

THE CORPORATION OF THE CITY OF ROSSLAND

Minutes of the Regular Open Meeting of Council Held Monday, May 11, 2009

Present

Mayor G.E. Granstrom
Councillor T. L. Charlton
Councillor J.H. Smith
Councillor K.H. Wallace
Councillor D.J. Spearn
Councillor M.K. Moore (via phone – not voting)

Absent

Councillor A.W. Stradling

Staff In Attendance

Acting CAO / Manager of Finance – D. Timm
Deputy City Clerk – T. Butler
Manager of Planning and Development Services – M. Maturo

Mayor Granstrom called the meeting to order at 7:05 pm.

Agenda

Moved by Councillor Charlton / Seconded by Councillor Wallace

THAT the agenda for the Regular Meeting of Council held May 11, 2009 be adopted with the following additions to the agenda;

- (4) (b) GENERAL MATTERS – Delegation re: Chris Andrews, Kootenay Rockies Tourism.
- (7) (c) NEW BUSINESS – Correspondence re: RDKB Chiller Replacement Greater Trail Community and Arts Centre (GTCAC);

CARRIED

Minutes

Moved by Councillor Charlton / Seconded by Councillor Spearn

THAT the minutes of the Regular Meeting of Council held April 27, 2009 and the Special Meeting of Council held April 30, 2009 be adopted.

CARRIED

Moved by Councillor Spearn / Seconded by Councillor Smith

THAT the minutes of the Committee-of-the-Whole Meeting held May 4, 2009 be received by Council.

CARRIED

GENERAL MATTERS – Delegation

Active Transportation Plan

Delegation from Stewart Spooner, Recreation Planning and Design, introduced the Active Transportation Plan and gave an overview of the issues and planning that have taken place to date.

**Kootenay Rockies
Tourism**

Delegation from Chris Andrews, Manager, Partner and Community Programs, Kootenay Rockies Tourism. Mr. Andrews presented a Powerpoint presentation that included a Regional Tourism Update and an explanation of the Community Tourism Opportunities (CTO) program.

UNFINISHED BUSINESS

Recreation Office

May 5, 2009 memorandum from the Interim CAO re: analysis of available office space within City Hall for the Recreation Manager and recreation department expansion with the following motion for Council consideration;

Moved by Councillor Smith / Seconded by Councillor Wallace

THAT Council approve the City Hall / Recreation Department renovation with an approximate cost of \$6,700 as presented.

CARRIED with Councillor Charlton voting opposed

**City of Trail -
Recreation**

Council discussion regarding the proposed City of Trail bylaw to initiate a resident pass for the use of recreational facilities and programs located in the City of Trail. Discussion ensued regarding the financial implications for the citizens of Rossland.

Moved by Councillor Spearn / Seconded by Councillor Wallace

THAT a Committee-of-the-Whole Meeting be held once the City of Trail has circulated the draft bylaw initiating the resident pass.

CARRIED

MATTERS REFERRED

Councillor Moore

Matter referred from the April 27, 2009 Regular Council Meeting re: Councillor Moore notice of motion;

Moved by Councillor Charlton / Seconded by Councillor Wallace

THAT the City of Rossland write a letter to the RDKB expressing support for a regional community composting facility.

CARRIED

**COW
recommendations
from May 4, 2009**

Committee recommendations from the May 4, 2009 Committee-of- the-Whole Meeting;

- (i) THAT the CAO invite students from the Rossland Secondary School to attend a Council Committee-of-the-Whole, to take place at the school before the end of June, notification of the meeting to be placed in the next Council Newsletter.
- (ii) THAT Staff be invited to comment on the following preferred communications with Council;
 - All questions through the CAO
 - Make an appointment with a Staff member
 - Email or telephone
 - Open door policy on Fridays and Mondays prior to Council Meetings
 - Drop in as and when
 - Answers from questions to be circulated to all of Council
- (iii) THAT Council hold an in-camera meeting periodically (twice a year) to conduct an internal assessment of Council performance;

AND FURTHER;

THAT Councillor Moore draft a list of questions, with help from Council, that can be discussed at these meetings.

