

THE CORPORATION OF THE CITY OF GRAND FORKS

COMMITTEE OF THE WHOLE MEETING

Monday, June 13, 2016

PRESENT:

Mayor Frank Konrad
Councillor Julia Butler
Councillor Chris Hammett
Councillor Colleen Ross
Councillor Christine Thompson (participation via
telephone speakerphone)
Councillor Beverley Tripp

Chief Administrative Officer	D. Allin
Acting Corporate Officer	S. Winton
Chief Financial Officer	R. Shepherd
Manager of Development & Engineering	D. Sheets
Acting Deputy Corporate Officer	D. Drexler
Manager of Operations	D. Reid
Fire Chief	D. Heriot
Corporate Administrative Assistant	D. Popoff

Gallery

ABSENT:

Councillor Neil Krog

1. CALL TO ORDER

- a) Mayor Konrad called the Committee of the Whole Meeting to order at 9:08 am.

2. COMMITTEE OF THE WHOLE AGENDA

- a) Adopt agenda
June 13th, 2016, COTW

MOTION: ROSS

RESOLVED THAT the COTW adopts the June 13th, 2016, COTW agenda as presented.
CARRIED.

3. REGISTERED PETITIONS AND DELEGATIONS

- a) Alex Love, Electrical Consultant, Nelson, BC
Solar Garden and how the City of Nelson set up the program and its incentives

Overview:

- Community and customer benefits
- Utility benefits
- Community interest
- Opinion poll results
- Next steps
- Cost breakdown

Discussion:

- Councillor Hammett inquired that if the City of Nelson did the project on their own, what would the cost be?

Alex Love replied: \$275,000 majority paid by customers buying in for 240 panels reducing energy bills for roughly 200 homes

- Councillor Butler inquired as to the life expectancy?

Alex Love replied: 35 plus years with a 10-20 year warranty

- Councillor Tripp inquired as to the upkeep costs and the population of Nelson?

Alex Love replied: \$2000 per year on an average, population is approx. 10,000

-Councillor Thompson inquired as to how many people have bought in and how many solar panels do they have?

Alex Love replied: 240 panels are available, 236 sold

- Councillor Ross inquired if a micro fit program and wind as an alternative was looked into?

Alex Love replied: no, an electric utility did look into wind and small hydro, but solar was found to be better

- Councillor Butler inquired what the minimum number was to buy in?

Alex Love replied: 150, but 236 panels were sold, variable according to each city

- Les Johnson inquired into the procedures for people moving on or passing, transfer of ownership?

Alex Love replied: ownership could be sold, could move panels around

- Fred Marshall from Midway inquired as to the carbon credits from this and if considered presenting to Christy Clark?

Alex Love replied: not a large amount, low carbon hydro and did make presentation to MLA

- James Hamilton inquired as to the cost of a panel and the watts?

Alex Love replied: not higher than \$923 for a 245 watt panel, no batteries

- James Hamilton inquired if the household owner owns the energy produced by solar panels, done on an annual basis, would there be a tax?

Alex Love replied: no, but an energy credit is provided approximately \$28 per panel for the first year, and as electricity rates rise, credit will rise

- James Hamilton inquired why if someone installed solar on their own roof?

Alex Love replied: no there would be no tax

- Claudia Basher inquired as to what would be the basis for the credit, how does the financial model work?

Alex Love replied: for 25 years a person would receive energy credit as per current hydro rates

MOTION: HAMMETT

RESOLVED THAT the COTW receives the presentation from Alex Love, Electrical Consultant from Nelson, BC, regarding the Solar Garden program and its incentives for information.

CARRIED.

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- b) John Dooley, Brian Simpson, & Ken Kalesnikoff on behalf of Interior Lumber Manufacturers' Association (ILMA)
Inform local government & the public who ILMA is, background knowledge, value of contribution to local communities, and distribution of 'Right Log to the Right Mill'; as well as, establish a resolution

Overview:

- Local economy context
- Historical context
- Future context
- Request for support and encourage government

Discussion:

- Councillor Hammett inquired if this is looking into have provincial AAC increased and how does this help?

Brian Simpson replied: no, there will be much less AAC in the province, important to do something different to increase jobs

- Councillor Ross stated that there are no members of ILMA in the Boundary. How are mills impacted in the Boundary and is 19% tenure to all of your members of what is allocated in total?

