

THE CORPORATION OF THE CITY OF ROSSLAND

Minutes of a Regular Open Meeting of Council Held Monday, July 28, 2008

Present

Mayor A.G. Smith
Councillor L. Charlton
Councillor J.K. Drysdale
Councillor L.D. Doell
Councillor S.E. Knox
Councillor L.G. McLellan
Councillor D.J. Spearn

Staff In Attendance

CAO – R. Campbell
Deputy City Clerk – T. Butler
Manager of Planning and Development – M. Maturo
Manager of Finance – D. Timm
Manager of Operations – D. Albo

Mayor Smith called the meeting to order at 7:36 pm

Agenda

Moved by Councillor Doell / Seconded by Councillor McLellan

THAT the agenda for the Regular Meeting of Council held July 28, 2008 be amended by removing item:

(5) GENERAL MATTERS - Delegation

(b) Lorna Manzer – Rezoning Application – 2033 St. Paul Street

CARRIED

Minutes

Moved by Councillor Spearn / Seconded by Councillor Knox

THAT the minutes of the Regular Council Meeting held July 14, 2008 be amended by recording Councillor Doell as opposed in the matter regarding the Development Variance Application – 2516 LeRoi Avenue.

CARRIED

Minutes

Moved by Councillor Drysdale / Seconded by Councillor Doell

THAT the minutes of the Streetscape Committee Meeting held July 22, 2008 be amended by removing the item concerning “New Member Needed” and adding a section concerning the Streetscape Committee being involved in the Columbia Avenue rebuild.

CARRIED

Public Hearing

RECEIPT OF PUBLIC HEARING RECORD

Moved by Councillor Charlton / Seconded by Councillor Knox

THAT the record of the Public Hearing held July 14, 2008 be received.

CARRIED

**Public
Consultation**

Moved by Councillor Drysdale / Seconded by Councillor McLellan

THAT the record of the Public Consultation – 2008 Annual Report held July 14, 2008 be received.

CARRIED

GENERAL MATTERS – Delegations

**Tourism Rossland
– Deanne Steven**

Delegation from Deanne Steven, Executive Director, Tourism Rossland updated Council on the success of the first year of operation of Tourism Rossland and future plans for the organization. Deanne requested Council approval of the Final Concept Design for Monument Entry Signs.

MATTERS REFERRED

**Councillor
Charlton – Notice
of Motions**

Notice of Motion by Councillor Charlton re: Rossland Property Investments Ltd. – Queen Street

Moved by Councillor Charlton / Seconded by Councillor Doell

THAT Staff be directed to prepare a written report for the next Regular Council Meeting to explain why Rossland Property Investment Ltd. is constructing a new residential subdivision in the Queen Street area without having obtained a valid Development Permit.

DEFEATED with Councillor Charlton voting in favour

**Councillor
Charlton – Notice
of Motions**

Notice of Motion by Councillor Charlton re: Rossland Property Investments Ltd. – structure in the vicinity of the cemetery;

Moved by Councillor Charlton / Seconded by Councillor Doell

THAT Staff be directed to prepare a written report for the next Regular Council Meeting to explain why Rossland Property Investments Ltd. is developing a work site and building a structure in the vicinity of the cemetery in a zone that does not permit such activity and without a valid Development Permit.

DEFEATED with Councillor Charlton voting in favour.

**Councillor
Charlton – Notice
of Motions**

Notice of Motion by Councillor Charlton re: silting from the Ophir Reservoir;

THAT Staff be directed to prepare a written report for the next Regular Council Meeting to explain why the report about silting from the Ophir Reservoir project they were directed to prepare at the June 23, 2008 meeting in time for the July 14, 2008 meeting was not done.

Motion withdrawn by Councillor Charlton

**Michael Thomas -
Ophir Reservoir**

Matter referred from the July 14, 2008 Regular Council Meeting – July 23, 2008
Memo from Michael Thomas, P. Eng re: Ophir Reservoir Report.

Received for information.

