

# THE CORPORATION OF THE CITY OF ROSSLAND

## Minutes of a Regular Open Meeting of Council Held Monday, September 29, 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 Services – M. Maturo  
City Engineer – M. Thomas  
Manager of Finance – D. Timm

Mayor Smith called the meeting to order at 7:31 pm

### Agenda

Moved by Councillor McLellan / Seconded by Councillor Doell

THAT the agenda for the Regular Meeting of Council held September 29, 2008 be adopted as amended by bringing forward from the In-Camera Agenda item:

#### **(4) UNFINISHED BUSINESS**

(b) Creekside 88 – Bylaw No. 2426, 2008(7)

to item 8 (e) of the Regular Agenda

AND,

by removing from the Regular Agenda item:

#### **(6) NEW BUSINESS – Correspondence**

(c) Grad Event – Centennial Field

AND FURTHER

by deferring item (4) (a) from the In-Camera Agenda of September 29, 2008.

CARRIED

### Minutes

Moved by Councillor Spearn / Seconded by Councillor Charlton

THAT the minutes of the Regular Council Meeting held September 8, 2008 be adopted.

CARRIED

**Minutes** Moved by Councillor McLellan / Seconded by Councillor Doell

THAT the minutes of the Planning and Development Committee Meeting held September 17, 2008 be received.

CARRIED

**Minutes** Moved by Councillor Drysdale / Seconded by Councillor McLellan

THAT the minutes of the Streetscape Committee Meeting held September 25, 2008 be received.

CARRIED

**MATTERS REFERRED**

**Rossland Library Board**

Matter referred from the September 8, 2008 Regular Meeting of Council re: future status of the Rossland Library Board

September 11, 2008 memorandum from the CAO re: Rossland Library Association.

Moved by Councillor McLellan / Seconded by Councillor Drysdale

THAT Council agree with the recommendation from the Rossland Library Board to remain as the Rossland Library Association and that the City support the continuation of the library funding at the 2008 level.

CARRIED

**Planning and Development Meeting Recommendations**

Matter referred from the September 17, 2008 Planning and Development Committee Meeting

Moved by Councillor Knox / Seconded by Councillor McLellan

THAT the proposed schedule as outlined below, for adoption of the OCP be approved by Council:

October 14 – Second reading of OCP

October 27 – Third reading and adoption of the OCP.

CARRIED with Councillor Charlton voting opposed.

**Solid Waste Collection**

Matter referred from the September 8, 2008 Regular Meeting of Council

September 11, 2008 memorandum from the CAO re: Staff recommendation for Solid Waste Collection

Moved by Councillor Knox / Seconded by Councillor Spearn

That the following recommendation from Staff be approved by Council

regarding Solid Waste Collection:

- a) That it be tendered.
- b) That Council continue with the Blue Bag System
- c) That it be a five year contract
- d) That all complaints will be dealt with by the contractor to the satisfaction of the City.
- e) That there be a penalty clause for non-performance and a termination clause in the Agreement.

**CARRIED**

Moved by Councillor Charlton / Seconded by Councillor Drysdale

THAT the tender document be circulated to Council prior to advertising the tender call.

**DEFEATED**

**Notice of Motion –  
Councillor  
Charlton**

Matter referred from the September 8, 2008 Regular Meeting of Council re: Notice of Motion from Councillor Charlton – Ophir Reservoir Costs:

Moved by Councillor Charlton / Seconded by Councillor Doell

THAT Staff be directed to prepare, by October 15, 2008, an itemized report summarizing the revenues and expenses for the Ophir Reservoir project including, but not limited to:

- a) All actual costs to date associated with planning, engineering, and construction including preliminary geotechnical work;
- b) An estimate of costs still to be paid for construction including any potential claims related to construction;
- c) A list of the estimated costs to complete all of the tasks deleted from the original project scope including the Murphy and Topping Creek intakes, and increasing the height of the Ophir dam to full capacity;
- d) Land acquisition costs;
- e) All legal costs including those related to land acquisitions ; and
- f) Actual and proposed sources of revenue used or needed to pay all the identified costs.

**DEFEATED**

**UNFINISHED BUSINESS**

**Purchase of  
Laneway – 2302  
Park Street**

September 11, 2008 memorandum from the CAO re: Purchase of laneway – 2302 Park Street.

Moved by Councillor Knox / Seconded by Councillor Charlton

THAT the CAO memorandum of September 11, 2008 regarding the purchase of laneway at 2302 Park Street be received for information.

