

THE CORPORATION OF THE CITY OF ROSSLAND

REGULAR MEETING OF COUNCIL
MONDAY, JANUARY 28, 2013

PRESENT: MAYOR GREG GRANSTROM
COUNCILLOR KATHY WALLACE
COUNCILLOR JODY BLOMME
COUNCILLOR JILL SPEARN
COUNCILLOR CARY FISHER
COUNCILLOR KATHY MOORE
COUNCILLOR TIM THATCHER

STAFF PRESENT: DEPUTY CAO/CORPORATE OFFICER T. Butler

GALLERY

CALL TO ORDER:

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

PUBLIC INPUT PERIOD:

Ms. Rosa Jordan, congratulated the Mayor and Council for forming a task force to look at the Delegation Bylaw. Ms. Jordan would like to see the Delegation Bylaw eliminated. Ms. Jordan expressed her opinion that contracts negotiated by the previous CAO should be reviewed by an outside party and suggested the Auditor General for Local Governments or the Inspector of Municipalities. Ms. Jordan requested Council support Councillor Moore's Notice of Motion requesting an inquiry be undertaken by the Inspector of Municipalities and/or the Auditor General.

Mr. Bill Micklethwaite, commented that he believes many citizens are concerned over the arena project issue and that in his opinion it is important to improve all contract handling from a business point of view. It appears Rossland lacks staffing, contracting and expenditure control procedures. Mr. Micklethwaite is asking Council to look at process for ways of doing it better. Mr. Micklethwaite suggested Council consider asking for assistance from the Auditor General for Local Governments or local resources with experience in business and legal matters in order to keep costs minimal during the first stages to investigate improving processes that in his opinion are broken. Mr. Micklethwaite requested Council support Councillor Moore's Notice of Motion requesting an inquiry be undertaken by the Inspector of Municipalities and/or the Auditor General.

Mr. Bill Profili, Rossland Lions Club, spoke in support of the Lion's Club renewal of the lease for the lands the Lion's Campground occupies. Mr. Profili gave a brief history of the partnership between the City and the Lions Club to build and maintain the community campground. Mr. Profili explained the benefits, limitations and future plans for the campground. Mr. Profili reiterated that the Lion's Club feels it is very important for the campground to remain a community campground.

Ms. Michelle Laurie, voiced her support of Councillor Moore's Notice of Motion requesting an inquiry be undertaken by the Inspector of Municipalities and/or the Auditor General and requested that the item be brought forward on the Agenda.

Mr. Dave Diplock, expressed that he is yet to meet anyone who is not appalled with what they have heard and requested Council support Councillor Moore's Notice of Motion requesting an inquiry be undertaken by the Inspector of Municipalities and/or the Auditor General and requested that the item be brought forward on the Agenda.

Ms. Alise Prey, requested an update on the issues brought forward at the meeting held by Mayor Granstrom at the Seniors Hall.

Mr. Ken Hampture, expressed his opinion and concerns regarding alleged conflict of interest and violation of terms of contract provisions of purchasing policy in regards to a City employee. Mr. Hampture supports an outside, independent review.

Mr. David Grant, expressed his concern that electrical problems have been identified with the arena upgrade project and asked Council what further action was being taken.

Ms. Louise Sidley, voiced her support of Councillor Moore's Notice of Motion requesting an inquiry be undertaken by the Inspector of Municipalities and/or the Auditor General and requested that the item be brought forward on the Agenda.

Ms. Jan Micklethwaite, voiced her support of Councillor Moore's Notice of Motion requesting an inquiry be undertaken by the Inspector of Municipalities and/or the Auditor General.

Ms. Darcy O'Hearn, voiced her support of Councillor Moore's Notice of Motion requesting an inquiry be undertaken by the Inspector of Municipalities and/or the Auditor General and requested that the item be brought forward on the Agenda.

Ms. Maureen Brown, voiced her support of Councillor Moore's Notice of Motion requesting an inquiry be undertaken by the Inspector of Municipalities and/or the Auditor General and requested that the item be brought forward on the Agenda.

ADOPTION OF AGENDA:

MOTION: MOORE / SPEARN

RESOLVED THAT THE JANUARY 28, 2013 REGULAR MEETING AGENDA BE ADOPTED AS AMENDED BY MOVING ITEM 11a) 1 – COUNCILLOR MOORE NOTICE OF MOTION RE: AUDITOR GENERAL FOR MUNICIPALITIES TO ITEM 5c) AND INFORMATION ITEM 9a - LIONS CLUB CAMPGROUND LEASE TO ITEM 5d).

