



Milo MacDonald, Chief Administrative Officer
Mayor & Council
City of Fort St. John
10631 – 100 St
Fort St. John, BC V1J 3Z5

July 13, 2021

Dear Mr. MacDonald, Mayor Ackerman & Council,

I am writing today to set right many of the untruths, misinformation and outright lies that were set out in your letter dated June 22, 2021 to the North Peace Cultural Society. I believe that you, Mr. MacDonald, have used your position with the City of Fort St. John and the trust that goes with it to try to turn public opinion against the Society. I will now set the record straight.

1. You stated that there was little visible content being created on our website and Facebook. It should be noted that under COVID restrictions that there weren't a lot of opportunities to create content. I will also say that as restrictions began to ease the Society replaced our old website with a new design which did not transfer older content to the new site. Some of the virtual items that were created during COVID restrictions and are still available on our YouTube channel include:
 - Art Stars – Videos of local dancers and musicians sharing their talents and insights. **49 videos**
 - Let's Art – Art instruction for children. **7 videos**
 - Storytime – Local adults share a favorite story. Aimed at preschool aged children. Mayor Lori Ackerman and the City of Fort St. John Fire Department participated in this project. **7 videos**
 - Tree of Lights – Partnership with United Way. Interviews with individuals and organizations on staying healthy during COVID isolation. **4 videos**
 - Art Gallery Tours – video tours of exhibits on display. **4 videos**

In addition to the above, Stage North performed 3 nights in the theatre in October 2020 prior to increased restrictions. In addition to the in-person audience, we were also able to stream a ticketed performance to remote viewers.

Between January and April, we offered the stage to a number of local arts organizations to film competition pieces for various festivals and competitions. These groups included Watt School of Irish Dance, Northern Dance Theatre Society, Studio 2 Stage, Alchemy Dance Collective, FSJ Dance Society, Peace Fusion Dance Company, and the Peace River North Festival Association. We also offered the theatre to individuals who wished to record performances for their entry into the Provincial Festival of the Arts. And to support these groups further we offered the theatre at a significant discount to assist them in their endeavors.

In June of this year, we were able to stream a ticketed virtual performance of the Watt School of Irish Dance year end recital.

We also streamed a performance for the FSJ Senior Care Society from our theatre featuring Monica Pimm. We also provided rehearsal time for Mrs. Pimm prior to concert. We offered both the theatre, steaming service, and rehearsal time at no cost to the Senior Care Society as we felt it was important to the community.



2. You further stated that we were not engaging with staff as required by contract. Our staff have engaged with your staff to attempt to create engaging programming for the community. Over the past 5 years we have worked successfully with City staff to create events like the Gingerbread House competition, Bright Nights in June, a warming station with hot chocolate and cookies for the community watching the Christmas Parade. Of course, this past year was quite different with many events being cancelled or changed to virtual. City staff contacted us and asked us if we would take over the Gingerbread House competition but we declined as we understood that it was a priority to continue to develop partnerships with your organization. We also began talks to be a partner with the City in a new program called "Adopt a Tree" but that was cancelled by City staff in November. In March this year, the Society met with City staff to discuss our annual Bright Nights/Big Print Day celebration of the Arts. Following that initial conversation City staff withdrew from the conversation which was disappointing but now we see why.

3. Your third point was "Most of your facility rentals were rentals to groups that had nothing to do with arts and culture." Good stewardship of taxpayer funding would require us to utilize the rooms as fully as possible, just as the Pomeroy Sports Centre does. Based on the Key Performance Indicator that is provided to City staff quarterly and passed on to Mr MacDonald for his reports to Council, the NPCS has a fair bit of capacity to fill before he can honestly say that Commercial rentals are displacing Non-Profit Arts Group rentals.

Based on the rates published in the City's Community Fees & Service Charges Bylaw 2460, 2019 the NPCS is less expensive to rent a meeting room from than the Pomeroy Sports Centre, Kids Arena Fieldhouse, or the North Peace Leisure Pool. Adult non-profit for 4 hours in a City Facility is \$136 and under NPCS rates \$124. It is less expensive for a private citizen to rent a meeting room from NPCS than it is to rent in a City facility. It is also less expensive for a commercial entity to rent from the North Peace Cultural Society than from the City. And based on the financial statements that are provided to City, you can see that we are able to do that and be financially viable which shows how the Society is a valuable social asset as defined in Council Policy 142/19.