CARRIED

### **NEW BUSINESS**

#### **Correspondence**

**Miners' Hall Task Force**

September 24, 2008 letter from Lindsay Wong, Chair, Miners' Hall Task Force re: request for extension.

Moved by Councillor Spearn / Seconded by Councillor Drysdale

THAT the Miners' Hall Task Force deadline for reporting be extended to December 31, 2008.

CARRIED

**Miners' Hall Task Force**

September 17, 2008 letter from Lindsay Wong, Chair, Miners' Hall Task Force re: request for funding to facilitate Stakeholders' consultation.

Moved by Councillor Doell / Seconded by Councillor Charlton

THAT the request from the Miners' Hall Task Force for \$887.50 to cover all costs associated with Stakeholders' consultation be approved by Council.

CARRIED with Councillor McLellan and Councillor Knox voting opposed.

**Kimberly Joines – Miners' Hall Rental**

September 5, 2008 letter from Kimberly Joines, Paralympic Ski Racer, requesting waiver of Miners' Hall rental fee for November 7, 2008.

Moved by Councillor Drysdale / Seconded by Councillor Spearn

THAT a grant be issued covering the Miners' Hall rental fee for the November 7, 2008 event for Kimberly Joines, Paralympic Ski Racer.

CARRIED with Councillor McLellan voting opposed.

### **NEW BUSINESS**

#### **Reports**

**Dev. Variance Permit – 2111 Park Street**

September 23, 2008 report from the Planning Assistant re: Development Variance Permit Application – 2111 Park Street

Moved by Councillor Knox / Seconded by Councillor Drysdale

THAT the Development Variance application to vary the exterior side setback

requirement as established in the City of Rossland Zoning Bylaw #1912 from 3.0 metres to 0.25 metres, for the property legally described as Lot A, Section 35, Township 9A, Kootenay District Plan 17604; located at 2111 Park Street be approved by Council.

CARRIED

**Building Canada  
Fund**

September 24, 2008 memorandum from the City Engineer re: Building Canada Fund – Communities Component Grant opportunity.

Moved by Councillor McLellan / Seconded by Councillor Doell

THAT Rossland City Council does hereby resolve as follows:

WHEREAS, the Federal and Provincial governments have committed to investing in local communities through the Building Canada Fund – Communities Component, which focuses on delivering safer roads and livable communities; and

WHEREAS, the City of Rossland will enter into a contract with the Provincial and Federal Government for the project;

NOW THEREFORE, be it resolved that Rossland City Council hereby:

1. Approves the filing of an application for funding from the Building Canada Fund – Communities Component for the project described as “City of Rossland – Road Renewal”, and
2. Certifies that the City of Rossland has or will have sufficient funds to design, construct, operate and maintain the project, and
3. Certifies that the City of Rossland, if successful in the application process, will budget from General Reserves a total of \$138,890 (16 2/3%) over a period of five years, and will use a total of \$138,890 (16 2/3%) of Gas Tax Funding, to design and construct the project works. The remaining \$555,444 (66 2/3%) of the estimated project costs will be funded by the Building Canada Fund – Communities Component.
4. Certifies that the City of Rossland will conform to the project requirements and criteria outlined in the Building Canada Fund – Communities Component British Columbia Provincial Program Guide.
5. Appoints the City Engineer as agent to conduct all negotiations, execute and submit and documents including, but not limited to, applications, agreements, payment requests and so on which may be necessary for the completion of the project.

CARRIED with Councillor Charlton voting opposed.

**Utility Billing**

September 24, 2008 memorandum from the Manger of Finance re: retroactive utility billing.

Moved by Councillor McLellan / Seconded by Councillor Knox

THAT Staff be authorized to retroactively bill for all outstanding utility charges associated with unbilled services and that Staff implement a payment plan and interest penalty for nonpayment.

CARRIED

**2167 Washington St. C-1 Zoning Amendment**

September 24, 2008 report from the Manager of Planning & Development Services re: C-1 Zoning Amendment 2167 Washington Street.

Moved by Councillor Knox / Seconded by Councillor Doell

THAT the application for a Zoning Amendment to the C-1 zoning for the property located at 2167 Washington Street, as PID 023-310-626, Lot B, District Lot 535, Kootenay District Plan NEP 22806 by giving First and Second Reading of the Zoning Amendment Bylaw #2427 and schedule a Public Hearing on October 27th, 2008, with the following requirements:

- A. THAT a sign be posted by the owner on the site stating the intent and purpose of the proposed rezoning, within 7 days of the first reading of Bylaw #2427 and in accordance with the City of Rossland Development Procedures Guidelines.

