

THE CORPORATION OF THE CITY OF GRAND FORKS

COMMITTEE OF THE WHOLE MEETING

Monday, June 15th, 2015

PRESENT:

MAYOR FRANK KONRAD
COUNCILLOR JULIA BUTLER
COUNCILLOR CHRIS HAMMETT
COUNCILLOR CHRISTINE THOMPSON
COUNCILLOR NEIL KROG
COUNCILLOR COLLEEN ROSS (joined the mtg. at 9:10 am)

CHIEF ADMINISTRATIVE OFFICER	D. Allin
CHIEF FINANCIAL OFFICER	R. Shepherd
DEPUTY CORPORATE OFFICER	S. Winton
CORPORATE ADMINISTRATIVE ASSISTANT	D. Popoff
MANAGER OF DEVELOPMENT AND ENGINEERING	S. Bird
MANAGER OF BUILDING AND BYLAW SERVICES	W. Kopan
MANAGER OF OPERATIONS	D. Reid
FIRE CHIEF	D. Heriot

GALLERY

ABSENT:

COUNCILLOR MICHAEL WIRISCHAGIN

CALL TO ORDER

MOTION: THOMPSON

RESOLVED THAT the Mayor called the COTW Meeting to order at 9:00 am

CARRIED.

COMMITTEE OF THE WHOLE AGENDA

Adopt agenda

June 15th, 2015, COTW

Amendment to the agenda

The Mayor advised that he was amending the agenda to include a late item regarding a memorandum from the Manager of Operations with regard to a staff recommendation to implement a Stage 2 water restrictions plan.

MOTION: KROG

RESOLVED THAT the COTW amend the June 15th, 2015, COTW agenda to include a

late item regarding a memorandum from the Manager of Operations with regard to a staff recommendation to implement a Stage 2 water restrictions plan.

CARRIED.

REGISTERED PETITIONS AND DELEGATIONS

School District No. 51

Mr. Grey's Grade 9 Science Class to share projects regarding water

First student spoke regarding safe drinking water, access to available water in the world, wasted water, desalination, evaporation, reverse osmosis, can water be made?, minerals in water, and water conservation.

Questions and Discussion:

Karin Bagn

- Do you agree what we could do locally to conserve water by making sure existing water leaks are a top priority?

Student answered yes

Donna Semenoff

- inquired regarding water pollution and fracking

Councillor Butler

- thanked the student for a good job done with great and important facts

Second student began by comparing well water and the public water system, cons of well water, pros of public water and where does it come from?, six steps to clean public water, well water testing, potability, understanding minerals and substances in your water, greywater treatment, eco-friendly, test results of water testing.

Questions and Discussion:

- chlorine and iron in conjunction with health

- manganese and its harms over time and recommended treatment

Beverley Tripp

- inquired regarding elevated levels of nitrates

MOTION: THOMPSON

RESOLVED THAT the COTW receive the presentation from Mr. Grey's Grade 9 Science Class.

CARRIED.

Grand Forks Community Trails Society - Chris Moslin

Support of non-motorized designation of the Trans Canada Trail from Grand Forks to Cascade.

Overview:

- request for City to write a letter of support to formally designate the Trans Canada Trail from Grand Forks to Cascade as non-motorized and an extension of Bylaw 1682.
- What is the Kettle River Heritage Trail?
- Why we need non-motorized designation?
- Minister's decision to make the designation for non-motorized; however, require public support.

Questions & Discussion:

Councillor Hammett

- spoke in regards to her attendance at the TOTA presentation. The presentation delivered a good topic based on important subjects and impacts

Councillor Ross

- is in support and would like to see more trails with non-motorized vehicles

Chris Moslin

- was in agreement that both non-motorized and motorized equally as important for visitors and locals, spoke in regards to access to other locations, etiquette and rules important

Councillor Thompson

- stated that there is permitted use by the ATV Club

Mayor Konrad

- asked for a definition of a motorized vehicle

Chris Moslin

- responded to Mayor Konrad that it is a device not used for mobility purposes

Brett Hummel

- stated that there are not many people on the trails during his use in the North Fork area and has concerns with not being able to use non-motorized vehicles in this area

MOTION: KROG

RESOLVED THAT the COTW receive the presentation from Chris Moslin of the Grand Forks Community Trails Society and forward the request for a support letter to the Regular Meeting of June 15th, 2015.