Moved by Councillor Spearn / Seconded by Councillor Wallace

THAT the recommendations from the Committee-of-the-Whole Meeting of May 4, 2009 be approved by Council with an amendment to motion (i) above, to reflect that the meeting with Rossland Secondary School Students be held in September 2009.

CARRIED

Run of the Rivers

Matter referred from the May 4, 2009 Committee-of-the-Whole meeting re: Run of the Rivers Notice of Motion from Councillor Smith;

“THAT the draft resolution as presented by Councillor Smith at the May 4, 2009 Committee-of-the-Whole meeting be placed on the May 11, 2009 Regular Meeting Agenda for further discussion.”

Moved by Councillor Smith / Seconded by Councillor Wallace

THAT the Province not issue any further Water Licenses or Licenses of Occupation to Independent Power Projects (IPPs) until:

Regulations are changed to require proper environmental assessment, monitoring and enforcement processes for all IPPs,

Local governments are included as equal partners in decisions related to the

approval or disapproval of IPPs that affect their communities and regional ecosystems, and

The water in BC's streams, rivers and lakes – and any new power generated from these waters – remain in perpetuity as a public resource for the use and benefit of the people of BC.

CARRIED with Mayor Granstrom and Councillor Wallace voting opposed

Kootenay Food Strategy Society

Matter referred from the April 27, 2009 Regular Council Meeting re: Delegation from John Steinman, Kootenay Food Strategy Society – G.E. (genetically-engineered) Free Kootenays, consideration by Council, to pass a resolution that sends a message that G.E. plants and trees are not welcome;

Moved by Councillor Charlton / Seconded by Councillor Spearn

THAT the City of Rossland oppose the cultivation of genetically engineered plants and trees, by using transgenic engineering, in the municipality; and that the City of Rossland will not purchase genetically engineered plants and trees for its own use; and that the City of Rossland agrees to revisit the resolution as pertinent new information becomes available that affects this resolution; and the City of Rossland shall forward copies of this resolution to the Federation of Canadian Municipalities, the Union of B.C. Municipalities, Interior Health, B.C. Ministry of Health, B.C. Ministry of Agriculture and Lands, B.C. Provincial Health Officer, the Prime Minister of Canada, The Canadian Food Inspection Agency, Health Canada, CropLife Canada, Agriculture and Agri-Food Canada, local MLA and MP offices and any interested and related groups.

CARRIED

Williscroft, B.

Matter referred from the April 27, 2009 Regular Council Meeting re: request from Mr. B. Williscroft to adopt a blasting bylaw;

Moved by Councillor Charlton / Seconded by Councillor Smith

THAT Staff research other communities to see how they handle blasting in residential areas and report back to Council.

CARRIED

NEW BUSINESS – Correspondence

Waiving of fees requests

May 7, 2009 memorandum from the interim CAO re: Council consideration of issues regarding requests to waive fees.

Moved by Councillor Smith / Seconded by Councillor Wallace

THAT Staff draft a policy regarding the waiving of fee requests to the City.

CARRIED

**United Way-
request to waive
fees**

May 6, 2009 memorandum from the Manager of Recreation re: cost associated with March 31, 2009 written request from the United Way of Trail and District to waive any fees associated with the rental and delivery of tables and chairs on Saturday November 14, 2009.

Moved by Councillor Charlton / Seconded by Councillor Smith

THAT the request from the United Way of Trail for tables and chairs be denied.

DEFEATED

Moved by Mayor Granstrom / Seconded by Councillor Wallace

THAT the City labour charges to deliver 45 tables and 75 chairs for the United Way of Trail and District, Homespun Christmas Fair, November 14, 2009 be waived but the fees associated with the rental of the tables and chairs stands.