CARRIED with Councillor Charlton voting opposed.

**LEGISLATIVE MATTERS**

**Revenue Anticipation Bylaw, 2009**

Moved by Councillor McLellan / Seconded by Councillor Charlton

THAT Bylaw #2423 – Annual Revenue Anticipation Bylaw, 2009 be adopted.

CARRIED

**Permissive Tax Exemption Bylaw, 2009**

September 15, 2008 memorandum from the Manager of Finance re: first, second and third reading of the 2009 Permissive Tax Exemption Bylaw #2424.

Moved by Councillor Spearn / Seconded by Councillor Knox

THAT Bylaw #2424 – 2009 Permissive Tax Exemption Bylaw, be read a first time.

CARRIED

Moved by Councillor Doell / Seconded by Councillor Spearn

THAT Bylaw #2424 – 2009 Permissive Tax Exemption Bylaw be read a second time.

CARRIED

Moved by Councillor Knox / Seconded by Councillor Charlton

THAT Bylaw #2424 – 2009 Permissive Tax Exemption Bylaw be read a third time.

CARRIED

**Sustainability  
Commission  
Bylaw#2428**

September 12, 2008 memorandum from the CAO re: first and second reading of the Sustainability Commission Bylaw.

Moved by Councillor McLellan / Seconded by Councillor Drysdale

THAT Bylaw #2428 – Sustainability Commission Bylaw, be read a first time.

CARRIED with Councillor Charlton voting opposed.

Moved by Councillor Knox / Seconded by Councillor McLellan

THAT Bylaw #2428 – Sustainability Commission Bylaw be read a second time.

CARRIED with Councillor Charlton voting opposed.

**Official  
Community Plan –  
1<sup>st</sup>. reading**

September 23, 2008 report from the Planning Assistant re: Bylaw #2425 – City of Rossland Official Community Plan first reading.

Moved by Councillor Drysdale / Seconded by Councillor Doell

THAT the public consultation exercises conducted for the Strategic Sustainability Plan satisfy the initial public consultation for the OCP and:

THAT in addition to this, the OCP will be referred to the following organizations:

- Department of Fisheries
- Ministry of Environment
- Ministry of Transportation
- Regional District of Kootenay Boundary

THAT Council give first reading to Bylaw #2425 – City of Rossland Official Community Plan and set the public hearing date for October 8, 2008 and;

THAT Council has considered the plan in conjunction with the financial plan and waste management plan as required by *Section 882* of the *Local Government Act*, and;

THAT Council direct staff to refer the OCP to the Agricultural Land Commission for comment.

CARRIED with Councillor Charlton voting opposed

**Creekside 88**

Bylaw # 2426 – Zoning Amendment Bylaw, No. 2426, 2008(7) re: Creekside 88 zoning.

Moved by Councillor Spearn / Seconded by Councillor Knox

THAT Bylaw #2426 – Zoning Amendment Bylaw, No. 2426, 208(7) be read a first time.

CARRIED with Councillor Charlton voting opposed.

Moved by Councillor Doell / Seconded by Councillor Drysdale

THAT Bylaw #2426 – Zoning Amendment Bylaw, No. 2426, 208(7) be read a second time.

CARRIED with Councillor Charlton voting opposed.

**MAYOR AND COUNCIL REPORTS**

**Councillor McLellan**

Councillor McLellan updated Council on the status of the Regional District Recycling Depot.

Moved by Councillor Spearn / Seconded by Councillor Doell

THAT the regional recycling depot located at the Rossland Arena be closed by November 30, 2008.

CARRIED with Councillor Drysdale and Councillor Spearn voting opposed.

**Motion to Extend**

Moved by Councilor Charlton / Seconded by Councillor Doell

THAT the September 29, 2008 Regular Meeting of Council be extended past 10:00 pm

CARRIED

**Councillor Drysdale**

Moved by Councillor McLellan / Seconded by Councillor Knox

THAT Council endorse Councillor Drysdale submitting a proposal to the Heritage Legacy Fund for the Restoration of Columbia Cemetery Project.

CARRIED



**Close**

Mayor Smith closed the meeting at 10:30 pm

I hereby certify the preceding to be a true and correct account of the Regular Meeting of Council held on September 29, 2008.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Corporate Officer