CARRIED.

The Mayor recessed the COTW Meeting at 9:54 am.
The Mayor reconvened the COTW Meeting at 10:03 am.

Concerned Residents of Grand Forks and Surrounding Areas
Questions, concerns, and suggestions that are presented in the water meter
manifesto.

Mayor Konrad declared at this time that he wished to recuse himself and is not entitled to participate in the discussion or vote on the next item of business before this meeting, that is item No. 3 c) on the meeting agenda, by reason of advisement from the Corporation's lawyers, Young Anderson, based on their opinion of a perceived indirect pecuniary conflict of interest, directed at himself. Also based on their advisement, that the remainder of Council should encourage him to recuse himself. Furthermore, he advised that he wished to invoke his right under the Community Charter, Sections 100 and 104, respectfully, that he, Mayor Konrad, is not declaring, nor admitting to this perceived conflict of interest; for in his opinion, as Mayor, there is no conflict of interest, and never was.

Furthermore, for the record, this action obstructs his ability to perform his elected official duty, as Mayor for the citizens of Grand Forks.

And that he wishes to leave this meeting at this time and request that the minutes record his leaving the meeting for the reasons as stated above.

Mayor Konrad left the COTW Meeting at 10:06 am.

Councillor Krog was appointed as Acting Mayor.

Overview:

- Grand Forks aquifer - potential yield
- manifesto issues - radiation, BC Plumbing Code noncompliance, insurance liability
- challenges with current Water Metering Plan - FOI requests, health & safety concerns, petitions, Conflicts of Interest
- alternative options - district or sectional metering, Valley Heights reservoir, proposed new well, enforce water restrictions, water ambassador, incentives, education
- questions to evaluate performance
- cooling off period

Questions and Discussion:

Councillor Butler

- stated that a lot of the information has been referred from the Kerr Wood Leidal Report, take advice from City experts to do a water audit

Karin Bagn

- asked Council why a resident water meter has been leaking for two months? One year cooling off period requested

Beverley Tripp

- responded to Councillor Butler's comment that there are 30-70% leaks in pipes from report

Donna Semenoff

- 2010 report from Kerr Wood Leidal - conservation plan, water audit, testing meters, not necessary all connections to industries were being metered at that time, voluntary metering of residences to figure out leaks, Urban Systems did do water audit - testing meters, no residential data, actions not followed

Barry Jarvis

- 2014 Urban Systems Report - 2008-2012 max. daily demand dropped by 10%, did trend continue?

Mgr. of Operations

- does not have report currently and cannot answer immediately

Barry Jarvis

- How will shortfall be funded for installation of water meters?

CAO

- if there is a shortfall, amendment in the Finance Plan would be brought forward to Council and funding sources would be identified

Brett Hummel

- lives in the North Fork area, concerned over water meter issue, how far will Council go to continue this issue and divide the City?

CAO

- Mgr. of Operations has addressed one situation

Mgr. of Operations

- in regards to Karin Bagn's question: five attempts have been made from April-May for a plumber to come into the home of a resident, where condensation occurred as a service supply to the home prior to the meter install, not part of the meter itself, a letter has been written in response

Councillor Butler

- referred to letters from Mr. Antifay regarding his water meter leak and that no City contact was made to this regard. He has asked her to bring his concerns forward

Councillor Ross

- provided an explanation and concerns regarding Mr. Hummel's comments, looking at chronological history of this Plan, climate change, water use in community, does not want division in community, let's move forward, has compassion fatigue, wants to complete the project

Councillor Hammett

- the Water Meter Project is 70% complete and the money has been spent, not responsible to just ignore these facts

Roma Hamilton

- some points of agreement, aquifer, could Council cutback and step forward on insecticides to protect aquifer by example?

Gloria Koch

- thank you to Councillor Ross for expressing thoughts and are echoed, would like a pause and a relook at this situation, money spent - move on, but find better ways

Councillor Butler

- can resident now hire a plumber to come in and not go against the City bylaw?