Brian Simpson replied: Economic Development, services and other value has a much wider influence (regional hospitals, taxation). If a solution is found, this will create other businesses to take advantage of this with a better opportunity, growth. Members hold 19% of tenure, which provides security

- Councillor Butler stated that Council requires a resting period before passing a resolution and appreciated learning more about the presentation

- Councillor Thompson inquired as to who will make the "Right Log" determination?

Brian Simpson replied: the holder of the tenure's discretion, working with the Minister and staff, challenge to optimize flow

- Councillor Thompson inquired if Interfor and like companies have been invited to the table to discuss this?

Brian Simpson replied: this is just in the beginning stages, have been in contact with COFI

- Councillor Thompson stated that she would like public input and agrees with Councillor Butler that she is not prepared to make a decision at this time

- Councillor Hammett stated that we are one of many municipalities and what has the reception been?

Brian Simpson replied: so far well received and are just presenting at this point

- Margaret Steele stated that BCTS was setup to provide fibre to smaller mills, why is this not working?

Brian Simpson replied: not structured for value added facilities, difficult to compete for smaller mills, focus is on mainstream

- Donald Pharand reminded of how many more jobs are created to 'value added' ways of doing things

- Councillor Tripp inquired that asking Council to support your efforts to work with the

Provincial Government for products you need to get to the ILMA members, what would this support look like?

Brian Simpson replied: every local government has an influence and would like to ensure this conversation continue forward, support to change the status quo, tell government that this needs to be taken seriously

- Fred Marshall commented that this is a complex situation, local control over local resources, family-owned


- Les Johnson inquired what is the relationship ILMA has with provincial Chamber of Commerce?

Ken Kalesnikoff replied: ILMA are independent mills, were encouraged by the Minister to continue and make presentations, spoke to Rotary, and growing to include the Chamber

- John Dooley - thank you to Councillor Ross for conversations at the AKBLG and resolutions brought forward, and encourages a fair consideration and resolution

MOTION: ROSS

RESOLVED THAT the COTW receives the presentation from Interior Lumber Manufacturers' Association (ILMA) for discussion regarding the request for Council to pass a resolution stating that ILMA High Value Product producers represent a critical component of the local economy in the City of Grand Forks and whose future is seriously at risk because of unintended consequences associated with historical forest policy decisions combined with environmental outcomes resulting dramatic reductions in provincial AAC from the Mountain Pine Beetle or other environmental constraints;
~~AND BE IT FURTHER RESOLVED THAT the COTW fully supports the ILMA request for the provincial government to take action immediately to encourage and incent the distribution of existing provincial timber supply to optimize the "Right Log To The Right Mill" ensuring maximum opportunity for economic growth and the creation of jobs.~~



CARRIED.

c) Mayor Konrad called a recess of the COTW Meeting at 10:48 am.

Mayor Konrad reconvened the COTW Meeting at 11:04 am.

Mayor Konrad thanked the firefighters for their services with the recent events and commended the Public Works department for a wonderful job on Public Works Day.

4. PRESENTATIONS FROM STAFF

a) Mayor / Chief Administrative Officer
Policy 308 - Council Code of Conduct

Discussion:

- Mayor Konrad spoke in regards to this policy and stated that he collaborated with many Mayors and will meet with Minister Fassbender and bring this forth at the UBCM

to become a generic code across the province. He stated that the only intention this policy is for is to show the public that we are running things properly with good governance

- Councillor Thompson thanked Mayor Konrad for all of his efforts and had two minor changes: under Policy, to remove 'some of' and under Compliance and Enforcement, change 'Deputy Mayor' to 'Acting Mayor', and recommends that this policy be taken to the UBCM to amend the Community Charter for all communities in BC

- Mayor Konrad replied that the wording should read only 'Mayor' and not 'Acting Mayor', and he was reluctant to remove 'some of'. Councillor Thompson accepted these changes

- Councillor Butler felt that this policy was similar to the Respectful Workplace Policy and covered in the Harassment Policy, and felt it would be valuable for Council to have a workshop on Roberts Rules of Order. She inquired as to who makes the decision on 'subjective language used as derogatory or subjective'? The policy does not address communication with staff and staff's issues, the policy has not been tested in a court of law and feels that the policy is very scary. To use this as a political tool is not proper procedure to have a Councillor removed from In-Camera Meetings

