

THE CORPORATION OF THE CITY OF GRAND FORKS

REGULAR MEETING of COUNCIL
MONDAY JULY 25, 2005

PRESENT: MAYOR JAKE RAVEN
COUNCILLOR ANN GORDON
COUNCILLOR MIKE KANIGAN
COUNCILLOR NEIL KROG
COUNCILLOR PATRICK O'DOHERTY
COUNCILLOR TOM SHKRABUIK
COUNCILLOR BOB SMITH

ACTING CHIEF ADMINISTRATIVE OFFICER – L. Burch
DEP CLK / TREASURER - D. Zabinsky

GALLERY

The Mayor called the meeting to order at 6:00p.m.

IN-CAMERA MEETING AGENDA:

AMENDMENTS TO THE AGENDA:

- none

MOTION: O'DOHERTY / GORDON

RESOLVED THAT THE AGENDA BE ADOPTED, AS CIRCULATED.

RESOLUTION TO CONVENE AN IN-CAMERA MEETING:

MOTION: GORDON / SMITH

RESOLVED THAT COUNCIL CONVENE AN IN-CAMERA MEETING AS OUTLINED UNDER:

- Section 90(1)(e) of the Community Charter to discuss the acquisition, disposition or expropriation of land or improvements, if Council considers that disclosure could reasonably be expected to harm the interest of the municipality, and
- Section 90(1)(g) of the Community Charter to discuss litigation or potential litigation affecting the municipality, and
- Section 90(1)(j) of the Community Charter to discuss information that is prohibited, or

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- information that if it were presented in a document would be prohibited, from disclosure under Section 21 of the Freedom of Information and Protection of Privacy Act.

AND 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.

RECESS OF REGULAR MEETING:

The Regular Meeting of Council was recessed at 6:02 p.m. and reconvened at 7:00 p.m.

REGULAR MEETING ADOPTION OF AGENDA:

AMENDMENTS TO THE AGENDA:

- Email letter from the Grand Forks Art Gallery requesting support of their application for H.R.D.C. funding to be brought forward under correspondence as item no. 6e.

MOTION: O'DOHERTY / GORDON

RESOLVED THAT THE AGENDA BE ADOPTED, AS AMENDED.

CARRIED.

MINUTES:

MOTION: SMITH / SHKRABUIK

RESOLVED THAT THE MINUTES OF THE FOLLOWING MEETINGS BE ADOPTED AS CIRCULATED.

- Special Meeting of Council (Annual Meeting) June 20, 2005
- Regular Meeting of Council – June 20, 2005
- Special Meeting of Council – June 23, 2005
- Committee of the Whole Meeting – July 4, 2005
- Public Hearing – July 4, 2005
- Special Meeting of Council – July 4, 2005
- Special Meeting of Council – July 14, 2005

CARRIED.

BUSINESS ARISING FROM MINUTES:

None

DELEGATIONS:

a) Eric Turner and Delegates – Discussion of Chevron’s drilling on Public Roadways

Eric Turner addressed Council, on behalf of five businesses near the Chevron site, on the matter of Chevron Canada’s recent drilling on public roadways. A copy of Mr. Turner’s presentation is attached. He referred to two letters, both from Chevron Canada, outlining the circumstances of two of the surrounding properties. He stated concerns that the City has not had the heightened awareness that his group expected. He outlined his concerns on how easy it was to obtain permission to drill on public roadways without Chevron’s obligation to provide results of these tests. Mr. Turner stated the group’s concerns as to their properties declining in value due to the potential migration and the need for Council’s cooperation to obtaining the necessary information from Chevron Canada.

b) Powerhouse Developments Inc. – Proposed Cascade Heritage Power Project

Bill Harland and Paul Manson of Powerhouse Developments Inc. began their presentation by requesting Council’s support of their proposed Cascade Heritage Power Project. Mr. Manson stated that they are here tonight because the RDKB and the City of Grand Forks has requested an extension of time for responses to the Environmental Assessment Office and that company wanted to ensure Council has all the information that they require to ensure that responses can be received within the 30-day extension provided.