CAO

- City has already hired an independent plumber and addressed the situation with the customer, good job from Mgr. of Operations and high level from our team to deal with this situation

Councillor Butler

- would like to see stats from meters installed already, enforcement of sprinkling regulations, timers for sprinkling systems, education of people

James Hamilton

- apologized on behalf of those that have been a problem for Councillor Ross, listen and work with the people concerned

MOTION: HAMMETT

RESOLVED THAT the COTW receive the presentation from the Grand Forks and surrounding area concerned residents.

CARRIED.

Mayor Konrad returned to the COTW Meeting at 10:53 am.

PRESENTATIONS FROM STAFF

Manager Development & Engineering Services

Application for a Development Variance Permit to request an interior setback variance from 3 meters (10 feet) to 0.9144 meters (3 feet), in order to construct a carport

MOTION: THOMPSON

RESOLVED THAT the COTW receives the report and recommends to Council to select one of the presented options at the July 20th, 2015, Regular Meeting of Council and authorizes staff to proceed with Option 1.

CARRIED.

Manager of Development & Engineering Services

Application for a Development Variance Permit to request an increase in accessory building height and an increase in overall floor area of all accessory buildings, in order to construct a garage

MOTION: THOMPSON

RESOLVED THAT the COTW receives the report and recommends to Council to select

one of the presented options at the July 20th, 2015, Regular Meeting of Council and authorizes staff to proceed with Option 1.

CARRIED.

Corporate Services
Selkirk College Partnership for Mural Project

Questions and Discussion:

Councillor Ross

- stated that some artists are concerned and feel betrayed and disrespected by the City

Councillor Hammett

- asked about the cost associated with this proposal?

Deputy Corp. Officer

- explained financial support for Project manager, request would move forward if funded or not, walls at RDKB office and Selkirk College are also options

Councillor Krog

- speaking in favor, involves youth, on canvas with a size setting for other artist participation, could be switched out, is funding request for canvas & brushes only?

Deputy Corp. Officer

- yes, only for canvas & brushes

- there are eight walls on the Lift Station that could be utilized, requesting only two walls

MOTION: KROG

RESOLVED THAT the COTW recommends to Council to receive the request regarding the Mural Project to be undertaken in partnership with Selkirk College and refers it to the June 15th, 2015, Regular Meeting of Council for decision and/or direction to staff.

CARRIED.

Deputy Corporate Officer/Communications
Draft Communications Policy and Procedures

MOTION: THOMPSON

RESOLVED THAT the COTW recommends to Council to receive the draft Communications Policy and Procedures and determines to move forward with public consultation and a Council workshop as next steps in it development.

CARRIED.

Manager of Operations
Universal Water Meter Program

Councillor Butler

- asked for a point of clarification for 4 e) so that the agenda would be correct, should not read that on December 12th the City was successful for receiving the Gas Tax Grant, should state that the City never received this, that on December 12th it was accumulated gas tax funding for this program

CAO

- replied that the City applied for the Grant and was unsuccessful and did not receive the Grant

Councillor Butler

- would like an amendment made to the agenda to state accumulated gas tax funding for the program and not that a specific grant was received for the program

Mayor Konrad declares at this time that he wishes to recuse himself and is not entitled to participate in the discussion or vote on the next item of business before this meeting, that is item no. 4 e) on the meeting agenda, by reason of advisement from the Corporation's lawyers, Young Anderson, based on their opinion of a perceived indirect pecuniary conflict of interest, directed at himself.

Also based on their advisement, that the remainder of Council should encourage him to recuse himself.

Furthermore, he advised that he wished to invoke his right under the Community Charter, Sections 100 and 104, respectfully, that he, Mayor Konrad, is not declaring, nor admitting to this perceived conflict of interest; for in his opinion, as Mayor, there is no conflict of interest, and never was.

Furthermore, for the record, this action obstructs his ability to perform his elected official duty, as Mayor for the citizens of Grand Forks.

And that he wishes to leave this meeting at this time and request that the minutes record his leaving the meeting for the reasons as stated above.

Mayor Konrad left the COTW Meeting at 11:10 am.

Councillor Krog was appointed as Acting Mayor.

