

SPECIAL COUNCIL MEETING

Minutes of the Special Meeting of Council of the City of Prince George, held in the Council Chambers of City Hall, 1100 Patricia Boulevard, Prince George, B.C., on September 5, 2018 at 6:00 p.m.

PRESENT:

His Worship Mayor Lyn Hall – Chairperson

Councillor Everitt
Councillor Frizzell
Councillor Koehler
Councillor Krause
Councillor Merrick
Councillor McConnachie
Councillor Scott
Councillor Skakun

IN ATTENDANCE:

Mr. Walter **Babicz**, General Manager of Administrative Services; Mr. Ian **Wells**, General Manager of Planning and Development; and Ms. Leslie **Jackson**, Legislative Coordinator.

A. ADOPTION OF AGENDA

COUNCIL RESOLUTION:

Moved by Councillor Scott, seconded by Councillor Krause, that the Agenda for the Special Council Meeting scheduled for September 5, 2018, BE ADOPTED.

Carried Unanimously

BUSINESS LICENSE SUSPENSION HEARING

Re: Appeal by Queensway Court Motel of suspension of Business Licence No. 611220 with respect to premises located at 1616 Queensway, Prince George, B.C.

Prince George City Council had the following documents presented for their consideration:

a) Disclosure Binder of the City of Prince George, containing the following material (on file in the Legislative Service's Office):

Disclosure Materials from the City of Prince George

- Tab 1 BC Assessment search for 1616 Queensway, Prince George; Search Conducted August 21, 2018
- Tab 2 Title search for 1616 Queensway, Prince George, PID 011-872-331; Search Conducted August 21, 2018
- Tab 3 Title search for 1616 Queensway, Prince George, PID 011-891-211; Search Conducted August 21, 2018
- Tab 4 Title search for 1616 Queensway, Prince George, PID 011-891-220; Search Conducted August 21, 2018
- Tab 5 Mortgage CA1507561 Registered Against 1616 Queensway, Prince George; PIDS 011-872-331, 011-891-211 and 011-891-220
- Tab 6 Title search for New Westminster property, registered to Soo Hyun Won, PID 008-822-786 Done on August 21, 2018
- Tab 7 Letter from Ian Wells to Soo Hyun Won dated July 30 2018; Re: (Notice of License Suspension)
- Tab 8 Report to Superintendent Warren Brown from Constable Darren Warn; Re: Queensway Court Motel With Attached Statistics Report
- Tab 9 Email from Richard Anderson to Fred Crittenden; Re: Queensway Court Motel, dated July 10, 2018
- Tab 10 Letter from Gaurav Parmar to Ian Wells Re: Review of Business License; Suspension Dated August 3, 2018
- Tab 11 File Count Update from the Royal Canadian Mounted Police; Dated January 1-June 30, 2018
- Tab 12 File Count Update from the Royal Canadian Mounted Police; Dated August 1-21, 2017 and 2018
- Tab 13 Map of 1616 Queensway and surrounding neighbourhood
- Tab 14 Letter from Walter Babicz, City of Prince George, to Gaurav Parmar and Jarrett Plonka re: Reconsideration Hearing before City Council, Dated August 13, 2018

b) Disclosure Binder of Queensway Court Motel, containing the following material (on file in the Legislative Service's Office):

Tab 1	Letter from Ian Wells to Soo Hyun Won dated July 30, 2018 re: Notice of License Suspension
Tab 2	Letter from Gaurav Parmar to Ian Wells dated August 3, 2018 re: Review of Business License Suspension
Tab 3	Letter from Walter Babicz, City of Prince George, to Gaurav Parmar and Jarrett Plonka dated August 13, 2018 re: Reconsideration Hearing before City Council
Tab 4	Photo of security camera monitoring system
Tab 5	Photos of security cameras
Tab 6	Photos of locked doors
Tab 7	Graydon Security Systems Invoice dated August 24, 2018
Tab 8	City of Prince George Commercial Building Permit Application
Tab 9	Affidavit #1 of Soo Hyun Won, made on August 29, 2018
Tab 10	Signatures of residents pledging their desire to help reduce the complaints

B. OPENING REMARKS BY COUNSEL FOR THE CITY OF PRINCE GEORGE

Mr. Jarrett Plonka, Dominion GovLaw LLP, counsel for the City of Prince George, advised that Business License No. 611220 with respect to the premises located at 1616 Queensway, Prince George, BC, was suspended under Section 60 of the *Community Charter*. Mr. Soo Hyun Won, owner of Queensway Court Motel, was provided notification of the suspension on July 30, 2018, which was to be effective for a six (6) month period from October 1, 2018 to March 31, 2019. This suspension would interrupt any business activity within the six (6) month period, but does allow maintenance to be conducted.

Queensway Court Hotel appealed the license cancellation by way of a letter dated August 3, 2018 from Soo Hyun Won, Owner, Queensway Court Motel, and Gaurav Parmar, Counsel, Heather Sadler Jenkins, LLP. Queensway Court Motel has continued to do business since August 3, 2018, pending the appeal hearing before City Council.

Mr. Plonka presented four (4) options for Mayor and Council to consider:

1. Affirm the business license suspension;
2. Rescind the business license suspension;
3. Modify the business license suspension; or
4. Cancel the business license.

C. CALLING OF WITNESSES BY COUNSEL FOR THE CITY

In support of the City's allegations set out in the evidence, Mr. Plonka called the following witnesses to speak to documents regarding services from the Royal Canadian Mounted Police (RCMP) and Bylaw Services division:

1. Superintendent Warren Brown, Royal Canadian Mounted Police (RCMP);
2. Fred Crittenden, Manager of Bylaw Services, City of Prince George.