Bill Harland spoke to the economic benefits of the project, stating that taxes would accrue to both the RDKB and to communities contained therein. He went on to outline and name specific Grand Forks area businesses that would directly benefit from the Cascade Heritage Project, as it is a project that would use local contractors. He stated that the proposed museum will benefit tourism in the area.

In addressing the water situation, Mr. Harland stated that his company recognizes that water is the lifeblood for this area as well as future water availability. He advised that if the project is approved, a number of conditions would apply to the certificate to proceed. He stated that in their submission to the Environmental Assessment Office, Powerhouse Developments Inc. agreed to abide by Case III, knowing that water availability is a key issue.

In conclusion Mr. Harland requested Council’s approval of the project at this time. In response to questions from Council, it was determined that the existing Cascade falls would be reduced if the project went ahead, and it was stated that no definitive decision of where the power would be sold has been made at this time.

COMMUNICATIONS FOR INFORMATION:

None

a) Grand Forks and District Fall Fair – request to permanently block off roadway north of the Curling Rink and to designate a permanent space for the Fall Fair

MOTION: KANIGAN / SHKRABUIK

RESOLVED THAT THE LETTER FROM THE GRAND FORKS AND DISTRICT FALL FAIR, DATED JULY 7, 2005, REQUESTING THAT THE CITY PERMANENTLY BLOCK OFF THE ROADWAY NORTH OF THE CURLING RINK AND INSTALL A HIGHER MORE SECURE FENCE TO ALLOW THE ESTABLISHMENT OF FAIR FACILITIES, AND TO CONSIDER A PERMANENT SPACE FOR THE FAIR, BE RECEIVED AND REFERRED TO STAFF FOR A REPORT ON THE REQUEST TO BLOCK OFF THE ROADWAY NORTH OF THE CURLING RINK AND A REPORT ON THE OPTIONS AVAILABLE FOR A PERMANENT SPACE FOR THE GRAND FORKS AND DISTRICT FALL FAIR.

CARRIED.

b) Hope Ratepayers Association – Petition to Standardize Gasoline and Diesel Prices at the Pumps.

MOTION: SMITH / SHKRABUIK

RESOLVED THAT THE LETTER FROM M. HONGHTON OF THE HOPE RATEPAYERS ASSOCIATION, ATTACHING A PETITION REQUESTING THE PROVINCIAL AND FEDERAL GOVERNMENTS TO STANDARDIZE GASOLINE AND DIESEL PRICES AT THE PUMPS, AND REQUESTING THAT COUNCIL CIRCULATE THE PETITION THROUGH THE GRAND FORKS COMMUNITY BE RECEIVED FOR INFORMATION.

CARRIED.

c) Marge Verigin – Request to replace Duplicate Certificate of Title.

MOTION: GORDON / SHKRABUIK

RESOLVED THAT THE LETTER, DATED JULY 8, 2005, FROM DEBBIE ROSS, ON BEHALF OF MARGE VERIGIN, REQUESTING THAT THE DUPLICATE TITLE TO MRS. VERIGIN'S PROPERTY BE REPLACED, BE RECEIVED, AND STAFF BE DIRECTED TO PROCEED WITH THE STATUTORY PROCEDURE THROUGH LEGAL COUNSEL TO REPLACE THE TITLE AS REQUESTED, AT A COST NOT TO EXCEED \$1,200.00.

CARRIED.

d) Ministry of Environment – Request to install a 48 foot meteorological tower on the south east side of the Grand Forks Airport.

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MOTION: KANIGAN / SHKRABUIK

RESOLVED THAT THE LETTER, RECEIVED JULY 18, 2005, FROM THE MINISTRY OF ENVIRONMENT, REQUESTING COUNCIL'S PERMISSION TO INSTALL AN UP TO 48 FOOT METEOROLOGICAL DATA TO AUGMENT AIR QUALITY INFORMATION CURRENTLY BE COLLECTED FROM THE THREE INSTRUMENTS LOCATED ON THE TOP OF CITY HALL, BE GRANTED, SUBJECT TO ALL THE COSTS OF THE INSTALLATION AND MAINTENANCE OF THE EQUIPMENT BE BORNE SOLELY BY THE MINISTRY OF ENVIRONMENT. AND BE IT ALSO RESOLVED THAT THE MINISTRY BE ADVISED THAT THEY MUST WORK WITH THE TRANSPORT CANADA DIRECTLY TO ENSURE THAT ALL FEDERAL REQUIREMENTS ARE MET.