**Michael Thomas –
Ophir Reservoir
Environmental
Review**

Matter referred from the June 23, 2008 Regular Council Meeting - July 22, 2008
Memorandum from Michael Thomas, P. Eng. re: Ophir Reservoir
Environmental Review;

Moved by Councillor Charlton / Seconded by Councillor Spearn

THAT the July 23, 2008 memo from the City Engineer be received for
information

CARRIED

UNFINISHED BUSINESS

**Recycling Depot -
closure**

Unfinished business from the July 14, 2008 Regular Meeting: report from Ron
Campbell, CAO – re: relocation of Recycling Depot to Arena Parking Lot.

Moved by Councillor Charlton / Seconded by Councillor Drysdale

THAT Council endorse the Arena Parking Lot site as the new location of the
RDKB Recycling Depot under the conditions listed in the CAO's memorandum
of July 22, 2008.

CARRIED with Councillor McLellan voting opposed

**2008 UBCM
Convention –
attendance**

Unfinished business from the July 14, 2008 Regular Meeting – 2008 UBCM
Convention; memo from Ron Campbell, CAO – re: expense of substitute
teacher – Councillor Jill Spearn

Conflict of Interest

Councillor Spearn declared a conflict of interest in the matter and excused
herself from the meeting at 8:33 pm.

Moved by Councillor Charlton / Seconded by Councillor McLellan

THAT Council deny the request to pay for a substitute teacher for Councillor
Spear to attend the 2008 UBCM.

CARRIED

Councillor Spearn returned to the meeting at 8:37 pm.

NEW BUSINESS

Correspondence

**Small Talk Forum
2008**

July 11, 2008 memorandum from the UBCM re: submission of issues for discussion at the Small Talk Forum 2008.

Topics suggested for the Small Talk Forum 2008 included road speed, affordable housing, dark housing and transit in small communities.

Councillor McLellan suggested including the Visions to Actions project as the unique project or success story to the Small Talk Forum.

**Royal Canadian
Legion – Tax
Exemption
Request**

Letter from Don Vinish, Treasurer Royal Canadian Legion Br. #14 re: Tax Exemption Request;

Moved by Councillor McLellan / Seconded by Councillor Charlton

THAT Council deny the request from the Royal Canadian Legion Br. #14 for tax exemption.

CARRIED

**RDKB – Regional
Sewer Service**

Letter dated July 15, 2008 from John MacLean, CAO, Regional District of Kootenay Boundary re: Regional Sewer Service;

Moved by Councillor Knox / Seconded by Councillor Doell

THAT Councillor McLellan be appointed as the representative on the RDKB Regional Sewer Service Review Committee.

CARRIED

**Gondola Pre-
Feasibility Grant**

Gondola Pre-Feasibility Grant – requires city contribution of \$1,500 – Oral Report – Mayor Gordon Smith

Moved by Councillor McLellan / Seconded by Councillor Spearn

THAT Council contribute \$1,500 towards the Gondola Pre-Feasibility Grant

CARRIED with Councillor Charlton voting opposed

Reports

**Seven Summits
Service –**

July 21, 2008 report from the Planning Assistant re: Development Variance

**Development
Variance
Application**

Permit Application – Seven Summits Service, 1111 Nancy Greene Highway.

Moved by Councillor Knox / Seconded by Councillor Doell

THAT the Development Variance application to vary the accessory building height as established in the City of Rossland Zoning Bylaw #1912 from 4.5 metres to 5.5 metres;

AND THAT the Development Variance to vary the fuel pump location from a controlled access highway from 30 metres to 25 metres; for the property legally described as Lot A, District Lot 538, Kootenay District Plan 5051, located at 1111 Nancy Greene Highway be approved by Council.

CARRIED

**Development
Permit Application
– Red Resort
Limited
Partnership**

July 21, 2008 report from the Manager of Planning and Development Services re: Development Permit Application – Red Resort Limited Partnership.