MOTION: THOMPSON

RESOLVED THAT this item be referred to the July 20th, 2015 meeting.

CAO

- recommendation to proceed with this item for decision, Bylaw information to seek more public input, if there is a delay, will move into winter months and then there will be other factors to consider

Councillor Ross

- regarding the request for decision - stated that she does not like any of the options and would like to introduce another option and then bring forth to public

Acting Mayor Krog

- point of order, no discussion at this time

Councillor Thompson has withdrawn the motion to refer.

Acting Mayor Krog

- informed that Council could continue to choose, or amend, or review other alternatives

Councillor Butler

- would like options collected, no need for Urban Systems Report, would like to see creative options

CAO

- informed that report options were sought from around the province on an engineering perspective regarding common things found in BC, is a guide to Council, staff works within the realm the professionals provide, go to public and seek more input if anything was overlooked and then a report would be brought back to Council for the July 20th, 2015 meeting

Councillor Ross

- stated that one option could be done, but approached in a different way, not all concerns have been met, does not want to commit to anything today

Councillor Hammett

- reported that Kamloops and Penticton had an opt-out program, flat rate

CAO

- provided factual information for opt-out rates from other community bylaws

Donna Semenoff

- option of opt out for Grand Forks if there was a fair representation, not cohered into situation, environment consideration, cost effective way to conserve

Frank Triveri

- he stated that he opted in because he felt no other alternative, accepted Council decision; however against water meter program. To opt out now, parameters have to be looked at

Councillor Butler

- Does overhead and profit for meters not installed still have to be paid to contractor?

CAO

- cannot discuss what is In-Camera and not in liberty to discuss what is under Section 90

Councillor Hammett

- spoke in regards to the purpose of water meters, commented in regards to Mr. Triveri's question regarding the opt out parameters and that there should be a deterrent in place so that those meters already installed are not facing an expense

Acting Mayor Krog

- spoke in regards to the opt out program and that unlimited water usage cost is higher

Councillor Butler

- informed of fears of removal regarding opt-out program, most people in favour of program

Frank Triveri

- spoke in regards to an equitable situation, personal land amount, taxes, Rates Committee

Donna Semenoff

- stated that the big goal is how to conserve water, gov. grants, fairness, modification of water, RF

Barry Jarvis

- stated his reasons for relocating to Grand Forks, water issue significant cost increase, no credit on utility bill for time away from home, rates increase for utilities

Acting Mayor Krog

- would like to see all services as user pay services

Councillor Ross

- spoke in regards to the first world problem that exists in North America, time to start behaving differently, what is the goal? - to conserve water, life choices for decisions, would like to dig deeper into alternatives

~~MOTION: BUTLER~~

Removed from minutes, as amended, by Council on June 29th, 2015

~~RESOLVED THAT the COTW recommends Council to choose one of the options and direct staff to proceed accordingly.~~

~~DEFEATED.~~

MOTION: ROSS

RESOLVED THAT the COTW receive and refer back to staff and public, who are City water utility customers, for written input of no more than 500 words per letter, with one submission per person, regarding collection of more options; and, FURTHER bring forward to the July 20th meeting and to be received by no later than June 25th at 4:00 pm and clearly titled Water Meter Input to info@grandforks.ca or hand delivered to the front desk of City Hall.

CARRIED.

The Mayor returned to the COTW Meeting at 11:55 am.

Monthly highlight reports from department managers
Staff request for Council to receive the monthly activity reports from department managers

Councillor Butler

- inquired as to sewer main flushing and camera lines clarity, reconductor progress and reason for upgrades

CAO

- stated that the camera lines were for sewer maintenance

Mgr. of Operations

- stated the reason for the upgrades were due to safety of aging copper and are brittle

Mayor Konrad

- inquired if there were any documented deer feeding complaints

Mgr. of Bylaw Services

- informed that there was only one complaint since initial round

Mayor Konrad

- inquired as to the camps along the riverbanks

Mgr. of Bylaw Services

- informed that the camps are continuously relocating

Mayor Konrad

- inquired if the permit values were from January 2015

Mgr. of Bylaw Services

- replied to Mayor Konrad: yes, current 2015

CAO

- stated that the monitoring by the Fire Chief reported that ~~there is a 99% deficiency of water this year due to snow packs.~~

as amended by Council on June 29th, 2015
we are at 1% of normal snow packs.