Late Item:

e) Grand Forks Art Gallery – Request for support of application to H.R.D.C.

MOTION: O'DOHERTY / SMITH

RESOLVED THAT THE EMAIL LETTER FROM THE GRAND FORKS ART GALLERY, RECEIVED BY MAYOR RAVEN, REQUESTING SUPPORT FOR THE ART GALLERY'S APPLICATION TO H.R.D.C. FOR FUNDING TO CREATE TWO NEW POSITIONS AT THE GALLERY UNDER THEIR JOB CREATION PARTNERSHIP PROGRAM, BE RECEIVED AND APPROVED. CARRIED.

ADMINISTRATIVE REPORTS FOR INFORMATION:

a) Analysis of Slag Sales Quarterly Report – as at June 30, 2005

MOTION: SHKRABUIK / GORDON

RESOLVED THAT THE ANALYSIS OF SLAG SALES, AS AT JUNE 30, 2005, BE RECEIVED FOR INFORMATION. CARRIED.

ADMINISTRATIVE REPORTS REQUIRING ACTION:

a) Deputy Clerk / Treasurer's Report – City Flag

MOTION: GORDON / SHKRABUIK

RESOLVED THAT THE DEPUTY CLERK / TREASURER'S REPORT, ON RESEARCH DONE AS TO A CITY OF GRAND FORKS FLAG, DATED JULY 8, 2005, BE RECEIVED. BE IT FURTHER RESOLVED THAT 12 CITY OF GRAND FORKS FLAGS BE ORDERED.

CARRIED.

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b) Deputy Clerk / Treasurer Report – Car Crusher

MOTION: GORDON / SMITH

RESOLVED THAT THE DEPUTY CLERK / TREASURER'S REPORT, ON THE POSSIBILITY OF HAVING A CAR CRUSHER COME TO GRAND FORKS TO REMOVE DERELICT VEHICLES FROM WITHIN CITY LIMITS, BE RECEIVED. BE IT FURTHER RESOLVED THAT COUNCIL DEFER THIS ITEM UNTIL THE FALL WHEN STAFF WILL BE AVAILABLE TO HANDLE THIS PROGRAM.

CARRIED.

c) Superintendent of Public Works' Report – Airport Trees

MOTION: SHKRABUIK / GORDON

RESOLVED THAT THE SUPERINTENDENT OF PUBLIC WORK'S REPORT ON THE MATTER OF AIRPORT TREES, DATED JULY 13, 2005, BE RECEIVED. BE IT FURTHER RESOLVED THAT THE RECOMMENDATIONS CONTAINED IN THE REPORT WHICH INCLUDE:

1. PLANTING A HEDGE IN THE IDENTIFIED AREA IN CONSULTATION WITH THE ADJACENT PROPERTY OWNERS
2. PLANTING LOWER GROWING DECIDUOUS TREES IN THE AREA INFRONT OF THE HEDGE WITH ADJACENT PROPERTY OWNERS TO PICK THE TREES
3. PLANTING A LOWER GROWING TYPE OF GRASS IN THE IDENTIFIED AREAS

BE APPROVED AT A COST NOT TO EXCEED \$5,000.00.

CARRIED.

d) Deputy Clerk / Treasurer Report – Call Centre Committee's Request for Business Plan Funding

MOTION: SHKRABUIK / GORDON

RESOLVED THAT COUNCIL AUTHORIZE THE CITY TO CONTRACT WITH COMMUNITY FUTURES DEVELOPMENT CORPORATION BOUNDARY AREA FOR MARGRET JENNINGS TO PREPARE A BUSINESS PLAN DOCUMENT FOR PROSPECTIVE CALL CENTRE COMPANIES IN THE AMOUNT OF \$2,500.00, AND THAT THE FUNDS BE TAKEN FROM ACCOUNT CODE 10-2-2100-313 COUNCIL/PROFESSIONAL SERVICES OTHER CONSULTANTS AND THAT THE CLERK AND THE MAYOR BE AUTHORIZED TO SIGN THE CONTRACT ON BEHALF OF THE CITY. BE IT ALSO RESOLVED THAT THE REPORT PRODUCED WILL BECOME THE SOLE PROPERTY OF THE CITY OF GRAND FORKS, TO BE USED BY PERMISSION ONLY.