Moved by Councillor Doell / Seconded by Councillor Drysdale

THAT the Development Permit application from Red Resort Limited Partnership, for the Property: Lot 1, Plan 14633, DL 967, 1045, 1057 and 1347, TP. 28; Kootenay District and DL 8495, Kootenay District and Lot 1, 3, 4, 5, 8 and 11, NEP 79845, Township 28, Kootenay District, SL 24, Plan X60, Kootenay District, SL 28, Plan X60, Kootenay District be approved.

CARRIED with Councillor Charlton voting opposed

**Auditor
Appointment**

July 21, 2008 Memorandum from Deb Timm, Manager of Finance – re: Auditor Appointment;

Moved by Councillor McLellan / Seconded by Councillor Doell

THAT Berg Naqvi Lehmann be appointed as auditors for the City of Rossland for the three year term 2008 through 2010.

CARRIED

LEGISLATIVE MATTERS

**Zoning
Amendment Bylaw
#2422, 2008(6)**

Zoning Amendment Bylaw, No. 2422, 2008(6) – rezoning of 2033 St. Paul Street from R-1 (Residential Single Detached) to C1 – (Commercial Downtown Core).

Memo dated July 21, 2008 from Mike Maturo, Manager of Planning and Development Services re: Rezoning Application: 2033 St. Paul St. and e-mail dated July 13, 2008 from Lyle & Annette Oliver re: Rezoning Application – 2033 St. Paul Street;

Moved by Councillor Doell / Seconded by Councillor Knox

THAT Bylaw #2422 – Zoning Amendment Bylaw, No. 2422, 2008 (6) be read a third time.

CARRIED with Councillor Charlton voting opposed.

Moved by Councillor Knox / Seconded by Councillor McLellan

THAT Bylaw #2422 – Zoning Amendment Bylaw, No. 2422, 2008 (6) be adopted.

CARRIED with Councillor Charlton voting opposed.

**OCP Amendment
Bylaw #2420,
2008(1)**

Official Community Plan Amendment Bylaw, No. 2420, 2008(1) – re-designate Lot 2, D.L. 535, Kootenay District Plan NEP 24121 (Thompson Avenue) from R (Residential) to MF (Multiple Family Residential);

Moved by Councillor Drysdale / Seconded by Councillor Knox

THAT Bylaw #2420 – Official Community Plan Amendment Bylaw, No. 2420, 2008(1) be read a third time.

CARRIED with Councillor Charlton voting opposed.

Moved by Councillor McLellan / Seconded by Councillor Knox

THAT Bylaw #2420 – Official Community Plan Amendment Bylaw, No. 2420, 2008(1) be adopted.

CARRIED with Councillor Charlton voting opposed.

**Zoning
Amendment Bylaw
#2421, 2008(5)**

Zoning Amendment Bylaw, No. 2421, 2008(5) – rezoning of Lot 2, D.L. 535, Kootenay District Plan NEP 24121 (Thompson Avenue) from R-1 (Residential Single Detached) to R-2 – (Residential Duplex).

Moved by Councillor Spearn / Seconded by Councillor Doell

THAT Bylaw #2421 – Zoning Amendment Bylaw, No. 2421, 2008 (5) be read a third time.

CARRIED with Councillor Charlton voting opposed.

Moved by Councillor Knox / Seconded by Councillor Drysdale

THAT Bylaw #2421 – Zoning Amendment Bylaw, No. 2421, 2008 (5) be adopted.

CARRIED with Councillor Charlton voting opposed.

CLOSED MEETING RESOLUTION

**Closed Meeting
Resolution**

Moved by Councillor Spearn / Seconded by Councillor Knox

THAT the proceedings of the remainder of the meeting of July 28, 2008 be closed to the public pursuant to sections 90 (1)(a)(c) and (e) of the *Community Charter*.

CARRIED

Close

Mayor Smith closed the meeting at 9:48 pm

I hereby certify the preceding to be a true and correct account of the Regular Meeting of Council held on July 28, 2008.

Mayor

Corporate Officer