MOTION: THOMPSON

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

CARRIED.

Corporate Services - Verbal Report
Information update regarding the Cannafest event

Deputy Corp. Officer

- reported that all paperwork for this event is up to date, possibly 2,000 more people will be in the City during this time, looking into expanding camping options into Dick Bartlett Park and the field on the west side for additional parking, also looking into an

additional cost to the City to maintain washrooms and community in general to prepare for this amount of people, additional costs of approximately \$10,000, extension to the Noise Bylaw will be brought forth.

Mayor Konrad

- inquired as to whether Mr. Varabioff of the Cannafest event will be contacting the RCMP regarding the sale of medicinal marijuana?

Deputy Corp. Officer

- informed that this is out of the City's jurisdiction; however, the RCMP have been contacted, as well as the ambulance service, and the Fire Dept.

Councillor Hammett

- stated that Council has already voted and agreed with Mr. Varabioff that there will be no medicinal marijuana. Inquired as to whether now there will be medicinal marijuana?

CAO

- explained that Federal licence has not been approved and given to the City, only the RCMP can now enforce this decision and stop Mr. Varabioff from bringing in medicinal marijuana

Councillor Ross

- stated that Mr. Varabioff should be reminded of Council's decision and agreement contract with the City for no medical marijuana dispensary, only for promotion materials

Deputy Corp. Officer

- said that we are moving forward with Mr. Varabioff and that he is fully aware that he should not be dispensing medicinal marijuana

Les Johnson

- inquired and wanted to make sure that no one could purchase medicinal marijuana with a Vancouver dispensary card or licence?

CAO / Council

- replied to Mr. Johnson that this was correct

Frank Triveri

- stated that the stipulation belongs to the Federal Government, beyond jurisdiction

Councillor Krog

- stated that an event has to abide by the City rules for James Donaldson Park for use of our property

Donna Semenoff

- inquired regarding to the approximate additional \$10,000, why is City doing this event? For tourism?

CAO

- stated that there is a significance to the local economy and that Council has a community event fund in the budget

Frank Triveri

- voiced concerns regarding the medical marijuana component and that the City could face a constitutional issue

Councillor Krog

- to his understanding, Federal legislation stated that medicinal marijuana has to be obtained from a licensed pharmacy or distribution area and is not supposed to be consumed in public but taken back to the residence only for use

MOTION: ROSS

RESOLVED THAT Council receive for information purposes.

CARRIED.

REPORTS AND DISCUSSION

PROPOSED BYLAWS FOR DISCUSSION

Chief Financial Officer

Bylaw 2016 - Year 2014-2018 Financial Plan Amendment 2

MOTION: THOMPSON

RESOLVED THAT the COTW recommends that Council give first three readings to Bylaw No. 2016 - Year 2014-2018 Financial Plan Amendment 2 at the June 29, 2015, Regular Meeting of Council.

CARRIED.

Prior to continuing with the next item, the CAO announced that the City received funding for the grant that was applied for the Waste Water Treatment Operating in the neighbourhood of \$400,000.

INFORMATION ITEMS

CORRESPONDENCE ITEMS

LATE ITEMS

Manager of Operations - Memorandum and Report

The Manager of Operations spoke about the recent information the City has received regarding the very low snow pack levels and that staff is recommending that the City implement a Stage 2 Water Restriction Plan immediately.

Councillor Butler

- stated that a garden will not survive with only two days of watering

Mgr. of Operations

- replied that there is a provision for handheld watering

Councillor Krog

- mentioned that this recommendation is based on what is happening throughout the Okanagan and BC

Councillor Butler

- referred to the Kerr Wood Leidal Report in drought conditions, would like to see sprinkling regulations that we already have in place enforced first

Frank Triveri

- also stated that a garden will not survive, some people do not have a garden and do not realize, cannot hand water entire garden

Councillor Ross

- feels that if sprinkling twice a week was the entitlement and then handheld watering, that this should be enough

Beverley Tripp

- inquired as to whether the aquifer was really stressed?