CARRIED.

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e) Superintendent of Public Works' Report – Options for Sani Dump at City Park Campground

MOTION: SMITH / SHKRABUIK

RESOLVED THAT COUNCIL RECEIVE THIS REPORT OUTLINING THE OPTIONS FOR THE UPGRADING OF THE SANI STATION AT THE CITY PARK CAMPGROUND, AND THAT COUNCIL AUTHORIZE OPTION #1 AT SITE #1, LEAVING THE SANI DUMP AT THE CURRENT SITE AND INSTALLING A FLAPPER VALVE, FOR THE REMAINDER OF 2005. BE IT ALSO RESOLVED THAT COUNCIL AUTHORIZE OPTION #3, FOR 2006 AND THAT AN AMOUNT OF \$10,000.00 BE INCLUDED IN THE 2006 FINANCIAL PLAN TO COVER THE COST OF THIS UPGRADE.

CARRIED.

f) Acting CAO's Report – Jones Development Variance Permit Application

MOTION: O'DOHERTY / KANIGAN

RESOLVED THAT COUNCIL RECEIVE THE APPLICATION FOR A DEVELOPMENT VARIANCE PERMIT, SUBMITTED BY JEAN JONES OWNER OF PROPERTY LEGALLY DESCRIBED AS PARCEL A, BLOCK 10, D.L. 585, PLAN 52, LOCATED AT 168 – 81ST AVENUE, REQUESTING A VARIANCE TO THE CITY OF GRAND FORKS ZONING BYLAW, SECTION 33(2)(H) TO ALLOW FOR THE CONSTRUCTION OF A 120 SQUARE FOOT STORAGE SHED CLOSER TO THE FRONT PARCEL LINE THAN THE FACING WALL OF THE PRINCIPAL BUILDING AND TO VARY SECTION 33(2)(F) FRONT PARCEL LINE SETBACK FROM THE REQUIRED 20 FEET TO 12 FEET. BE IT FURTHER RESOLVED THAT THIS VARIANCE BE APPROVED IN SUBSTANTIAL COMPLIANCE WITH THE DRAWINGS RECEIVED WITH THE APPLICATION.

CARRIED.

g) Acting CAO's Report – Anderson Development Variance Permit Application

MOTION: O'DOHERTY / SMITH

RESOLVED THAT COUNCIL RECEIVE THE APPLICATION FOR A DEVELOPMENT VARIANCE PERMIT, SUBMITTED BY JACK AND ELIZABETH ANDERSON, OWNERS OF PROPERTY LEGALLY DESCRIBED AS LOT 1, BLOCK 37, D.L. 108, PLAN KAP72110, LOCATED AT 7519 – 9TH STREET, REQUESTING A VARIANCE TO THE CITY OF GRAND FORKS ZONING BYLAW, SECTION 33(2)(F) FRONT PARCEL LINE SETBACK FROM THE REQUIRED 20 FEET TO 9 FEET IN ORDER TO ALLOW FOR THE CONSTRUCTION OF AN OPEN CARPORT IN LINE WITH THE FRONT FACE OF THE EXISTING RESIDENCE. BE IT FURTHER RESOLVED THAT THE VARIANCE BE APPROVED IN SUBSTANTIAL COMPLIANCE WITH THE DRAWINGS SUBMITTED WITH THE APPLICATION.

CARRIED.

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h) Acting CAO's Report – Strata Title Conversion for 2126 – 68th Avenue

MOTION: O'DOHERTY / KROG

RESOLVED THAT THE APPLICATION FROM CANYON CREEK PROPERTIES LTD., AGENTS FOR KEN AND FRANCES HYNES TO CONVERT THE PREVIOUSLY OCCUPIED APARTMENT BUILDING LOCATED AT 2126 – 68TH AVENUE TO STRATA TITLE OWNERSHIP BE RECEIVED, AND THE APPROVING OFFICER BE AUTHORIZED TO SIGN THE CERTIFICATE OF APPROVAL (FORM T).

