

MINUTES OF THE COUNCIL MEETING  
HELD IN THE COUNCIL CHAMBERS  
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE  
**MONDAY, MAY 1, 2006 AT 7:30 P.M.**

Present: **Chair:** Mayor Leonard  
**Council:** Councillors Brice, Brownoff, Derman, Gillespie, Hunter, Ngai, Sanders and Wergeland  
**Staff:** Tim Wood, Administrator; Russ Fuoco, Director of Planning; Colin Doyle, Director of Engineering; Margaret Trottier, Deputy Municipal Clerk; and Shirley Leggett, Senior Committee Clerk.

Minutes **ADOPTION OF MINUTES**

**MOVED by Councillor Brownoff and Seconded by Councillor Wergeland: "That the Minutes of the Council and Committee of the Whole Meetings held April 24, 2006, be adopted."**

**CARRIED**

**BYLAWS**

No. 148  
ADM40  
Bylaw 8764

**GARBAGE COLLECTION AND DISPOSAL BYLAW AMENDMENT.**

First Three Readings of the "Garbage Collection and Disposal Bylaw, 2005, Amendment Bylaw, 2006, No. 8764". To increase the annual rate from \$114 to \$118.50.

**MOVED by Councillor Derman and Seconded by Councillor Brice: "That Bylaw No. 8764 be introduced and read."**

**CARRIED**

**MOVED by Councillor Derman and Seconded by Councillor Brice: "That Bylaw No. 8764 be read a second time."**

**CARRIED**

**MOVED by Councillor Derman and Seconded by Councillor Brice: "That Bylaw No. 8764 be now passed."**

**CARRIED**

No. 149  
ADM40  
Bylaw 8765

**FINANCIAL PLAN BYLAW.**

First Three Readings of the "Financial Plan Bylaw, 2006, No. 8765". To establish the five year financial plan for 2006 – 2010.

**MOVED by Councillor Wergeland and Seconded by Councillor Hunter: "That Bylaw No. 8765 be introduced and read."**

**CARRIED**

**MOVED by Councillor Wergeland and Seconded by Councillor Hunter: "That Bylaw No. 8765 be read a second time."**

**CARRIED**

**MOVED by Councillor Wergeland and Seconded by Councillor Hunter: "That Bylaw No. 8765 be now passed."**

**CARRIED**

No. 150  
ADM40  
Bylaw 8766

**TAX BYLAW.**

First Three Readings of the "Tax Bylaw, 2006, No. 8766". To establish the tax rates for 2006.

**MOVED by Councillor Derman and Seconded by Councillor Gillespie:**  
**"That Bylaw No. 8766 be introduced and read."**

**CARRIED**

**MOVED by Councillor Derman and Seconded by Councillor Gillespie:**  
**"That Bylaw No. 8766 be read a second time."**

**CARRIED**

**MOVED by Councillor Derman and Seconded by Councillor Gillespie:**  
**"That Bylaw No. 8766 be now passed."**

**CARRIED**

No. 151  
ADM40.  
Bylaw 8767

**SEWER USER CHARGE BYLAW.**

First Three Readings of the "Sewer User Charge Bylaw, 2006, No. 8767". To increase the annual fee from \$106 to \$115.

**MOVED by Councillor Wergeland and Seconded by Councillor Sanders:** "That Bylaw No. 8767 be introduced and read."

**CARRIED**

**MOVED by Councillor Wergeland and Seconded by Councillor Sanders:** "That Bylaw No. 8767 be read a second time."

**CARRIED**

**MOVED by Councillor Wergeland and Seconded by Councillor Sanders:** "That Bylaw No. 8767 be now passed."

**CARRIED**

No. 152  
Claremont Ave.  
Bylaw 8757

**783 CLAREMONT AVENUE.**

First Reading of the "Zoning Bylaw, 2003, Amendment Bylaw, 2006, No. 8757". Rezoning from A-1 and M-5 to RS-8 and RS-12.