Donna Semenoff

- spoke in regards to the Kerr Wood Leidal Report and that water conservation could cause unrest in the community, good for educating, if there is no problem - why enforce?

Councillor Thompson

- feels that these arguments support the Water Meter Program

Councillor Butler

- stated that people still have to abide by the Sprinkling Regulations even with the Water Meter Program, feels that the City does not need to copycat other Cities, Sustainable Community Plan says that we have to promote gardening.

Les Johnson

- stated that water meters would show who is sprinkling

CAO

- stated that we have to be proactive in this approach, there is a science behind the need, Council to consider the facts with the 1% of normal snow pack, and minimize the impacts on the water system providing community with facts

Mayor Konrad

- inquired as to how many watering violations against the Bylaw there were?

Mgr. of Bylaw Services

- answered that there were approximately half a dozen notices handed out

Mayor Konrad

- replied that this did not seem like a big concern

Councillor Butler

- inquired as to why this item was brought in as a late item?, item should have been advertised and brought to the public for input and enforcement

Motion discussion:

Councillor Butler

- isn't there a computer program that the Mgr. Of Operations could refer to?

Mgr. of Operations

- replied that the SCADA System is in place; however, it takes time to look at and put into a report

MOTION: KROG

RESOLVED THAT Council directs Staff to implement a Stage 2 water restriction plan, as presented, immediately, and further that Staff be directed to include the three stages as an amendment to the Water Regulations Bylaw to be introduced later this summer.

MOTION WAS TIED AND THEREFORE DEFEATED.

MOTION: ROSS

RESOLVED THAT Council directs Staff to enforce Stage 1 water restrictions and apply the appropriate fines according to Bylaw 1973; and, FURTHER advertise in the newspaper and on the City website information regarding Stage 2 restrictions and revisit this at the next Regular Meeting of June 29th.

CARRIED.

MOTION: BUTLER

RESOLVED THAT Council directs Staff to provide Council current daily, annual and when Sprinkling Regulations are enforced, stats from our wells.

DEFEATED.

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

QUESTION PERIOD FROM THE PUBLIC

Frank Triveri

- expressed appreciation to Council for his letter of April becoming part of the agenda, salaries and contracts over \$75,000 for all Administrators and CAO should be disclosed and posted on the City website and not through the FOI process, as a citizen, he stated that he has a right to view these.

Councillor Hammett

- stated that she does not have a problem releasing contract information and the decision of rehiring the CAO

Councillor Butler

- referred to Mr. Triveri's statement and said that if that is what is stated, that we have to provide and post this information

CAO

- spoke in regards to the Communication Policy

MOTION: HAMMETT

RESOLVED THAT Council direct Staff to provide a detailed comparison of the prior and existing contracts of the CAO and release this comparison to the public.

CARRIED.

IN-CAMERA RESOLUTION

Chief Administrative Officer

Immediately following the COTW Meeting, Council will hold an In-Camera Meeting

MOTION: THOMPSON

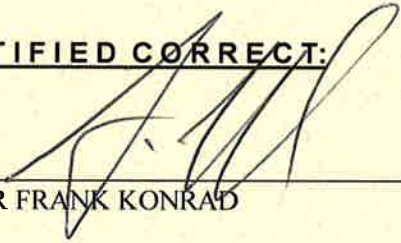
THAT COTW recommends Council convene an In-Camera Meeting as outlined under Section 90 of the Community Charter to discuss matters in a closed meeting which are subject to Section 90 (1)(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality; and 90 (1)(e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the municipality; and 90 (1)(g) litigation or potential litigation affecting the municipality; Be it further resolved that persons, other than members, officers, or other persons to whom Council may deem necessary to conduct City business, will be excluded from the In-Camera Meeting.

CARRIED.


ADJOURNMENT

The Mayor adjourned the meeting at 1:01 pm.

CERTIFIED CORRECT:



MAYOR FRANK KONRAD



CORPORATE ADMINISTRATIVE
ASSISTANT - DAPHNE POPOFF

JUNE 15, 2015

COMMITTEE OF THE WHOLE MEETING