CARRIED

GTCAC

May 4, 2009 copy of report to John MacLean, CAO Regional District of Kootenay Boundary from Gary Robitaille, Director of Recreation Facilities re: Chiller replacement Greater Trail Community and Arts Centre (GTCAC).

Moved by Councillor Wallace / Seconded by Councillor Spearn

THAT Rossland Council support the additional expense of \$100,000 by the Regional District of Kootenay Boundary to replace the chiller in the Greater Trail Community and Arts Centre (GTCAC).

CARRIED

NEW BUSINESS – Reports

**Corporate Officer
Appointment**

May 5, 2009 memorandum from the Interim CAO re: appointment of interim corporate officer, with the following recommendation;

Moved by Councillor Charlton / Seconded by Councillor Spearn

THAT Council appoint Tracey Butler, Deputy City Clerk, to be the interim Corporate Officer until the new CAO is hired.

CARRIED

**Dev. Variance
Permit – 2615
Maple Crescent**

May 5, 2009 report from the Planning Assistant re: Development Variance Permit Application for 2615 Maple Crescent, with the following recommendation for Council consideration;

Moved by Councillor Spearn / Seconded by Councillor Smith

THAT Council approve the Development Variance application to vary the front setback requirement as established in the City of Rossland Zoning Bylaw #1912 from 4.0 metres to 2.4 metres to accommodate a covered walk way as per the plans submitted in the application;

AND THAT Council approve the Development Variance to vary the driveway width requirement as established in the City of Rossland Highway Access Bylaw #1734 from 4.0 metres to 7.7 metres depending on and minimizing the width of the impervious surface, for the property legally described as Lot B, Township 9A, Kootenay District Plan NEP87962, located at 2615 Maple Crescent.

CARRIED

**Dev. Variance
Permit – 2081
McLeod Ave.**

May 5, 2009 report from the Planning Assistant re: Development Variance Permit Application for 2081 McLeod Avenue, with the following recommendation for Council consideration;

Moved by Councillor Charlton / Seconded by Councillor Spearn

THAT the motion be amended to reflect that the width of the carport pavement be dependent on minimizing the width of the impervious surface.

CARRIED

Moved by Councillor Smith / Seconded by Councillor Wallace

THAT Council approve the Development Variance application to vary the driveway width requirement as established in the City of Rossland Highway Access Bylaw #1734 from 4.0 metres to 8.6 metres depending on and minimizing the width of the impervious surface;

AND THAT Council approve the Development Variance to vary the maximum height requirement of 4.5 metres to 9.8 metres for the accessory building (carport); for the property legally described as Lot 24, District Lot 695, Kootenay District Plan 15467, located at 2081 McLeod Avenue.

CARRIED with Councillor Spearn voting opposed

LEGISLATIVE MATTERS

**Bylaw #2446 –
2009 -2013
Financial Plan
Bylaw**

Bylaw #2446 – 2009-2013 Financial Plan Bylaw with the following motion for Council consideration;
Moved by Councillor Wallace / Seconded by Councillor Spearn
THAT Bylaw #2446 – Rossland Financial Plan 2009-2013 Bylaw be adopted.
CARRIED

**Bylaw #2447 –
2009 Municipal
Tax Rate Bylaw**

Bylaw #2447 – 2009 Municipal Tax Rate Bylaw with the following motion for Council consideration;
Moved by Councillor Smith / Seconded by Councillor Spearn
THAT Bylaw #2447 – 2009 Municipal Tax Rate Bylaw be adopted.
CARRIED with Councillor Charlton voting opposed

**Bylaw #2448 –
2009 Red
Mountain
Specified Area Tax
Rate Bylaw**

Bylaw #2448 – 2009 Red Mountain Specified Area Tax Rate Bylaw with the following motion for Council consideration;
Moved by Councillor Spearn / Seconded by Councillor Wallace
THAT Bylaw #2448 – 2009 Red Mountain Specified Area Tax Rate Bylaw be adopted.
CARRIED

