



Special Council Meeting

Tuesday, May 24, 2011

Time: 4:00 p.m.

Place: Anderson Room
Richmond City Hall

Present: Mayor Malcolm D. Brodie
Councillor Linda Barnes
Councillor Derek Dang
Councillor Evelina Halsey-Brandt
Councillor Greg Halsey-Brandt
Councillor Sue Halsey-Brandt
Councillor Ken Johnston
Councillor Bill McNulty
Councillor Harold Steves

Acting Corporate Officer - Gail Johnson

Call to Order: Mayor Brodie called the meeting to order at 4:00 p.m.

RES NO. ITEM

BUSINESS AND FINANCIAL SERVICES DEPARTMENT

In accordance with Section 100 of the *Community Charter*, Councillor Derek Dang declared himself to be in a potential conflict of interest as he is one of the owners of the building and left the meeting (4:01 p.m.).

1. **BUSINESS LICENCE SUSPENSION – HEAVENCAFE INTERNET CAFE LTD. DBA DNA INTERNET CAFE**
(File Ref. No.: 12-8275-20-2010536179) (REDMS No. 3195098, 3195217, 3179408, 3168871)

The Chief Licence Inspector and Risk Manager, Glenn McLaughlin was available to answer questions.



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RES NO. ITEM

Ying Dong Wang, Manager, joined by Pan Ling, Owner, HeavenCafe Internet Cafe Ltd., stated that he and Ms. Ling realized their errors and accepted there are consequences resulting from the infractions. However, he expressed his belief that the Cafe would not survive a ten day business licence suspension, and stated that the employees would suffer financial hardship.

Mayor Brodie expressed concern that according to the staff report, the person who had been running the Cafe had known what the closing time was as they had made the effort to make it appear as if the Cafe was closed while there were customers still inside.

Mr. Wang replied by stating that Ms. Ling was not familiar with the rules applicable to the business, and had made some bad decisions. He further noted that Ms. Ling's view was that her business success was based on her relationship with her customers, and she had felt that she could not deny or decline her customers. Mr. Wang concluded by stating that he and Ms. Ling realized that they had been wrong and requested Council to re-consider the ten day business licence suspension, and consider a different method for handling the infractions.

Mayor Brodie advised Mr. Wang and Ms. Ling that City Council's options were limited, and a business licence suspension or cancellation was the only action Council could take. Mayor Brodie also noted that Council would take into consideration that the Cafe had received three tickets for the same infraction, not just one.

In answer to questions, Mr. Wang advised that the new closing plan had been in effect since the Cafe had received its last ticket, and as a result the Cafe had lost some customers.

SP11/7-1

It was moved and seconded

That the Business Licence of the Heavencafe Internet Café Ltd. doing business as DNA Internet Cafe, operating from premises located at Unit #175 - 4351 No. 3 Road, Richmond BC, be suspended for a period of 10 consecutive days from May 27, 2011 to June 5, 2011 inclusive.

The question on Resolution No. SP11/7-1 was not called as a discussion ensued about reducing the business licence suspension period from ten days to seven days, taking into consideration that the Cafe had not been in violation for infractions such as smoking. It was also noted that the Cafe's Management were willing to make the effort to rectify the issues.



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As a result of the discussion, the following **amendment** was introduced:

SP11/7-2

It was moved and seconded

That the Business Licence of the Heavencafe Internet Café Ltd. doing business as DNA Internet Cafe, operating from premises located at Unit #175 - 4351 No. 3 Road, Richmond BC, be suspended for a period of 7 consecutive days rather than 10.

CARRIED

OPPOSED: Cllrs. Barnes
 Steves

The question on Resolution No. SP11/7-1 as amended by Resolution No. SP11/7-2, to read as:

That the Business Licence of the Heavencafe Internet Café Ltd. doing business as DNA Internet Cafe, operating from premises located at Unit #175 - 4351 No. 3 Road, Richmond BC, be suspended for a period of 7 consecutive days from May 27, 2011 to June 2, 2011 inclusive.

was then called, and it was **CARRIED**.

ADJOURNMENT

SP11/7-3

It was moved and seconded

That the meeting adjourn (4:13 p.m.).

CARRIED

Certified a true and correct copy of the Minutes of the Special Meeting of the Council of the City of Richmond held on Tuesday, May 24, 2011.

Mayor (Malcolm D. Brodie)

Acting Corporate Officer (Gail Johnson)