- Mayor Konrad stated that this policy is not redundant and is not based on our Council, it has been tested and Grand Forks is not unique to this, it shows good governance

- Councillor Butler quoted a phrase from the Respectful Workplace Policy

- Councillor Thompson stated that a Code of Conduct for Council is no different than other Codes of Conduct for Municipal employees and many other organizations. She feels this policy is very important so that all are working under the same parameters

- Councillor Ross feels that this should be a natural part of elected officials' demeanor and behavior, intentional comments of embarrassing staff should be forbidden, struggles with this policy because it has become necessary, minority views need to be heard without silencing them. She wonders if the policy could be revisited in a month and why the policy has to come to the floor for tonight's Regular Meeting?

- Councillor Tripp feels the policy is excessive, under Compliance and Enforcement, she does not feel that it is right to have to 'rat' on other members, and that Council should be able to discuss points of view, respect others, and come to a conclusion for what is best, there is nothing in the policy for defense

- Mayor Konrad commented on Councillor Tripp's comments and explained more on the wording of the policy

- Councillor Hammett is not interpreting this as a 'gag order', perhaps this policy's intent is being misinterpreted, the policy will not restrict debate or dialogue, but give protection to staff

- Councillor Butler stated that she completely disagrees, Council members are not considered employees and are at a loss of what to do if harassed by staff, read part of BC Civil Liberties Association's excerpts

- Councillor Thompson stated that the policy indicates the appropriate way that Council needs to conduct themselves, dealing with respect, professionalism, for protection of Council and employees

- Mayor Konrad stated that BC Civil Liberties Association would not be able to help municipalities for bad Council conduct, that they will not be dealing with the staff members that leave because they cannot handle negative comments and abuse

- Councillor Butler stated that court cases will perhaps increase because of this policy. Inquired as to clarify the definition of 'sensor and sanctions'? She inquired if the Mayor intends to ban Council members from In-Camera meetings?

- Mayor Konrad replied that these terms are referred to in the Community Charter

- Councillor Tripp spoke in regards to an infraction by an elected official and that the

- policy speaks to an enforcement, but not having an opportunity to address the infraction against them, there is nothing in the 'Compliance and Enforcement' section referring to this, there has to be some change to this policy for a method for the accused to be able to defend themselves
- CAO responded that procedures defined could be worked out, the policy would allow for Council to have a discussion and then go through a 'Due Process'
 - Councillor Hammett commented that under 'Meetings', ...question and comments 'intentionally' should be included
 - Councillor Ross felt that Councillor Tripp's comments regarding the agendas not being ready on time are an example of an irrelevant comment towards staff
 - Councillor Butler stated that Council has agreed to follow Roberts Rules or Order; therefore, is Council now going to follow policy instead?
 - Councillor Tripp responded to Councillor Ross' comments regarding the agendas not being printed on time and spoke on ^{the perception of} suspicion *EW*
 - Councillor Thompson inquired to what benefit and what purpose did it serve to comment on the agendas not being ready at 9 am, but to bring this out publicly and not knowing what the circumstances were is just an embarrassment to our staff and that is why she supports this policy, having a workshop on Roberts Rule of Order would just be an additional expense
 - Mayor Konrad felt appalled that such a statement came out from Councillor Tripp considering that it is her first seating as Councillor and that such a derogatory comment was made towards staff
 - Councillor Butler felt that Mayor Konrad was out of order with his comment according to Roberts Rules of Order
 - Donald Pharand stated that there is concentration of power in the office of the CAO, basically asking Councillors to 'muzzle' their role as councillors, and is manifested through City staff's work. He asked what the CAO's academic qualifications were?
 - Mayor Konrad cautioned Mr. Pharand not to be disrespectful with his comments or he will be removed from Chambers
 - Councillor Hammett stated that she does not see the relevance of credentials, as long as the person can perform the duties
 - Mayor Konrad stated that he assures that Mr. Allin has all the credentials required to do the job and is doing an amicable job for this community
 - Les Johnson stated that politics is the one area how, where, and why they say it matters. He feels that Council should be able to express their opinions in an open public meeting and that this policy will not make it better. Does Council actually have the power with the province to set up a universal policy? What power does this policy actually have?
 - Mayor Konrad stated that this policy is a foundation, City of Grand Forks Council is not unique, it is the loss of staff and personnel and new staff coming in to be trained, polite debate

MOTION: HAMMETT

RESOLVED THAT the COTW receives the Council Code of Conduct Policy and refers it to the June 13, 2016, Regular Meeting for decision.