CARRIED.

MINUTES:

MOTION: FISHER / THATCHR

RESOLVED THAT THE MINUTES OF THE REGULAR MEETING OF COUNCIL HELD ON MONDAY, JANUARY 14, 2013, BE ADOPTED.

CARRIED.

MOTION: SPEARN / MOORE

RESOLVED THAT THE MINUTES OF THE COMMITTEE-OF-THE-WHOLE MEETING OF COUNCIL HELD JANUARY 21, 2013, BE ADOPTED.

CARRIED.

DELEGATION:

a) Mr. Ryan McGill – City of Rossland Time Capsule Project.

Mr. Ryan McGill introduced his plans to complete a City of Rossland Time Capsule Project. Mr. McGill is hoping the time capsule can be located on the library grounds, sealed, entombed, and marked with a decorative boulder with a ceremonial plaque. The sealing ceremony will be timed with Golden City Days, September, 2013, and preserved in dormancy for 100 years.

b) City of Rossland Sustainability Commission– Presentation of the Family Friendly Rossland Initiative and the Year End Report.

Ms. Ann Damude, Manager and Mr. Terry Miller, President of the Rossland Sustainability Commission presented a Powerpoint presentation regarding the results of the Family Friendly Rossland survey and the inventory of Rossland's Family Friendly resources. The Sustainability Commission also presented a Powerpoint presentation on the 2012 Activity Report from the Sustainability Commission.

c) Councillor Moore Notice of Motion (item moved from Members Reports) – Motion presented at the January 14, 2013 Regular Council Meeting re: Motion to Auditor General for Local Government.

MOTION: MOORE / SPEARN

RESOLVED THAT THE AUDITOR GENERAL FOR LOCAL GOVERNMENT ADVISE COUNCIL IF HER OFFICE IS THE APPROPRIATE AUTHORITY TO LOOK INTO THE MATTERS LISTED BELOW AS A) TO H) AND TO:

1. ADVISE COUNCIL IF THE AGLG WOULD BE RESTRICTED IN AN EXAMINATION OF ANY OF THE LISTED MATTERS, AND IF SO THE EXTENT TO WHICH AN EXAMINATION COULD BE UNDERTAKEN;
2. ADVISE COUNCIL IF, IN THE AGLG'S OPINION, A PRELIMINARY EXAMINATION SHOULD BE UNDERTAKEN TO IDENTIFY AREAS WHERE FURTHER EXAMINATION MAY BE WARRANTED;

3. ADVISE COUNCIL IF THERE IS ANOTHER MORE APPROPRIATE COURSE OF ACTION TO FOLLOW TO ADDRESS THESE CONCERNS.

THE AGLG IS REQUESTED TO UNDERTAKE AN INQUIRY, PURSUANT TO ITS INDIVIDUAL MANDATE, INTO THE CONDUCT OF THE CITY OF ROSSLAND'S BUSINESS INVOLVING ALL MATTERS CONCERNED WITH AND RELATING TO IN ANY WAY THE FOLLOWING:

- A. COMMITMENTS MADE BY SUCCESSIVE COUNCILS OF THE CITY OF ROSSLAND, IN OPEN AND CLOSED MEETINGS FROM JANUARY 1, 2007 TO PRESENT, HAVING THE EFFECT OF LIMITING PRESENT AND FUTURE COUNCILS' DISCRETION, POWER, AND AUTHORITY TO ADOPT, AMEND, AND/OR REPEAL BYLAWS OR THE DELEGATION OF OTHER POWERS AND TO PROVIDE RECOMMENDATIONS AND BEST PRACTICE INFORMATION SO AS TO IMPROVE THE GOVERNANCE OF THE CITY.
- B. A REVIEW OF INTERNAL CITY OF ROSSLAND CONTROLS WITH EMPHASIS ON TENDERING, CONTRACTING AND PROJECT REPORTING PRACTICES FOR THE PURPOSE OF MAKING RECOMMENDATIONS TO COUNCIL ON THE BEST MEANS FOR COUNCIL TO PROVIDE ADEQUATE OVERSIGHT OF CONTRACT SERVICES AND PROJECT MANAGEMENT AND TO REDUCE THE POSSIBILITY OF FRAUD.
- C. A REVIEW OF EMPLOYEES, PAST AND PRESENT, OF THE CITY OF ROSSLAND IN A POSITION OF RESPONSIBILITY TO INFORM AND ADVISE COUNCIL IN MATTERS RELATING TO RESPONSIBLE, ACCOUNTABLE, AND LAW-CONFORMING GOVERNANCE OF THE MUNICIPALITY WHO WERE, OR SHOULD HAVE BEEN AWARE OF ANY ISSUES WITH THE ARENA IMPROVEMENT PROJECT (2009-2012), AND FAILED TO INFORM COUNCIL OF SUCH ISSUES IN ACCORDANCE WITH THEIR POSITIONS AS EMPLOYEES OF THE CITY OF ROSSLAND AND TO OFFER BEST PRACTICES INFORMATION ON STAFF-COUNCIL ACCOUNTABILITY AND COMMUNICATIONS.
- D. A REVIEW OF THE STEPS AND ACTIONS THAT WERE TAKEN BY CITY STAFF AND COUNCIL ONCE WRONGDOING ON THE ARENA IMPROVEMENT PROJECT WAS DISCOVERED AND MAKE SUGGESTIONS OF HOW THE SITUATION COULD HAVE BEEN HANDLED TO REFLECT GOOD GOVERNANCE.
- E. A REVIEW AND APPRAISAL OF COMMITMENTS MADE BY PRESENT AND PAST COUNCILS, IN OPEN AND CLOSED MEETINGS FROM JANUARY 1, 2007 TO PRESENT IN ALL MANAGEMENT CONTRACTS AND HIRING PROCEDURES APPROVED BY COUNCIL DIRECTLY, OR INDIRECTLY ON BEHALF OF COUNCIL BY THE CAO AND TO PROVIDE BEST PRACTICES FOR STAFF AND COUNCIL CONTRACTS AND HIRING PROCEDURES.
- F. TO PURSUE ANY OTHER MATTER OR ISSUE COMING TO THE AUDITOR GENERAL'S ATTENTION IN THE COURSE OF INQUIRING INTO THE MATTERS ABOVE.
- G. TO SUBMIT TO COUNCIL A FULL AND COMPLETE REPORT ON FINDINGS AND RECOMMENDATIONS.
- H. TO MAKE THE AUDITOR GENERAL'S FINAL REPORT AVAILABLE IN ITS ENTIRETY TO THE PUBLIC IN GENERAL AND TO THE CITIZENS OF THE CITY OF ROSSLAND SPECIFICALLY.

CARRIED.

MOTION: MOORE / THATCHER

RESOLVED THAT THE NOTICE OF MOTION PRESENTED BY COUNCILLOR MOORE REGARDING AUDITOR GENERAL OF MUNICIPALITIES BE AMENDED BY ADDING ITEM 4. "PROVIDE COUNCIL WITH AN ESTIMATE OF FEES LEVIED BY THE AGLG OFFICE TO CONDUCT SUCH AN EXAMINATION".

CARRIED.

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- d) Information Item 2(a) – December 30, 2012 email from Mr. W.E. Profili, Rossland Golden City Lions Club requesting renewal of their lease on the City owned property that the campground occupies.**

MOTION: THATCHER / WALLACE

RESOLVED THAT COUNCIL AUTHORIZE STAFF TO RENEW THE CAMPGROUND LEASE WITH THE ROSSLAND GOLDEN CITY LIONS FOR A TERM OF 3 YEARS WITH A RENEWAL CLAUSE FOR AN ADDITIONAL THREE YEAR TERM.

CARRIED.

Councillor Fisher declared a direct conflict of interest in regard to the next agenda item and was excused from the meeting at 9:10 pm.

UNFINISHED BUSINESS:

- a) Manager of Planning and Development Services Request for Decision and Report – OCP and Zoning Amendment – Redstone Drive, reconsideration re: signage, notification and public hearing date.**

MOTION: SPEARN / WALLACE

RESOLVED THAT COUNCIL RESCIND THE FOLLOWING RESOLUTION PASSED AT THE DECEMBER 10, 2012 REGULAR MEETING OF COUNCIL:

"RESOLVED THAT A SIGN BE POSTED BY ROSSLAND PROPERTY INVESTMENTS LTD. ON THE SITE STATING THE INTENT AND PURPOSE OF THE PROPOSED AMENDMENTS TO THE OCP AND ZONING BYLAWS WITHIN 7 DAYS OF THE FIRST READING OF BYLAWS NO. 2542 AND NO. 2543 AND IN ACCORDANCE WITH THE CITY OF ROSSLAND DEVELOPMENT PROCEDURES GUIDELINES;