**MOVED by Councillor Ngai and Seconded by Councillor Hunter:** "That Bylaw No. 8757 be introduced and read."

**CARRIED**

**RESOLUTIONS FOR ADOPTION**

No. 153  
PQS100  
Tender T03/06

**TENDERS FOR PEARKES COMMUNITY RECREATION CENTRE AND TILLICUM LIBRARY.**

Report of the Director of Purchasing dated April 26, 2006 recommending Council award the tenders for the Tillicum Library to the low bidders as outlined for a total value of \$3,310,089, and award the tenders for the fitness addition to Pearkes Community Recreation Centre as outlined for a total value of \$578,848.

**MOVED by Councillor Hunter and Seconded by Councillor Derman:  
 “That Tender T03/06 for the construction of the Tillicum Library and  
 Fitness Addition at the Pearkes Arena be awarded as follows:**

	<u>Library</u>	<u>Rec Centre</u>
<b><u>Civil Work, Excavation and Fill</u></b>		
G & E Equipment Rentals Limited	\$279,100	
<b><u>Demolition</u></b>		
H L Demolition Limited	\$85,000	\$35,000
<b><u>Landscape, Irrigation</u></b>		
Mammoth Landscaping and Mason	\$277,343	
<b><u>Masonry</u></b>		
Mammoth Landscaping and Mason	\$20,829	\$2,136
<b><u>Structural Steel, Joists, Metal Deck, Metal</u></b>		
Edwards Welding Limited	\$445,974	\$23,722
<b><u>Cement Board Panels</u></b>		
Parker Johnston Limited	\$179,881	
<b><u>Metal Siding</u></b>		
Parker Johnston Limited	\$15,000	\$2,000
<b><u>Doors, Frames, Hardware Supply</u></b>		
Allmar Distributors	\$21,205	\$8,229
<b><u>Fire Shutter</u></b>		
Shanahan’s Limited	\$3,271	
<b><u>Aluminum Work, Glazing</u></b>		
Pino Lite Glass	\$239,325	\$16,000
<b><u>Steel Studs, Insulation, Drywall</u></b>		
Benton & Overbury	\$239,116	\$70,190
<b><u>Ceramic Tile</u></b>		
Graphic Office Interiors Limited	\$2,919	\$2,133
<b><u>Acoustic Ceilings</u></b>		
Benton & Overbury	\$34,762	\$34,036
<b><u>Flooring, Sport Flooring, Carpet</u></b>		
Graphic Office Interiors Limited	\$63,163	\$30,940
<b><u>Tectum Panels</u></b>		
Ron’s Drywall Limited		\$23,580
<b><u>Painting, Wall Fabric</u></b>		
M & L Painting Limited	\$61,150	\$25,235
<b><u>Toilet Partitions</u></b>		
Shanahan’s Limited	\$7,390	\$3,730
<b><u>Fireplace</u></b>		
Wilk Stove Limited	\$3,035	

<b><u>Lockers</u></b>		
Hovik Manufacturing Limited	\$3,740	
<b><u>Mechanical</u></b>		
Westbay Mechanicals Limited	\$855,444	\$175,325
<b><u>Electrical</u></b>		
Henneberry Electric Limited	\$472,442	\$126,592
<b>TOTAL</b>	<b><u>\$3,310,089</u></b>	<b><u>\$578,848</u></b>
		<b>CARRIED</b>

No. 154  
ADM90  
 Cancellation of  
 Meetings

**REGULAR JUNE 5, 2006 COUNCIL/COMMITTEE OF THE WHOLE MEETINGS.**

Memorandum from the Manager of Legislative Services dated April 24, 2006 requesting Council cancel the June 5, 2006 Council/Committee of the Whole Meetings due to the Federation of Canadian Municipalities Convention in Montreal, Quebec on June 2 – 5, 2006, and consider appointing Councillor Hunter as Acting Mayor during that period.

**MOVED by Councillor Brice and Seconded by Councillor Ngai: “That:**

- 1. The Regular June 5, 2006 Council and Committee of the Whole Meetings be cancelled; and**
- 2. Councillor Hunter be appointed as Acting Mayor from June 2 – 5, 2006.”**

**CARRIED**

**RECOMMENDATIONS**

*From the Special Committee of the Whole – Financial Plan Meeting held April 26, 2006.*

No. 155  
RSF20  
 Cedar Hill Rec  
 Centre

**CEDAR HILL RECREATION CENTRE - RENOVATION AND EXPANSION**

**MOVED by Councillor Ngai and Seconded by Councillor Hunter: “That Council approve Phase 1 of the Cedar Hill Recreation renovation and expansion project.”**