CARRIED.

Councillor Butler and Councillor Tripp opposed.

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- b) Deputy Corporate Officer
Committee of the Whole Meetings to include Area D Director

Discussion:

- Councillor Butler inquired as to how this is different? Does this give the Area D Director voting rights?
- CAO replied that no, this does not give the Area D Director voting power, explained procedure and sharing of regional matters for discussion
- Mayor Konrad stated that this is more of a formal invitation, the Area D Director will not have to fill out a form for delegation
- CAO stated that it would be simply to discuss services paid for and shared by Area D and the City
- Councillor Thompson stated that there are also issues regarding Area D that come up and Director Russell's comments would be important

MOTION: ROSS

**RESOLVED THAT the COTW receives the request to include the Area D Director in the COTW meetings;
AND BE IT FURTHER RESOLVED THAT the COTW directs staff to refer the request to the June 27, 2016, Regular Meeting of Council.**

CARRIED.

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- c) Deputy Corporate Officer
Electrical Upgrade for James Donaldson Park

Discussion:

- Councillor Butler inquired that Cannafest gives \$9,000 per year to the City, if the event does not return, will they still have to pay back this money?
- CAO replied that it would be challenging for the City, economic development as to the services the City offers, other groups may bring in events, provides more opportunity
- Councillor Tripp inquired if a contract could be entered into with the Cannafest group to ensure the money will be brought in?
- CAO replied no, the City will not be entering into a contract, and that this is voluntary payback to the City

MOTION: HAMMETT

**RESOLVED THAT the COTW receives the request for an Electrical Upgrade for James Donaldson Park;
AND BE IT FURTHER RESOLVED THAT the COTW directs staff to refer the request to the June 27, 2016 Regular Meeting of Council for decision.**

CARRIED.

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- d) Chief Financial Officer, Manager of Operations, Deputy Manager of Operations,
Manager of Development & Engineering

20 year Capital Plan

- CAO gave an overview of the 20 year Capital Plan

Discussion:

- Councillor Tripp inquired as to where the money comes from for special projects funding?
- CAO clarified that the \$200,000 is allocated each year and is reported to Council and explained the procedure for this allocation
- Councillor Ross commented on the incredible amount of work spent on this plan and that the future cannot be predicted
- Councillor Butler inquired as to why the Whispers of Hope roof was so expensive, Engineering report costs, and why 22nd Street multi utility project was priority #3?
- Councillor Thompson stated that the Engineering report costs are not just for one year, but for the whole plan
- CAO explained that Engineering reports are necessary by professional Engineers
- Manager of Operations explained that the paving on 22nd Street was a higher priority and done first, and the Whispers of Hope roof required more work
- Councillor Hammett congratulated staff for the work done on this plan
- Councillor Butler - Water Conservation Plan Update, and Well 3A pump and motor replacement (\$405k in budget)
- CAO responded that the criteria for Well 3A has already been before Council
- Manager of Operations spoke in regards to the Well 3A pump and motor

MOTION: BUTLER

RESOLVED THAT the COTW table the proposed motion to receive the 20-year Capital Plan for discussion until the next COTW Meeting of July 18, 2016.

DEFEATED.

MOTION: THOMPSON

**RESOLVED THAT the COTW receives the 20-year Capital Plan;
AND BE IT FURTHER RESOLVED THAT the COTW directs staff to present to Council the first three readings of the proposed amendment of the Financial Plan to include the 20 year plan at the June 27, 2016, Regular Meeting of Council.**

CARRIED.

