirmed:

Certified Correct:


MAYOR


DEPUTY MUNICIPAL CLERK