AND FURTHER RESOLVED THAT THE PROPERTY OWNERS WITHIN 100 METERS OF THE AREAS AFFECTED BY THE PROPOSED OCP AND ZONING AMENDMENTS BE NOTIFIED BY MAIL AND THAT A PUBLIC HEARING BE SCHEDULED FOR JANUARY 14, 2013;

AND FURTHER RESOLVED THAT THE SIGNAGE, NOTIFICATION AND PUBLIC HEARING CONSTITUTES THE OCP PUBLIC CONSULTATION REQUIRED UNDER THE *LOCAL GOVERNMENT ACT, PART 26 SEC. 879.*"

CARRIED.

MOTION: SPEARN / THATCHER

RESOLVED THAT COUNCIL ADVANCE THE APPLICATION FROM ROSSLAND PROPERTY INVESTMENTS LTD. TO REZONE FROM “R-1R RURAL RESIDENTIAL” TO “R-5 RESORT RESIDENTIAL MIXED DENSITY” BY ROSSLAND PROPERTY INVESTMENTS LTD POSTING A SIGN ON THE SITE, STATING THE INTENT AND PURPOSE OF THE PROPOSED AMENDMENTS TO THE OCP AND ZONING BYLAWS WITHIN 7 DAYS OF THIS MEETING HELD JANUARY 28, 2013 IN ACCORDANCE WITH THE CITY OF ROSSLAND DEVELOPMENT PROCEDURES GUIDELINES;

AND FURTHER RESOLVED THAT THE PROPERTY OWNERS WITHIN 100 METERS OF THE AREAS AFFECTED BY THE PROPOSED OCP AND ZONING AMENDMENTS BE NOTIFIED BY MAIL AND THAT A PUBLIC HEARING BE SCHEDULED FOR FEBRUARY 25, 2013;

AND FURTHER RESOLVED THAT THE SIGNAGE, NOTIFICATION AND PUBLIC HEARING CONSTITUTES THE OCP PUBLIC CONSULTATION REQUIRED UNDER THE *LOCAL GOVERNMENT ACT, PART 26 SEC. 879.*

CARRIED.

Councillor Fisher returned to the meeting at 9:13 pm.

RECOMMENDATIONS FROM STAFF FOR DECISION:

Nil

REQUESTS ARISING FROM CORRESPONDENCE:

Nil

INFORMATION ITEMS:

INFORMATION ITEMS NUMBERED 2(b) TO 2(m)

- b) January 9 and 16, 2013 UBCM Publications of “The Compass” newsletter. **Recommendation to file.**
- c) Copy of the Neighbourhood of Learning Summary of Taxation Issues: Rossland Schools Survey. **Recommendation to receive and file.**
- d) Copy of Rossland’s results of the FCM Gas Tax Fund Calculator to show how federal funding has helped with Rossland projects. **Recommendation to file.**

- e) January 10, 2013 letter from ATCO Wood Products requesting comments from the City regarding proposed development on cut block F-01 located in the Mt. Plewman geographic area, accompanied with a memorandum from City Staff. **Recommendation that the City respond to the referral siting the Water Source Assessment Plan and highlighting the importance of adhering to the Best Management Practices and the City's guidelines.**
- f) January 11, 2013 letter from the LCCDT Attainable Housing Committee requesting consideration of a grant-in-aid in the range of \$4,500 towards the purchase of up to 4 units of affordable housing for Rossland. **Recommendation for Council to support in principal and invite the LCCDT Attainable Housing Committee as a delegation to explain the project before further consideration.**
- g) Copy of Tourism Rossland Society's Directors Consent Resolution for recommendation to Council re: amendment to City of Rossland Municipality Initiative Resort Development Strategy 2012-2016 for an internal shuttle system from Rossland to Red Mountain. **Recommendation for Council to approve the amendment to the Resort Municipality Initiative Resort Development Strategy 2012-2016, to expand the shuttle service to include an internal shuttle service and that RMI funding be allocated to the project up to \$11,000 for the 2012/13 winter season.**
- h) January 4, 2013 letter from the Honourable Mobina S.B. Jaffer, Q.C. Senator for BC introducing the Senate Human Rights Committee Study on Cyberbullying. **Recommendation to file.**
- i) Copy of City of Trail Resolution from their January 14, 2013 Council meeting re: City of Trail interested in negotiating the purchase of the Trail Regional Airport Service. **Recommendation to file.**
- j) Introduction and explanation of the Columbia Basin Trust Community-Directed funds opportunity. **Recommendation to file.**
- k) Copy of draft RDKB East End Services Annual requisition and budget for Rossland. **Recommendation to receive and file.**
- l) Copy of January 8, 2013 letter from the Lower Columbia Community Development Team Society (LCCDT) to the Ministry of Education concerning school closures in the region. **Recommendation to file.**
- m) Letter from Mr. Al Raine, Mayor, Sun Peaks Mountain Resort Municipality informing other resort municipalities of his discussions with the Minister of Finance and the Minister of Jobs, Innovation and Tourism about the Accommodation Tax as it impacts all short term rentals in resort communities. **Recommendation for Staff to continue working with RMI partners.**