**CARRIED**

No. 156  
FIN105  
 Social Service  
 Grants

**2006 SOCIAL SERVICE GRANTS**

**MOVED by Councillor Ngai and Seconded by Councillor Hunter: “That the Community Social Planning Council of Greater Victoria grant be approved in the amount of \$18,807.”**

**CARRIED**

**MOVED by Councillor Ngai and Seconded by Councillor Hunter: “That the Greater Victoria Volunteer Society grant be approved in the amount of \$10,485.”**

**CARRIED**

**MOVED by Councillor Ngai and Seconded by Councillor Hunter: “That the NEED Crisis and Information Line grant be approved in the amount of \$20,010.”**

**CARRIED**

**MOVED by Councillor Ngai and Seconded by Councillor Hunter: "That the St. John's Ambulance grant be approved in the amount of \$2,672."**

**CARRIED**

No. 157  
PKA35  
Swan Lake  
Christmas Hill  
Contract

**SWAN LAKE CHRISTMAS HILL NATURE SANCTUARY**

**MOVED by Councillor Ngai and Seconded by Councillor Hunter: "That the Swan Lake Christmas Hill Nature Sanctuary Contract be approved in the amount of \$244,719."**

**CARRIED**

No. 158  
FIN105  
Lakehill Lawn  
Bowling  
Clubhouse

**LAKEHILL LAWN BOWLING CLUBHOUSE**

**MOVED by Councillor Ngai and Seconded by Councillor Hunter: "That the Lakehill Lawn Bowling Clubhouse grant application be endorsed."**

**CARRIED**

No. 159  
FIN105  
Community  
Association  
Operating Grants

**2006 COMMUNITY ASSOCIATION OPERATING GRANTS**

**MOVED by Councillor Ngai and Seconded by Councillor Hunter: "That Council approve the following Community Association Operating Grants:**

- |                                                  |                   |
|--------------------------------------------------|-------------------|
| 1. Cadboro Bay Residents Association             | \$1,000.00        |
| 2. Camosun Community Association                 | \$1,000.00        |
| 3. Cordova Bay Association                       | \$1,000.00        |
| 4. Falaise Community Association                 | \$1,000.00        |
| 5. Friends of Mt. Doug                           | \$1,000.00        |
| 6. Friends of Knockan Hill Park Society          | \$300.00          |
| 7. Gordon Head Residence Association             | \$1,500.00        |
| 8. Gorge Tillicum Community Association          | \$1,500.00        |
| 9. Mt. Tolmie Community Association              | \$1,000.00        |
| 10. North Quadra Land Use Protection Association | \$1,000.00        |
| 11. P.I.S.C.E.S.                                 | \$650.00          |
| 12. Prospect Lake & District Comm. Association   | \$1,000.00        |
| 13. Quadra Cedar Hill Community Association      | \$1,500.00        |
| 14. Rithet's Bog Conservation Society            | \$1,000.00        |
| 15. Royal Oak Community Association              | \$1,000.00        |
| 16. Strawberry Vale Residents' Association       | <u>\$1,500.00</u> |

**TOTAL \$16,950.00"**

**CARRIED**

No. 160  
FIN105  
 Community Grants

**2006 COMMUNITY GRANTS**

**MOVED by Councillor Ngai and Seconded by Councillor Hunter: “That Council approve the following Community Grants:**

1. City of Victoria – Save on Foods Arena	\$122,000.00
2. Victoria Hospice & Palliative Care Foundation	\$4,000.00
3. Vancouver Island Advance Technology Centre	\$5,000.00
4. Tourism Victoria	\$36,000.00
5. Saanich Volunteer Services Society	\$34,650.00
6. Saanich Heritage Foundation	\$20,000.00
7. Saanich Community Legacy Foundation	\$5,000.00
8. North and South Agricultural Society	\$500.00
9. Maritime Museum of BC Society	\$18,100.00
10. Inter-Cultural Association of Greater Victoria	\$5,100.00
11. Horticulture Centre of the Pacific	\$120,000.00
12. Haliburton Organic Farm	\$3,400.00
13. Greater Victoria Film Commission	\$35,700.00
14. Goward House Society	\$5,500.00
15. Gorge Tillicum Community Association	\$4,500.00
16. City of Victoria (Canada Day)	\$1,000.00
17. Capital Bike and Walk	2,100.00
18. Cadboro Bay Business Improvement Association	\$500.00
19. Bike to Work Week	\$3,000.00
20. Silver Threads	<u>\$37,740.00</u>
<b>TOTAL</b>	<b><u>\$463,790.00</u></b>

**CAPITAL REGIONAL DISTRICT ACTIVITIES**

No. 161  
ADM115  
 CRD Activities

Council members provided updates on a variety of Capital Regional District initiatives.