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- e) Manager of Development & Engineering Services
Application for a Development Variance Permit to reduce the rear side parcel line setback in order to build an in ground pool on property located at 125 Victoria Way

MOTION: HAMMETT

RESOLVED THAT the COTW receives the report and recommends to Council to approve the Development Variance Permit application by allowing a rear yard setback variance from 5 feet to 0 feet behind the existing residence, legally described as Lot 22, District Lot 493, SDYD, Plan KAP 28728 and refers the report to the June 27, 2016,

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- f) Manager of Development & Engineering Services
Application for a Development Variance Permit to reduce interior side parcel line setbacks in order to construct a new single family dwelling with an attached open carport on a vacant piece of property located in the 7900 block of Riverside Drive

Councillor Butler recused herself at 12:50 pm because of the property being close to her house.

- Councillor Thompson inquired whether or not the Fire Department approves the application?
- Manager of Development and Engineering replied that the Fire Department was concerned with the type of materials
- Fire Chief replied that the Fire Department is not giving approval on this variance
- Mayor inquired as to why this motion is brought forth if the Fire Dept. does not approve the variance?
- CAO stated that this was a consideration of condition to the fact that non-combustible materials be used

MOTION: HAMMETT

RESOLVED THAT the COTW receives the report and recommends to Council to determine to approve the Development Variance Permit application by allowing an interior side setback variance from 5 feet to 4 feet on the north parcel side and setback variance from 5 feet to 3 feet on the south parcel side and refers report to the June 27, 2016, Regular Meeting of Council for decision.

CARRIED.

Councillor Butler returned to the COTW Meeting at 12:58 pm.

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- g) Manager of Development & Engineering Services
Development Permit application to subdivide industrial property located at 7920 Donaldson Drive

- Councillor Hammett inquired if this property is being split into four?
- Manager of Development and Engineering replied that this property is being split into three and that the development was not for strata conversion, only subdivision

MOTION: HAMMETT

RESOLVED THAT the COTW recommends to Council that they receive the report and approve the Development Permit applications for property legally described as Lot 1, Block 14, DL 520, Plan KAP1339, located at 7920 Donaldson Drive subject to compliance with City bylaws and in substantial compliance with plans presented in the application and refer the report to the June 27, 2016, Regular Meeting of Council for decision.

h) Manager of Development & Engineering Services
Strategic Community Energy and Emissions Plan (SCEEP)

- Patricia Dehnel, Community Energy Association and Carol Suhan, Fortis BC gave an overview of Community Input, data, Action Plan, results, collaboration, transportation, SCEEP implementation, and FortisBC programs

Discussion:

- Councillor Hammett inquired if the application forms were online?

Carol Suhan replied: yes they are

- Councillor Butler inquired as to how much staff time and money this project would take?

Patricia Dehnel replied: 35 hours of implementation time from herself and not a lot of staff time

- Carol Suhan spoke in regards to Energy Star efficient appliances

- Councillor Ross spoke on alternatives to hang clothes outside to dry

Carol Suhan replied that she will be distributing many clotheslines to the public

- CAO stated that SCEEP planning will be taken out to the public

- Councillor Butler spoke in regards to FortisBC & sales to the US

- Gloria Koch commented on water to water heat pumps

MOTION: HAMMETT

RESOLVED THAT the COTW recommends that Council accepts the presentation from Community Energy Association and Fortis BC for information; endorses the Strategic Community Energy and Emissions Plan (SCEEP) and incorporates SCEEP actions into the City policy framework to support the community in reducing emissions; directs staff to proceed with implementation of high priority actions through planning processes (Sustainable Community Plan and Zoning Bylaw) and community partnerships; and refers the report to the June 13, 2016, Regular Meeting for decision.

CARRIED.

i) Manager of Development & Engineering Services
Sustainable Community Plan and Zoning Bylaw Update

MOTION: HAMMETT

RESOLVED THAT the COTW recommends to Council to direct staff to undertake a 5-year review of the Sustainable Community Plan (SCP) and authorizes staff to proceed with a public and stakeholder engagement program as per the statutory requirements and best management practices, and refers the report to the June 13, 2016, Regular Meeting for decision.