MOTION: WALLACE / THATCHER

RESOLVED THAT INFORMATION ITEMS 2(b) TO 2(m), BE RECEIVED AND ACTED UPON AS RECOMMENDED.

CARRIED.

BYLAWS:

- a) **Deputy CAO/Corporate Officer Request for Decision – Adoption of Heritage Commission Amendment Bylaw No. 2544, 2013(1) – increase to membership.**

MOTION: BLOMME / MOORE

RESOLVED THAT BYLAW No. 2544 – HERITAGE COMMISSION AMENDMENT BYLAW NO. 2544, 2013(1), BE ADOPTED.

CARRIED.

MEMBERS REPORTS (VERBAL)

Councillor Moore:

Council consideration of the Notice of Motion presented by Councillor Moore at the January 14, 2013 Regular Council Meeting:

MOTION: MOORE / FISHER

RESOLVED THAT THE OFFICERS BYLAW NO. 2472 OF THE CITY OF ROSSLAND BE REVIEWED BY COUNCIL.

CARRIED.

Councillor Spearn:

Councillor Spearn reported on the following items:

- Ongoing negotiations with School District 20, City of Rossland and the Neighbourhood of Learning Committee.

MOTION: SPEARN / WALLACE

BE IT RESOLVED THAT COUNCIL DIRECT STAFF TO EXAMINE THE TAX IMPLICATIONS OF FOUR POSSIBLE OPTIONS WHICH COULD BE TO:

A) FINANCE THROUGH RESERVES AND THEN REPAY THIS AMOUNT TO THE RESERVES BY BORROWING OVER A DECIDED PERIOD OF TIME THROUGH THE AAP (ALTERNATIVE APPROVAL PROCESS) OR

B) FINANCE THROUGH THE BUDGET PROCESS AND THEREBY THE TAXPAYERS OF ROSSLAND

THE FOUR OPTIONS BEING:

1. \$300,000/YR TO BE PAID ANNUALLY FOR A PERIOD OF THREE YEARS
2. \$300,000 FOR A PERIOD OF ONE YEAR

3. \$140,000/YR FOR A PERIOD OF THREE YEARS WITH THE TOTAL AMOUNT POSSIBLY BEING OFFERED TO THE SD20 IN ONE LUMP SUM OR ANNUALLY
4. \$140,000 FOR A PERIOD OF ONE YEAR.

CARRIED.

Councillor Thatcher:

Councillor Thatcher reported on the following items:

- Museum Gateway meeting has been cancelled for January 31, 2013 and rescheduled for the end of February.
 - “Objects of significance” are now on display at the Nelson and District Credit Union.
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MOTION: SPEARN / WALLACE

RESOLVED THAT THE REGULAR MEETING OF JANUARY 28, 2013 BE EXTENDED TO 10:15 PM.

CARRIED.

Councillor Wallace:

Councillor Wallace reported on the following items:

- Presented the options being discussed by the Hospital Board regarding contributions to the reserve fund and Rossland’s apportionment.
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Councillor Moore:

Councillor Moore reported on the following items:

- Asked the Mayor for details of his discussions with the RCMP.
 - Requested details of the engagement of the City Auditor.
 - Inquired into consideration for better release of information from In-camera meetings.
 - Submitted four Notices of Motion for the February 12, 2013 Meeting.
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Councillor Blomme:

Councillor Blomme reported on the following items:

- Requested that Council invite Sargeant Hawton, Trail RCMP Detachment, as a delegation to a Council Meeting.
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CLOSED MEETING RESOLUTION:

MOTION: SPEARN / WALLACE