Mr. Plonka, Ms. Jenna Davis, Heather Sadler Jenkins, Counsel for the Appellant, and City Council directed questions to the witnesses.

D. OPENING REMARKS BY APPELLANT

Ms. Jenna Davis, Heather Sadler Jenkins, Counsel for the Appellant, advised Mr. Soo Hyun Won purchased the Queensway Court Motel in 2010 and does not dispute there are problems that require action. Since receiving the notice of suspension of his business license, Mr. Won has commenced work to resolve some identified issues including:

- Upgrading the phone system so that the user is not required to press '9' before dialing long distance, in order to reduce the number of accidental/dropped calls to 911;

- Installing a cedar fence along the property line at the rear of the development to decrease the number of unregistered/unwanted visitors to the lower level rooms of the building;
- Installing an additional three (3) security cameras to a total of ten (10) security cameras on the property; and
- Installing security doors at the access points for the units on the second floor which are only accessible with a key provided to registered guests.

Ms. Davis advised that the revenue from the Queensway Court Motel is Mr. Won's sole source of income and a suspension of this income would have detrimental impacts on his family and may result in bankruptcy. Ms. Davis requested Council consider cancelling or postponing the business license suspension in order to provide Mr. Won an opportunity to further address the issues the Motel is facing.

E. CALLING OF WITNESSES BY APPELLANT

In support of the Appellant's appeal, Ms. Davis called Soo Hyun Won, Owner, Queensway Court Motel to speak to the work that he has commenced to address the issues the Motel is facing.

Ms. Davis, Mr. Plonka and City Council directed questions to the witness.

F. CLOSING SUBMISSIONS BY COUNSEL FOR THE APPELLANT

Ms. Davis advised that upon receipt of the notice of business license suspension, Mr. Won made immediate improvements to the Queensway Court Motel including an upgrade to the phone system and installing additional security features including security doors, a fence and additional security cameras.

G. CLOSING SUBMISSIONS BY COUNSEL FOR THE CITY

Mr. Plonka reiterated that the number of RCMP Occurrence Files generated for the Queensway Court Motel is higher than other hotels of a similar size in Prince George. The RCMP offered to the Appellant, at no cost, a crime prevention assessment of the Queensway Motor Motel. This offer was not acted upon by the Appellant.

Mr. Plonka noted that although the Appellant has used the notice of suspension as a motivator for action with the installation of a fence and upgrade to the phone system, he did so one (1) month following receipt of the notice rather than immediately upon its receipt.

H. DELIBERATION BY COUNCIL

Councillor Skakun advised he is in support of affirming the business license suspension as there are no excuses as to why the Appellant has made no efforts to remedy the crime, noise, and litter including used condoms and needles at the property; it has carried on for too long.

Councillor McConnachie advised she is in support of affirming the business license suspension as the Appellant only took action to clean up and remedy the issues after receiving the notice of suspension of issued.

Councillor Krause advised he is in support of affirming the business license suspension noting the Appellant has owned and operated the motel for eight (8) years and that a greater effort should have been made by the Appellant to resolve the known issues during that time. Councillor Krause requested all landlords to take note that unsafe living conditions are not acceptable – residents deserve better.

Councillor Koehler advised he is in support of affirming the business license suspension stating the owner had awareness of the activities taking place and had ample opportunity to do something about the ongoing issues with the property which have only gotten worse over time.

Councillor Scott advised she is in support of affirming the business license suspension and requested the Appellant make the necessary changes to the property before reapplying for the business license in order to ensure the safety of those staying at the motel and for community members in the adjacent neighbourhood.

Councillor Frizzell advised he is in support of affirming the business license suspension as if it were not approved, there would be far reaching negative impacts for many residents. Councillor Frizzell noted that one repair made on August 24, 2018 to the phone system was an insignificant cost and could have been done years ago.

Councillor Everitt advised he is in support of affirming the business license suspension as the Appellant had to know what was occurring at the property and had significant opportunities to work with the RCMP to make a better place for the neighbourhood. Councillor Everitt noted that the Appellant was too late in waiting until August 24, 2018 to start to make repairs and address the issues; things could have been done sooner.

Mayor Hall advised he is in support of affirming the business license suspension noting that derelict properties cannot be tolerated. Mayor Hall noted concern on how the ongoing presence of emergency services at this property impacts the City budget and the operations of these services within the city. Mayor Hall encouraged the Appellant to take the suspension as an opportunity to make the necessary improvements in upgrading the motel.

W. Babicz, General Manager of Administrative Services, and I. Wells, General Manager of Planning and Development, responded to questions of Council.

I. DECISION BY COUNCIL

COUNCIL RESOLUTION:
Moved by Councillor Skakun, seconded by Councillor Frizzell that Business License No. 611220 for Soo Hyun Won operating as the Queensway Court Motel with respect to premises located at 1616 Queensway, Prince George, BC, BE SUSPENDED for a six (6) month period, commencing on October 1, 2018.
Carried Unanimously

J. ADJOURNMENT

COUNCIL RESOLUTION:
Moved by Councillor Koehler, seconded by Councillor McConnachie, that there being no further business, the Special Meeting of Council, BE ADJOURNED.
Carried Unanimously

THE SPECIAL MEETING OF COUNCIL ADJOURNED AT 7:28 P.M.

CHAIRPERSON

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