No. 162  
FIN105  
 Community Grants

**2006 COMMUNITY GRANTS**

**MOVED by Councillor Brownoff and Seconded by Councillor Gillespie: “That Council rescind its motion to approve the 2006 Community Grants.”**

**CARRIED**

**MOVED by Councillor Brownoff and Seconded by Councillor Gillespie: “That Council approve the following 2006 Community Grants:**

1. City of Victoria – Save on Foods Arena	\$122,000.00
2. Victoria Hospice & Palliative Care Foundation	\$4,000.00
3. Vancouver Island Advance Technology Centre	\$5,000.00
4. Tourism Victoria	\$36,000.00
5. Saanich Volunteer Services Society	\$34,650.00
6. Saanich Heritage Foundation	\$20,000.00
7. Saanich Community Legacy Foundation	\$5,000.00
8. North and South Agricultural Society	\$500.00
9. Maritime Museum of BC Society	\$18,100.00

<b>10. Inter-Cultural Association of Greater Victoria</b>	<b>\$5,100.00</b>
<b>11. Horticulture Centre of the Pacific</b>	<b>\$120,000.00</b>
<b>12. Haliburton Organic Farm</b>	<b>\$3,400.00</b>
<b>13. Greater Victoria Film Commission</b>	<b>\$35,700.00</b>
<b>14. Goward House Society</b>	<b>\$5,500.00</b>
<b>15. Gorge Tillicum Community Association</b>	<b>\$4,500.00</b>
<b>16. City of Victoria (Canada Day)</b>	<b>\$1,000.00</b>
<b>17. Capital Bike and Walk</b>	<b>2,100.00</b>
<b>18. Cadboro Bay Business Improvement Association</b>	<b>\$500.00</b>
<b>19. Bike to Work Week</b>	<b><u>\$3,000.00</u></b>
<b>TOTAL</b>	<b><u>\$426,050.00</u></b>

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Councillor Brice declared, pursuant to Section 84 of the Council Procedure Bylaw, that she is not entitled to participate in the discussion of the Community grant application for the Silver Threads Service as she is employed by the organization. Councillor Brice then left the meeting at 8:05 p.m.

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**MOVED by Councillor Brownoff and Seconded by Councillor Gillespie: "That Council approve the 2006 Community Grant for Silver Threads in the amount of \$37,740.00."**

**CARRIED**

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Councillor Brice returned to the meeting at 8:06 p.m.

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Adjournment

On a Motion from Councillor Gillespie, the meeting adjourned at 8:07 p.m.

The meeting reconvened at 8:44 p.m.

*From the Committee of the Whole Meeting held April 24, 2006.*

No. 163  
Tillicum Road  
Development  
Permit  
Amendment

**3100 TILlicum ROAD (G.R. PEARKEs COMMUNITY RECREATION CENTRE) – DEVELOPMENT PERMIT AMENDMENT – DISTRICT OF SAANICH.**

**MOVED by Councillor Brownoff and Seconded by Councillor Wergeland: "That Council approve and issue Amended Development Permit P/63/87 on Lot A, Section 13, 15, and 18A, Victoria District, Plan 19570 except that part in Plan 32836 (3100 Tillicum Road)."**

**CARRIED**

No. 164  
Salsbury Way  
Development  
Variance Permit  
and Highway  
Exemption

**3511 AND 3529 SALSBURY WAY – DEVELOPMENT VARIANCE PERMIT AND 10% MINIMUM HIGHWAY FRONTAGE EXEMPTION – DAVID CARL.**

**MOVED by Councillor Gillespie and Seconded by Councillor Derman: “That Council approve an exemption from the 10% road frontage requirement of the *Local Government Act* and approve and issue Development Variance Permit DVP2005-00030 on Lot 20, Block 2, Section 62, Victoria District, Plan 689B (3511 Salsbury Way).”**

**CARRIED**

In Camera Motion

**MOVED by Councillor Brownoff and Seconded by Councillor Wergeland: “That the following Council meeting be closed to the public as the subject matter being considered relates to the proposed acquisition and disposition of land and/or improvements and to personal information about identifiable individuals.”**

**CARRIED**

Adjournment

On a motion from Councillor Ngai, the meeting adjourned at 8:45 p.m.