**Bylaw #2436 –
Parcel Tax Bylaw /
Water**

Bylaw #2436 – 2009 Parcel Tax Bylaw for Water Service with the following motion for Council consideration;
Moved by Councillor Charlton/ Seconded by Councillor Smith
THAT Bylaw #2436 – 2009 Parcel Tax Bylaw for Water Service be adopted.
CARRIED

**Bylaw #2437 –
Parcel Tax Bylaw /
Sewer**

Bylaw #2437 – 2009 Parcel Tax Bylaw for Sewer Service with the following motion for Council consideration;
Moved by Councillor Charlton / Seconded by Councillor Wallace
THAT Bylaw #2437 – 2009 Parcel Tax Bylaw for Sewer Service be adopted.
CARRIED

**Bylaw #2449 -
Procedure Bylaw**

Bylaw #2449 - Procedures Bylaw for Council consideration for first and second reading.

Moved by Councillor Spearn / Seconded by Councillor Wallace

THAT Bylaw #2449 – Council Procedure Bylaw be read a first and second time.

CARRIED with Councillor Charlton opposed

MAYOR AND COUNCIL REPORTS

Councillor Spearn

Councillor Spearn requested that the Burning Bylaw be placed on a future Committee-of-the-Whole meeting to discuss slash piles on development sites and the burning of prohibited materials inside residential properties.

Councillor Wallace

Councillor Wallace informed Council of the Woodstove Exchange Program presentation conducted at the last Regional District Meeting.

Councillor Wallace summarized her discussions with Mr. Alan Stanley, Regional District of Kootenay Boundary, regarding the issue of increased tipping fees causing an increase in illegal dumping.

Charlton

Notice of Motion from Councillor Charlton re: retaining wall on Spokane Street at Union Avenue;

WHEREAS one of the goals of Policy #0622 is to not permit the construction or reconstruction of a private fence or retaining wall on City property; and

WHEREAS a retaining wall was constructed on City property in the summer of 2008 by the owners of the property at the southwest corner of Spokane Street and Union Avenue; and

WHEREAS the location of this retaining wall creates a potential traffic hazard at the corner as sight lines are reduced because of parked cars and piled snow; and;

WHEREAS this encroachment has been brought to the attention of the Building Inspector on several occasions since early September 2008 without any apparent action being taken by City Staff;

THEREFORE, be it resolved that Staff be directed to prepare a written report, by June 15, 2009, explaining why this retaining wall was allowed to be constructed in the first place and why no action has been taken to have it removed from City property.

Councillor Charlton inquired into the update of the Council Follow Up Report and the Sustainability Commission Minutes.

Smith

Councillor Smith requested that the correspondence received regarding Greyhound Bus lines and from Tourism BC regarding highway signage and

“controlled city” status be placed on the next Regular Agenda.

Councillor Smith requested information on the feasibility of having a chipper for Rossland residents.

Motion to Extend

Moved by Councillor Wallace / Seconded by Councillor Spearn

THAT the May 11, 2009 Regular Meeting be extended to 10:15 pm.

CARRIED

Mayor Granstrom

Mayor Granstrom requested that Councillor Charlton attend the LCCDT Meeting at the Regional District office, May 14, 2009 at 3:00 pm.

Councillor Smith will attend the next Sustainability Commission Meeting, Thursday, May 14, 2009.

Mayor Granstrom informed Council that Federal Recreational Grants will be coming available and that Staff are requesting Council direction regarding applications.

Closed Meeting Resolution

CLOSED MEETING RESOLUTION

Moved by Councillor Wallace/ Seconded by Councillor Smith

THAT the proceedings of the remainder of the meeting of May 11, 2009 be closed to the public pursuant to section 90 (1)(c) and (g) of the *Community Charter*.

CARRIED

Close

Mayor Granstrom closed the meeting at 10:12 pm.

I hereby certify the preceding to be a true and correct account of the Regular Meeting of Council held on May 11, 2009.

Mayor

Corporate Officer