CARRIED.

i) Acting CAO's Report – Proposal for Sub-Regional Emergency Plans

MOTION: KROG / SMITH

WHEREAS THE REGIONAL DISTRICT OF KOOTENAY BOUNDARY ADOPTED EMERGENCY PLANNING AND RECOVERY SERVICE ESTABLISHMENT BYLAW NO. 1256, JANUARY 27, 2005;

AND WHEREAS THE COUNCIL OF THE CORPORATION OF THE CITY OF GRAND FORKS IS DESIROUS OF PARTICIPATING IN THE REGIONAL DISTRICT'S EMERGENCY PLANNING AND RECOVERY SERVICE;

THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF GRAND FORKS IN OPEN MEETING ASSEMBLED HERewith REQUESTS THE REGIONAL DISTRICT OF KOOTENAY BOUNDARY TO AMEND BYLAW NO. 1256, PURSUANT TO SECTION 801.4 OF THE LOCAL GOVERNMENT ACT, TO INCLUDE THE CORPORATION OF THE CITY OF GRAND FORKS AS A PARTICIPANT.

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MOTION: KROG / SMITH

RESOLVED THAT THE CITY OF GRAND FORKS, IN CONSULTATION WITH THE REGIONAL DISTRICT OF KOOTENAY BOUNDARY, APPLY FOR FUNDING THROUGH THE UBCM EMERGENCY PLANNING FUNDING PROGRAM, TO DEVELOP A REGIONAL EMERGENCY PLAN WITH SURROUNDING JURISDICTIONS. AND BE IT FURTHER RESOLVED THAT THE MAYOR AND THE CLERK BE AUTHORIZED TO SIGN ANY REQUIRED DOCUMENTATION IN THE APPLICATION FOR UBCM FUNDING.

CARRIED.

j) Acting CAO's Report – Renewal of Multi-listing Agreement with both Local Real Estate Companies for the Disposal of the Sand Creek Property

MOTION: SHKRABUIK / KANIGAN

RESOLVED THAT COUNCIL RENEW THE EXISTING MULTI-LISTING AGREEMENT WITH BOTH LOCAL REAL ESTATE COMPANIES, FOR THE DISPOSAL OF THE SAND CREEK PROPERTY, FOR AN ADDITIONAL ONE YEAR TERM. CARRIED.

k) Fire Chief's Report – Remedial Action Requirement for 7465 – 9th Street

MOTION: SMITH / GORDON

RESOLVED THAT THE FIRE CHIEF'S REPORT, DATED JULY 18, 2005, RELATING TO PROEPRTY LEGALLY DESCRIBED AS PARCEL E, BLOCK 37, D.L. 108, S.D.Y.D., PLAN 72, LOCATED AT 7465 9TH STREET, OWNED BY SHUN Y. HUANG AND MANAGED BY AGC INC., BE RECEIVED. BE IT FURTHER RESOLVED THAT THE STRUCTURE LOCATED ON THE ABOVE MENTIONED PROPERTY AT 7465 9TH STREET, BE DECLARED AN UNSAFE STRUCTURE, AND REMEDIAL ACTION BE IMPOSED, IN ACCORDANCE WITH PART 3, DIVISION 12 OF THE COMMUNITY CHARTER. BE IT ALSO RESOLVED THAT SHUN Y. HUANG, THE PROPERTY OWNER, AND AGC INC. THE PROPERTY MANAGER, BE SERVED NOTICE BY REGISTERED MAIL, REQUIRING THAT THE STRUCTURE ON THE PROPERTY BE DEMOLISHED AND REMOVED WITHIN 30 DAYS OF THE RECEIPT OF THE NOTICE, AND FURTHER ADVISED THAT IF THE STRUCTURE IS NOT DEMOLISHED AND REMOVED WITHIN THE 30 DAY PERIOD, THE MUNICIPALITY MAY TAKE ACTION IN ACCORDANCE WITH THE COMMUNITY CHARTER. AND BE IT ALSO RESOLVED THAT THE PROPERTY OWNER AND THE PROPERTY MANAGER BE ADVISED THAT THEY MAY REQUEST RECONSIDERATION BY COUNCIL IN ACCORDANCE WITH SECTION 78 OF THE COMMUNITY CHARTER. CARRIED.

MAYOR'S REPORT:

a) The Mayor brought forward the Vandalism Report for June 2005. He stated that there was a total cost to the City of \$3,545.64, for vandalism actions in June. It was suggested that the RCMP be invited to a meeting to discuss the issue.

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b) The Mayor also brought forward the matter of the televising of Council Meetings.

MOTION: KANIGAN / SMITH

INSTRUCT STAFF TO APPROACH SUNSHINE COMMUNICATIONS TO NEGOTIATE A BETTER PARTNERSHIP. STAFF TO BRING A REPORT OUTLINING THE HISTORY OF THE PREVIOUS AGREEMENT. CARRIED

COMMITTEE AND COUNCILLOR REPORTS:

Zoning and Planning Committee – Councillor Krog
Parks Advisory Committee
RDKB
Skateboard Park Committee

Bylaw Review Committee – Councillor Smith -
Grand Forks & District Recreation Commission Representative

Economic Development Committee - Councillor Shkrabuik
Chamber of Commerce and Chamber of Commerce Tourism Committee Representative –

Emergency Program Executive Committee – Mayor.
Community Consultative Group Representative
Boundary Economic Development Commission Representative – Mayor Raven brought forward the minutes of the July 19th Boundary Economic Development Commission for information.
Economic Development Advisory Committee
Spirit of BC – West Kootenay Boundary Communities Committee – Mayor Raven brought forward the minutes of the July 12th meeting for information

Communications Advisory Committee – Councillor Gordon
Court House Advisory Committee
Phoenix Foundation -
Airport Advisory Committee –
Courthouse Use Committee

Finance Committee – Councillor O’Doherty

Personnel Committee – Councillor Kanigan -
Aquifer Protection Society Representative

BYLAWS:

- a) Bylaw No. 1786 cited as “Amendment to the Procedures for the Conduct of Local Government Elections and Other Voting Bylaw No. 1786, 2005”

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MOTION: SMITH / SHKRABUIK

RESOLVED THAT BYLAW NO. 1786, CITED AS “AMENDMENT TO THE PROCEDURES FOR THE CONDUCT OF LOCAL GOVERNMENT ELECTIONS AND OTHER VOTING BYLAW NO. 1786, 2005, BE FINALLY ADOPTED.

CARRIED.

b) Bylaw No. 1784 cited as “Amendment to the City of Grand Forks Official Community Plan Designation Bylaw No. 1784, 2005”

MOTION: SMITH / KANIGAN

RESOLVED THAT BYLAW NO. 1784, CITED AS THE “AMENDMENT TO THE CITY OF GRAND FORKS OFFICIAL COMMUNITY PLAN DESIGNATION BYLAW NO. 1784, 2005”, BE GIVEN THIRD READING. CARRIED.

c) Bylaw No. 1785 cited as “Amendment to the City of Grand Forks Zoning Bylaw No. 1785, 2005”

MOTION: KANIGAN / SMITH

RESOLVED THAT BYLAW NO. 1785, CITED AS “AMENDMENT TO THE CITY OF GRAND FORKS ZONING BYLAW NO. 1785, 2005”, BE GIVEN THIRD READING. CARRIED.

NEW BUSINESS

GIVING OF NOTICES:

- REGULAR MEETING OF COUNCIL – Monday, August 15, 2005 – 7:00 p.m.
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ADJOURNMENT:

MOTION: O'DOHERTY

RESOLVED THAT THIS REGULAR MEETING OF COUNCIL BE ADJOURNED AT 8:00 P.M.

CARRIED.

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REGULAR MEETING

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CERTIFIED CORRECT:

Regular Meeting of Council
July 25 ,2005

MAYOR JAKE RAVEN

CITY CLERK – LYNNE BURCH