.....  
MAYOR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK

MINUTES OF THE COMMITTEE OF THE WHOLE MEETING  
HELD IN THE COUNCIL CHAMBERS  
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE  
**MONDAY, MAY 1, 2006 AT 8:08 P.M.**

Present: **Chair:** Councillor Sanders  
**Council:** Mayor Leonard and Councillors Brice, Brownoff, Derman, Gillespie, Hunter, Ngai, and Wergeland  
**Staff:** Tim Wood, Administrator; Russ Fuoco, Director of Planning; Colin Doyle, Director of Engineering; Margaret Trotter, Deputy Municipal Clerk; and Shirley Leggett, Senior Committee Clerk.

Tillicum Road  
Development Permit  
Amendment

**3100 TILLICUM ROAD (G.R. PEARKE COMMUNITY RECREATION CENTRE) – DEVELOPMENT PERMIT AMENDMENT – DISTRICT OF SAANICH.**

Report of the Director of Planning dated December 14, 2005 recommending Development Permit Amendment DPA2005-00015 be approved.

Mr. K. Whitcroft, 1044 Inverness Road, stated:

- The proposed library addition is an excellent amenity for our growing community.
- He would like to know what measures are being taken for the treatment of stormwater in the parking lot.

**MOTION:**

**MOVED by Councillor Gillespie and Seconded by Mayor Leonard: “That it be recommended that Council approve and issue Amended Development Permit P/63/87 on Lot A, Section 13, 15, and 18A, Victoria District, Plan 19570 except that part in Plan 32836 (3100 Tillicum Road).”**

In response to questions, the Director of Engineering stated:

- There is an existing detention pond that captures stormwater from the parking area; there is also a large grease/oil interceptor in the new parking area.
- There should be no degradation of water quality coming off the site.

Councillor Ngai stated:

- She is concerned that if the parking variance is approved for the proposed library it could set a precedent the next time the owners of the Tillicum Shopping Centre want to expand their development.

**The Motion was then PUT and CARRIED**

Salsbury Way  
Development  
Variance Permit and  
Highway Frontage  
Exemption

**3511 AND 3529 SALSBUARY WAY – DEVELOPMENT VARIANCE PERMIT AND 10% MINIMUM HIGHWAY FRONTAGE EXEMPTION – DAVID CARL.**

Report of the Director of Planning dated April 12, 2006 further to a proposed 3 lot subdivision and the need for an exemption from the 10 percent road frontage requirement in the *Local Government Act* on proposed Lot C and recommending that, if Council approves the exemption, Development Variance Permit DVP2005-00030 to vary Lot B as outlined be approved.

Mr. D. Carl, applicant, 3529 Salsbury Way, stated:

- He has lived in his present location for the past 30 years; when the adjacent property became available he acquired it so he could subdivide the two properties and create one additional panhandle lot which will be in keeping with the rest of the neighbourhood.

In response to questions from Council, Mr. Carl stated:

- He plans to retain and protect by covenant as many trees as possible but still leave a viable building footprint on the proposed panhandle lot.
- It will be a challenge to provide some kind of screening between proposed Lot C and the closest neighbouring dwelling on Maplewood Road because of the topography but there should be approximately 40 metres of separation.
- He would prefer to build a one and one-half storey or two storey dwelling on proposed Lot C which would impact fewer trees; he hopes he can come up with a design plan that the neighbours will be happy with.
- He will covenant the rock outcropping and associated vegetation on it.