4. You state that Occupational Health and Safety had not been prioritized but give no examples of how this is so. Let me give you an example of how we feel that the City doesn't prioritize OHS. In 2019 there was an issue with the Centre's loading dock not retracting properly, creating a potential fall hazard. This was reported to a City Facilities employee who examined it and reported that he would get back to us with options for repair. This employee then transferred to another department. We reported it to his replacement, no action; to the Director of Facilities, nothing. Then to a Facilities Manager, still nothing. Finally, we brought it up at a quarterly Management meeting as part of the capital improvement discussions this year. We indicated that it possibly could be repaired but after two years of asking for repair with no results, we felt that perhaps we would get better results from the City by asking for replacement. The loading dock was finally repaired in May 2021. In the time waiting for the City to repair the dock staff were instructed to avoid the area if possible and to use extra care and attention if they needed to use the dock. The Society prioritizes the health and safety of its employees and patrons above all things and feels that you have miscategorized us in this fashion.

5. You give as a reason for Council's decision that the Society was alienating and developing poor relationships with essential community stakeholders such as various arts and cultural organizations and the Library. You only give examples from the Library so I will answer those here:



- Library AED –March 6, 2019 We discussed at our quarterly meeting with the City the Library’s request for an AED and NPCS offered to share the cost of an AED with the Library if it would be placed in the public area of the main lobby so that it was accessible to Library, public and Theatre users. The Library never responded to our shared cost offer.
- Safety Doors – Doors were removed by a City Contractor in January 2019. The Society was not consulted about the scope of the work. When we realized that they were removing the doors we requested that they move the doors 10 feet forward instead. The Contractor indicated that it wasn’t part of the contract. We Informed the City that doors should have been relocated and not removed. Reinstallation of doors in the new location began Nov 18, 2020. Door reinstallation left a gap in flooring at the old location so the Society got a repair quote from a local company and forwarded it to the City for approval. Final repair invoice Dec 23, 2020.
- Leaking toilet –Water on Library Director’s office was discovered on Dec 29th, 2019. It was originally thought that the water was from Maintenance staff washing the hallway floor but couldn’t clean the water on the floor because they did not have keys to access that office. When the water returned on Dec 31st we investigated further and realized that the toilet tank of the staff washroom was leaking and flowing under the shared wall to the Library Director’s office (possibly because the office had previously been the public washroom for the Library). We turned off the water to the toilet and cleaned the standing water. City staff were notified about the plumbing issue but they were off until Jan 6th. The toilet was repaired on January 7th.

The Society had previously requested clarification on which maintenance items were the responsibility of the Society and which were the City’s responsibility since the Cultural Services Agreement indicated that most maintenance issues were going to fall to the City. The only exclusion that we had specifically been given was that replacement of electrical ballasts were the Society’s responsibility. When we made requests and they were reported as being our responsibility the Society would take them on.

Regarding our relationship with other arts organizations which we have supposedly alienated, local non-profit groups have continued to hold their events in the Cultural Centre year after year with very few complaints. For performing arts businesses and groups, a high-quality theatre with experienced tech support is extremely important to their continued existence. As recently as June 14, a theatre booking meeting was held with representatives from theatre, choirs, bands, dance studios, School District 60 working together to schedule events for the 2022/2023 season, everyone very happy at the prospect of bringing live performances back to the stage. Some of these groups have been booking their performances in the theatre every year on the same dates for more than twenty years and continue to enjoy a positive and collaborative relationship with the Cultural Centre.

6. You stated that the Society did not provide you with information for you to review in a timely fashion. You indicate that it shouldn’t take long to provide a list of user groups to you but we would counter that many of those user groups use personal email addresses or phone numbers and so we wished to ask our users for permission to provide their personal information. In some cases, groups asked that another person be the City’s contact person. Also, as many of the user groups are volunteer organizations, they may not answer on the same day that we reach out to them.

I would also like to point out at this time that you requested that information on May 5th and your report to Council would have had to be submitted to Council about May 18th. Would you have had time to contact all those groups between May 12th and May 18th and place your findings in your report? I think not.



Most arts and culture groups are volunteer based. People have jobs during the day and can only do their volunteer work in the evenings. It behooves you to know this and work this into your planning and scheduling if you are going to continue to work with volunteer organizations.

7. You state that many of the over 100,000 people who visit the Centre are only there for the Library. This sounds like a solid argument except for one thing. The Library doesn't offer public washrooms. The Library doesn't take care of ensuring that the parking lot is plowed and snow removed. The Library's rent covers just the heat, electricity, water, garbage removal, snow clearing and removal and janitorial. We provide all of those services for the Library and ask them to pay for it at cost. Please do some research on downtown properties and see where anyone could get all of those services included at \$9/sq foot. Also, when the Library offers programs that won't fit in their current space, we offer additional space at rates that are even lower than our standard non-profit rate. These are negotiated and placed into their lease agreement which is agreed upon by the Board of the FSJ Public Library Association. The Library has paid rent for 29 years for its space in the Centre and it paid rent for its previous locations as well. The Society during negotiations offered to the City an option where the City would take on the cost of the utilities thereby removing the need to charge rent to the Library. This was rebuffed by you with no explanation as to why that wasn't a suitable option.

Stating that rent that has always been charged to the Library (29 years) is what is threatening the Library is an inflammatory statement and completely incorrect. A careful examination of their finances will be required to truly root out the problems, but do not attempt to place blame on us for the Library's current financial difficulties. If anything, the City did that when they turned down the Library's request to be a municipal library.

8. The city receives quarterly reports about our programming and never raised any concerns about the level of programming at those meetings. Possibly because we reported on all the programming that was happening (see point 1). We offered a free art program for children when it was permitted to do so and with restrictions easing now we are offering more art workshops. Also comparing the Society with the KPAC is a red herring; The KPAC is different than the Society, offering different engagements than the Society offers. You would be better off comparing us to a Centre that offers meeting room rentals, theatre shows, art gallery offerings, childcare options, free art classes, paid art workshops, gift shop options for local artisans, a weekly Pokémon club, and a community box office service. Do you know of a facility that does all of that?
9. You state that this is not the first time that the Centre has come under scrutiny. That's fair. We did. It was prior to the first CSA agreement. At that time the Society asked if the City wanted to take over. The response from the General Manager of Community Services at the time was a resounding "No". He believed that we were in the best position to correct the issues and that the City was not at all prepared to operate the Centre in any way, shape, or fashion.

Following the negotiation process which took several months he also related this to the Board by email, "I have said from the beginning that the best course of action is to work with the current operator of the facility (NPCS Board and management) to help "right the ship". This course of action would cause the least amount of impact on the community, and in my opinion be the best course of action for both parties. You folks have worked very hard to "right the ship" and that work has been noticed by Council,



city staff and the Community, so thank you!"

10. Oddly, you state that the above reasons are why the Council decided to not renew the agreement but then you bring up another point in regards to gratuities. First off, let me say that in your letter dated June 11 informing us that the City would not be renewing the agreement, you say that you will follow the terms of the agreement. The terms of the agreement have methods for you to follow if there are concerns about our financial practices, terms of default, etc. You did not follow the terms of the agreement as you stated on June 11th that you would continue to follow.

Our employee's Union, the BCGEU contacted us with a café employee's concern that they had not received gratuities on their paycheque and asked us to look into it. We investigated and determined that it was true. We tracked gratuities back to when the error occurred, created a new policy on how gratuities would be split between catering, bar, and maintenance staff, paid out a basic lump sum to tide staff over while we determined which staff worked on the shifts that the gratuities were collected, and paid out remaining amounts. While there was a delay to the staff receiving their amounts, all staff have received the amounts that is their due. The BCGEU was informed on our procedure and copies of the invoices that affected the employees. The Union was satisfied with our response and a formal grievance was never filed.

So, to the Society it seems that you raised this issue specifically to hurt a volunteer organization's reputation in the public eye. Those organizations that know and work with the Society have seen through this feeble attempt to smear the Society's good name.

With the City's announcement, you have undone the last 5 years of work, building a stronger relationship between both of our organizations, with the community at large, and specifically the arts community within Fort St. John. The Society believes that we are a better option to operate the Centre than the City due to our extensive history with the community and the arts groups but if the City continues to believe that they wish to operate the Centre then they should follow the agreement and work with the Centre for a year to allow us to transition the City into the Centre and into the lives of the community.

Sincerely,

Oliver Hachmeister
Operations Manager
North Peace Cultural Society