CARRIED.

j) Manager of Development & Engineering Services
Approval to proceed with applying for grant funding

- Councillor Butler stated that the Recreation Commission will also be applying for this grant and would prefer to have Council support this application for them
- CAO commented on projects such as the cemetery, Dog Park, and Johnson Flats and that funding is not guaranteed, but would be great to have
- Councillor Ross feels that other grant possibilities are more suited to the Recreation Commission projects
- Councillor Thompson stated that this could become a huge Economic Development project and would support the City application for this grant
- Councillor Tripp spoke in regards to the funding for the Johnson Flats Wetlands
- Councillor Ross stated that both projects could qualify and suggests that both proposals go forward

MOTION: ROSS

RESOLVED THAT the COTW recommends to Council to support staff proceeding with preparing and submitting an application for the Canada 150 Community Infrastructure Program with the 50% portion of funds (\$40,000 of \$80,000) required of the City for Phase 1 of the project, coming from Capital Reserves and Donations, and refers the report to the June 13, 2016, Regular Meeting for decision.

CARRIED.

Councillor Butler is opposed.

k) Manager of Development & Engineering Services
Memo regarding Sustainable Community Plan Open House Format on June 16th, 2016

MOTION: HAMMETT

RESOLVED THAT the COTW receives the memorandum from the Manager of Development and Engineering Services regarding the Sustainable Community Plan Open House Format for June 16, 2016, for information.

CARRIED.

l) Monthly Highlight Reports from Department Managers

- Councillor Butler thanked the CFO for including financial information and would like to see more detailed information, and inquired as to the Tot Lot design ranking by users
- Manager of Operations explained the process of how schools responded and interacted in the Tot Lot design decision
- Councillor Butler inquired to the EOC and Natural Asset Inventory training?
- Manager of Development and Engineering responded that she attended along with the Deputy Corporate Officer the EOC training in Nelson and the Engineering

Technologist attended the Natural Asset Inventory training put on by Selkirk College in Castlegar

MOTION: HAMMETT

RESOLVED THAT the COTW receives the monthly activity reports from department managers.

CARRIED

5. **REPORTS AND DISCUSSION**

6. **PROPOSED BYLAWS FOR DISCUSSION**

7. **INFORMATION ITEMS**

8. **CORRESPONDENCE ITEMS**

9. **LATE ITEMS**

10. **REPORTS, QUESTIONS AND INQUIRIES FROM MEMBERS OF THE COUNCIL (VERBAL)**

11. **QUESTION PERIOD FROM THE PUBLIC**

- a) - Roma Hamilton commented that she values each of the elected members even when not in agreement and would not like to restrict any Councillor in reference to the Council Code of Conduct Policy. She posed a question to Mayor Konrad, if he had any legal right from restricting an elected official from attending a meeting?
Mayor Konrad responded that it is not a matter of legality, but procedure. He does not act upon opinion, but on collaboration. There is no restriction by a Councillor. He stated that he does not make any decision alone, but acts as a group.
- Roma Hamilton inquired if it is usual to sign off policies, are they more legally binding?
Mayor Konrad replied: no, it is not necessary, but a formality of agreement
- Councillor Tripp apologized to staff for her comment earlier regarding the agenda packages being late and did not mean to offend anyone
- Dave Lehn stated that he enjoys observing people's reactions, and that towards the end of the COTW Meeting, most of Council was dealing on a different basis and trying to solve problems. He stated that it would be good if Council can work well together

and try to think of the people who they are working for and working with. He thanked all of Council

- James Hamilton stated that he understands Councillor Tripp's comments to have time to read the agendas and that the new policy should be put on hold because it could be perceived as abusive, believes lawyers are in Conflict of Interest

- Gloria Koch inquired as to why there is a charge for a hard copy of the Financial Statements and objects to this yearly statement being charged for?

CAO replied that this is a part of the Fees and Charges Bylaw and that the statements may be obtained on the City website

- Les Johnson commented on property tax and the amount of properties with values and improvements

12. ADJOURNMENT

a) Mayor Konrad adjourned the Committee of the Whole Meeting at 2:11 pm.

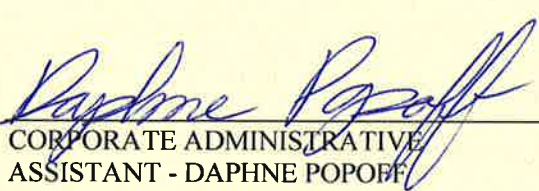
MOTION: ROSS

RESOLVED THAT the COTW Meeting be adjourned at 2:11 pm.

CARRIED.

CERTIFIED CORRECT:


MAYOR FRANK KONRAD


CORPORATE ADMINISTRATIVE
ASSISTANT - DAPHNE POPOFF