Mr. K. Whitcroft, president, Quadra Cedar Hill Community Association, stated:

- The applicant held an on-site neighbourhood meeting and outlined his proposal; some concerns were expressed regarding the proposed building site location and impacts to neighbours' privacy.
- Perhaps the form and character of the proposed new dwelling could be addressed by the Approving Officer; this would help address the neighbours' concerns.
- The Association supports a shared driveway access and hopes the Approving Officer will also take it into consideration.

**MOTION:**

**MOVED by Councillor Derman and Seconded by Councillor Brice:**  
**“That:**

- 1. It be recommended that Council approve an exemption from the 10% road frontage requirement of the *Local Government Act* and approve and issue Development Variance Permit DVP2005-00030 on Lot 20, Block 2, Section 62, Victoria District, Plan 689B (3511 Salsbury Way); and**
- 2. It be recommended to the Approving Officer that consideration be given to requiring the applicant to provide covenants as outlined in the April 12, 2006 report of the Director of Planning as well as covenants to address form and character.”**

In response to comments from Council, the Director of Planning stated:

- The issue of the shared driveway access is already addressed in his report and the Approving Officer will be taking it into consideration.
- The issue of form and character of the proposed new house could also be considered by the Approving Officer.

Councillor Brownoff stated:

- There are some concerns with neighbours' privacy so she is supportive of the Approving Officer considering the issue of form and character of the proposed new house.

Councillor Brice stated:

- It could be potentially advantageous to the abutting neighbours for the Approving Officer to consider the issue of form and character of the proposed new house.

Mayor Leonard stated:

- He is comfortable with the Approving Officer being asked to give some consideration to form and character at the time of subdivision.
- With the size of the property the applicant could have removed the existing dwellings and subdivided the property into eight or nine lots and Council would not have had any input; the applicant is being very sensitive to both the neighbours and the environment with the proposed development.
- The entire issue of form and character needs to be addressed by Council because at some point in time it may be necessary to have sunset clauses; imposing covenants on form and character means the style and design of a home is frozen in time and at some point owners may want to renovate or change the look of their homes.

**The Motion was then PUT and CARRIED**

Cordova Bay Road  
Rezoning

**4757 CORDOVA BAY ROAD – REZONING APPLICATION – MURRAY AND KAREN JACKSON.**

Report of the Director of Planning dated April 21, 2006 recommending approval of the rezoning from RS-18 to RS-12.

Mr. M. Jackson, applicant, 4757 Cordova Bay Road, stated:

- The proposal is to subdivide and create one additional lot.
- He met with the Cordova Bay Association to present his proposal and there were no objections to the proposal.
- He is proposing to widen the existing driveway access from Cordova Bay Road to six metres in order to create a common access for the two parcels.
- Once the proposed development is completed the appearance of the road frontage should be improved.

In response to a question from Council, the Director of Engineering stated:

- There will be some minor road improvements; the ditch fronting the property will be enclosed.

**MOTION:**

**MOVED by Councillor Wergeland and Seconded by Councillor Gillespie: “That a Public Hearing be called.”**

**CARRIED**

Primrose Road  
Rezoning

**1075 PRIMROSE ROAD (A PORTION) – REZONING APPLICATION – J. TOWN DEVELOPMENT LTD.**

Report of the Director of Planning dated April 21, 2006 recommending approval of the rezoning from RS-6 to RD-1 and Development Permit DPR2006-00001.

Mr. B. Town, applicant, J. Town Development Ltd., on behalf of the owner stated:

- The proposal is to subdivide and construct a duplex.
- An Open House was held on site and the proposal was presented; letters were also sent out to the neighbours.
- After the arborist identified some critical root zones, a minor revision was made to the siting of the proposed duplex but the neighbours were kept informed.
- There will be a single driveway access from Primrose Road.
- The duplex will be designed so that there will be no basement areas; the main living space will be on the ground floor and the bedrooms will be on the upper floor.

In response to questions from Council, Mr. Town stated:

- With regard to impacting the privacy of the neighbouring house located to the south, there is an existing fence that is in good condition; there is also a 14 foot side yard clearance and the proposed duplex will be situated to minimize any impacts.

**MOTION:**

**MOVED by Councillor Derman and Seconded by Councillor Hunter: "That a Public Hearing be called."**

**CARRIED**

Adjournment

On a motion from Councillor Hunter, the meeting adjourned at 8:43 p.m.

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CHAIR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK