

THE CORPORATION OF THE CITY OF ROSSLAND

REGULAR MEETING OF COUNCIL
MONDAY, FEBRUARY 14, 2011

PRESENT: MAYOR GREG GRANSTROM
COUNCILLOR LAURIE CHARLTON
COUNCILLOR KATHY WALLACE
COUNCILLOR HANNE SMITH
COUNCILLOR KATHY MOORE
COUNCILLOR JILL SPEARN
COUNCILLOR ANDY STRADLING

STAFF PRESENT: CHIEF ADMINISTRATIVE OFFICER V. Kumar
CORPORATE OFFICER T. Butler
CHIEF FINANCE OFFICER D. Timm
MANAGER OF PLANNING & DEV. SERVICES M. Maturo

GALLERY

CALL TO ORDER:

The Mayor called the Meeting to order at 7:00 p.m.

PUBLIC INPUT PERIOD:

Ms. Katherine Mahoney, representing the Rossland Figure Skating Club, requested a letter of support from Council to include in their BC Gaming Grant Application.

Ms. Laura Pettitt, representing the Rossland Tennis Club, updated Council on the Club's membership numbers for 2010 and drop-in usage. Ms. Pettitt commented on the positive growth of the Club.

ADOPTION OF AGENDA:

MOTION: WALLACE / SPEARN

RESOLVED THAT THE FEBRUARY 14, 2011 REGULAR MEETING AGENDA BE ADOPTED.

CARRIED.

MINUTES:

MOTION: CHARLTON / SPEARN

RESOLVED THAT THE MINUTES OF THE REGULAR MEETING OF COUNCIL HELD ON MONDAY, JANUARY 24, 2011, BE ADOPTED.

CARRIED.

MOTION: CHARLTON / SPEARN

RESOLVED THAT THE MINUTES OF THE COMMITTEE-OF-THE-WHOLE MEETING HELD JANUARY 31, 2011, AND ALL RECOMMENDATIONS CONTAINED THEREIN, BE ADOPTED.

CARRIED.

MOTION: MOORE / CHARLTON

RESOLVED THAT THE MINUTES OF THE COMMITTEE-OF-THE-WHOLE MEETING HELD FEBRUARY 7, 2011, BE AMENDED BY CHANGING THE MOTION REGARDING BEAR AWARE TO READ:

“RESOLVED THAT THE COMMITTEE-OF-THE-WHOLE RECOMMEND TO COUNCIL THAT BEAR AWARE CONTRACT, INCLUDING \$2,500 PER YEAR FUNDING, BE RENEWED FOR 2011-2013”.

CARRIED.

MOTION: MOORE / CHARLTON

RESOLVED THAT THE MINUTES OF THE COMMITTEE-OF-THE-WHOLE MEETING HELD FEBRUARY 7, 2011, AND ALL RECOMMENDATIONS CONTAINED THEREIN, BE ADOPTED AS AMENDED.

CARRIED.

DELEGATIONS:

NIL

UNFINISHED BUSINESS:

- a) **City Manager / Staff Request for Decision – AKBLG Resolution regulating speed on Provincial Highways through Municipal Boundaries.**

MOTION: MOORE / WALLACE

RESOLVED THAT COUNCIL MEET WITH THE STAFF FROM THE MOTI REGIONAL OFFICE TO DISCUSS AND FIND AN AMICABLE SOLUTION TO THE REGULATION OF SPEED ON ARTERIAL HIGHWAYS THROUGH THE CITY OF ROSSLAND.

CARRIED.

MOTION: CHARLTON / MOORE

RESOLVED THAT COUNCIL SEND THE FOLLOWING RESOLUTION TO THE AKBLG:

“**WHEREAS** THE MINISTER OF TRANSPORTATION AND INFRASTRUCTURE HAS THE LEGISLATIVE AUTHORITY TO MAKE AND ISSUE REGULATIONS UNDER THE TRANSPORTATION ACT; AND

WHEREAS THE MINISTER MAY MAKE REGULATIONS RESPECTING THE USE OF PROVINCIAL PUBLIC HIGHWAYS BY PERSONS OR VEHICLES;

THEREFORE AKBLG THROUGH UBCM REQUESTS THAT THE MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE TO REDUCE THE MAXIMUM SPEED ON ARTERIAL HIGHWAYS PASSING THROUGH CONGESTED CORRIDORS IN MUNICIPALITIES IN BRITISH COLUMBIA.”

DEFEATED.

MOTION: SPEARN / SMITH

RESOLVED THAT COUNCIL SEND THE FOLLOWING RESOLUTION TO THE AKBLG:

“**WHEREAS** THE MINISTER OF TRANSPORTATION AND INFRASTRUCTURE HAS THE LEGISLATIVE AUTHORITY TO MAKE AND ISSUE REGULATIONS UNDER THE TRANSPORTATION ACT; AND

WHEREAS THE MINISTER MAY MAKE REGULATIONS RESPECTING THE USE OF PROVINCIAL PUBLIC HIGHWAYS BY PERSONS OR VEHICLES;

THEREFORE AKBLG THROUGH UBCM REQUESTS THAT A MUNICIPAL COUNCIL MAY, BY A BYLAW WITH THE APPROVAL OF THE MINISTER, BE GRANTED THE LEGISLATIVE AUTHORITY TO REGULATE THE INSTALLATION OF SIGNS, REGULATION OF SPEED AND PEDESTRIAN CROSSINGS ON ARTERIAL HIGHWAYS WITHIN THE MUNICIPAL BOUNDARIES.”

CARRIED.

- b) **Corporate Officer Request for Decision – Determination and Certification of the Sufficiency of the Petition in Accordance with Section 86 of the *Community Charter* and adoption of Bylaw 2493.**

MOTION: WALLACE / SMITH

RESOLVED THAT COUNCIL RECEIVE THE CORPORATE OFFICERS CERTIFICATION OF THE SUFFICIENCY OF THE PETITION IN ACCORDANCE WITH SECTION 86 OF THE *COMMUNITY CHARTER*,

AND FURTHER;

RESOLVED THAT BYLAW 2493 - COLUMBIA AVENUE AND WASHINGTON STREET UPGRADE LOAN AUTHORIZATION BYLAW 2010, BE ADOPTED.

CARRIED.

Councillor Charlton and Stradling voting against the resolution.

RECOMMENDATIONS FROM STAFF FOR DECISION:

- a) **City Manager / Staff Request for Decision – Commitment of funds for Engineering and Detail Design for the Columbia and Washington Street Project.**

MOTION: SPEARN / WALLACE

RESOLVED THAT COUNCIL AUTHORIZE THE CITY MANAGER TO APPROVE UP TO \$250,000 TOWARDS THE FIRST PHASE OF THE ENGINEERING AND DESIGN FOR THE COLUMBIA AND WASHINGTON STREET CORRIDOR PROJECT.

CARRIED.

Councillor Charlton and Stradling voting against the resolution.

- b) **Recreation Programmer Request for Decision – Gnarlie’s Angels Roller Derby Arena use approval of monthly rental rate.**

MOTION: MOORE / CHARLTON

RESOLVED THAT COUNCIL APPROVE THE PROPOSED FEE OF \$300.00 PLUS HST PER MONTH FROM THE GNARLIE'S ANGELS ROLLER DERBY TEAM FOR THE USE OF THE ROSSLAND ARENA, FOR THE MONTHS OF MARCH TO SEPTEMBER.

CARRIED.

MOTION: MOORE / SMITH

RESOLVED THAT STAFF ENTER INTO NEGOTIATIONS FOR REVENUE SHARING FOR EVENTS BEING HOSTED BY THE GNARLIES’S ANGELS ROLLER DERBY TEAM IN THE ROSSLAND ARENA.

DEFEATED.

c) Corporate Officer / Chief Finance Officer Request for Decision – Rescinding of Policy 124, 731 and 888.

MOTION: MOORE / SPEARN

RESOLVED THAT COUNCIL APPROVE THE RESCINDING OF THE FOLLOWING POLICIES 0124-STUDENT SAFETY BOOT POLICY, 0731- ARENA ICE SURFACE MAINTENANCE & INSPECTION POLICY AND 0888-AUDIT COMMITTEE POLICY.

CARRIED.

Councillor Charlton voted against the resolution.

d) Manager of Planning and Development Services Request for Decision – Zoning Amendment for O’Flanagan and Pinnacle Enterprises Properties.

MOTION: MOORE / WALLACE

RESOLVED THAT THAT THE CITY ADVANCE THE RE-ZONING APPLICATION BY ADDING TWO NEW SUB-SECTIONS – 27.11 RESORT RURAL RESIDENTIAL SOUTH & 27.12 RESORT RURAL RESIDENTIAL NORTH, TO THE CD-3 ZONE OF ROSSLAND ZONING BYLAW 1912 (1999), FOR THE PROPERTIES LEGALLY DESCRIBED AS PARCEL A (SEE 21298I), SL 21, TOWNSHIP 28, KOOTENAY DISTRICT PLAN X60, PID 012-250-040; PARCEL A (SEE 21298I), SL 21, TOWNSHIP 28, KOOTENAY DISTRICT PLAN X60, PID 012-250-031; PARCEL A (SEE 21298I), SL 18, TOWNSHIP 28, KOOTENAY DISTRICT PLAN X60 EXCEPT PART INCLUDED IN PLANS 6323 AND R299, PID 012-250-074; AND LOT 1, PLAN NEP63705, TOWNSHIP 28, JURISDICTION 229, PID 024-382-094, RESPECTIVELY, BY GIVING FIRST AND SECOND READING TO BYLAW NO. 2497,

AND FURTHER;

RESOLVED THAT THE CITY SCHEDULES A PUBLIC HEARING FOR FEBRUARY 28, 2011.

CARRIED.

e) City Manager / Staff Request for Decision – Appointment of Ophir Reservoir Parcel Tax Review Panel for 2011.

During discussion of the following agenda item Mayor Granstrom called a recess at 8:44 PM and reconvened the meeting at 8:47 PM.

MOTION: STRADLING / CHARLTON

RESOLVED THAT THE APPOINTMENT OF THE OHPIR RESERVOIR PARCEL TAX REVIEW PANEL FOR 2011 BE REFERRED BACK TO STAFF FOR MORE INFORMATION.

DEFEATED.

MOTION: WALLACE / SPEARN

RESOLVED THAT THE CITY ADVERTISES AND ON THE RECOMMENDATION FROM THE MAYOR, COUNCIL APPOINTS THREE PERSONS WHO ARE NOT ACTIVE MEMBERS OF THE PRESENT COUNCIL BUT, WHO HAVE PREVIOUSLY SERVED ON CITY COUNCIL, TO SERVE ON THE 2011 PARCEL TAX ROLL REVIEW PANEL.

CARRIED.

Councillor Charlton voted against the resolution.

On an appeal by Councillor Charlton regarding the Mayor calling the question on the following motion, the Mayor immediately called the question to sustain the Chairs decision;

By a majority vote the decision of the Mayor was sustained.

MOTION: MOORE / CHARLTON

RESOLVED THAT TO INSURE THAT THE LOCAL SERVICE AREA PARCEL TAX FOR THE OPHIR RESERVOIR BE APPLIED EQUITABLY TO ALL AFFECTED PROPERTY OWNERS, THIS MATTER BE REFERRED TO A COMMITTEE-OF-THE-WHOLE MEETING TO REVIEW THE METHOD TO BE APPLIED PRIOR TO THE MEETING OF THE PARCEL TAX REVIEW PANEL FOR 2011.

DEFEATED.

Mayor Granstrom called for the Corporate Officer to call the RCMP to have Councillor Charlton expelled from the meeting for improper conduct at 9:06 pm.
Councillor Charlton apologized to the Mayor at 9:08 pm.

REQUESTS ARISING FROM CORRESPONDENCE:

NIL

INFORMATION ITEMS:

INFORMATION ITEMS NUMBERED 3(a) TO 3(j)

- a) Letter from Dale Green – 1492A Kootenay Avenue regarding the completion date for his demolition of the building. **Recommendation for acceptance of timeline and Staff to monitor situation until demolition and clean up complete.**
- b) UBCM Members Release January 21, 2011 2010 UBCM Administered Funding Programs. **Recommendation to file.**

- c) Notification from the Western Economic Diversification Canada regarding payment of the Rossland Arena roof grant. **Recommendation to file.**
- d) Minutes from the Regional District of Kootenay Boundary Board Meeting, November 25, 2010 and the Statutory Meeting held December 9, 2010. **Recommendation to receive and file.**
- e) Copy of the Treasurer's Report for the year ending 2009 from the Rossland Community Pottery Society. **Recommendation to receive and file.**
- f) Copy of the 2011 Preliminary Annual Budget from the West Kootenay Boundary Regional Hospital District. **Recommendation to receive and file.**
- g) Copy of the Rossland Council for Arts and Culture Annual Report for the year ending March 31, 2010. **Recommendation to receive and file.**
- h) Public Service Announcement from IHA on the temporary changes to Castlegar Ultrasound service. **Recommendation to file.**
- i) Minutes of the January 11, 2011 Sustainability Commission Meeting. **Recommendation to receive and file.**
- j) Update from UBCM regarding the RCMP Contract renewal negotiations. **Recommendation to file.**

MOTION: SPEARN / MOORE

RESOLVED THAT INFORMATION ITEMS 3(a) TO 3(j), BE RECEIVED AND ACTED UPON AS RECOMMENDED.

CARRIED.

BYLAWS:

- a) **Chief Building and Plumbing Official / Manager of Planning and Development Services Request for Decision – First three readings of Bylaw 2499 “Soil Removal/Cut and Soil Deposition/Fill Bylaw”.**

MOTION: MOORE / STRADLING

RESOLVED THAT BYLAW 2499 - SOIL REMOVAL/CUT AND SOIL DEPOSITION/FILL BYLAW NO. 2499, 2011 BE READ A FIRST, SECOND AND THIRD TIME.

CARRIED.

- b) **Manager of Finance / Chief Financial Officer Request for Decision – First three readings of Bylaw 2498 “City of Rossland Financial Plan 2011 – 2015”.**

MOTION: WALLACE / SPEARN

RESOLVED THAT BYLAW 2498 – CITY OF ROSSLAND FINANCIAL PLAN 2011 – 2015 BYLAW NO. 2498, BE READ A FIRST, SECOND AND THIRD TIME.

CARRIED.

Councillor Charlton, Moore and Stradling voted against the resolution.

MEMBERS REPORTS (VERBAL)

Councillor Spearn:

Councillor Spearn reported on the following items:

- Attending a Rossland Chamber of Commerce meeting. Topics discussed included financial support from City, high building fee costs and building fees being lower for infill lots.
 - Requested Staff investigate why the Trail Creek is muddy and murky at this time of the year.
 - Updated Council on the Neighbourhoods of Learning Committee and the upcoming meeting she will be attending at Selkirk College.
 - Notice of Motion introduced by Councillor Spearn for the next Regular Meeting of Council regarding Freedom of Information requests by Councillor Charlton.
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Councillor Stradling:

Councillor Stradling reported on the following items:

- Informed Council he will be away for the February 28 and March 14 Regular Meetings.
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Councillor Smith:

Councillor Smith reported on the following items:

- Will be reporting on Tourism Rossland meeting at the February 28 Regular Meeting.
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Councillor Moore:

Councillor Moore reported on the following items.

- Update on Task Force recommendations.
 - Requested flags be changed at City Hall.
 - Requested Staff provide a letter of support to the Rossland Figure Skating Club as per the request from the Public Input Period. Council concurred with the request.
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Councillor Charlton:

Councillor Charlton reported on the following items:

- Response that Councillor Spearn had violated her oath of office by introducing her notice of motion for the next Regular Council Meeting.
 - Inquiry into a cabin being built on lot 11 at Red Mountain without a Development Permit and Building Permit.
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- Inquired into why Council was not informed about the Development Permit to Beaumont Timber for the construction of a logging road.
 - Requested Staff provide confirmation in writing from the Ministry of Transportation regarding costs associated with the Columbia/Washington Project.
 - Inquired into why the garage being constructed on Second Avenue only had one garage door and if the structure was not a garage why did it not conform to the 4 meter setback.
 - Inquired into the status of the Museum Select Committee's recommendation to form an Adit Society. Staff explained that negotiations with Teck were continuing.
 - Notice of Motion introduced by Councillor Charlton for the next Regular Meeting of Council regarding termination of the CAO.
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Councillor Wallace:

Councillor Wallace reported on the following items:

- Requested that Staff erect signage at the Centennial Trail / back road crossing at the end of the reservoir to inform vehicular traffic of pedestrians crossing.
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Mayor Granstrom:

Mayor Granstrom reported on the following items:

- Updated Council on the LCI board.
 - Updated Council on meetings regarding the Liquid Waste Management phase 2 negotiations.
 - Updated Council on his meeting with Tourism Rossland, Rossland Chamber of Commerce, Heritage Commission and Museum Society to explore synergies between the groups.
 - Reminded Council about Heritage Week February 21-25, 2011.
 - Inquired into Councils opinions about holding Council Meetings in different venues during Local Government Awareness Week.
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CLOSED MEETING RESOLUTION:

MOTION: MOORE / STRADLING

RESOLVED THAT THE PROCEEDINGS OF THE REMAINDER OF THE MEETING OF FEBRUARY 14, 2011 BE CLOSED TO THE PUBLIC PURSUANT TO SECTON 90(1)(C) AND (E) OF THE *COMMUNITY CHARTER*.

CARRIED.

ADJOURNMENT:

MOTION: GRANSTROM

RESOLVED THAT THIS REGULAR MEETING OF COUNCIL BE ADJOURNED AT 10:10 P.M.

CARRIED.

CERTIFIED CORRECT:

MAYOR GREG E. GRANSTROM

CORPORATE OFFICER – TRACEY BUTLER