

THE CORPORATION OF THE CITY OF GRAND FORKS

REGULAR MEETING OF COUNCIL

MONDAY DECEMBER 15, 2008

PRESENT: MAYOR BRIAN TAYLOR  
COUNCILLOR JOY DAVIES  
COUNCILLOR CHRIS MOSLIN  
COUNCILLOR GENE ROBERT  
COUNCILLOR CHRISTINE THOMPSON  
COUNCILLOR MICHAEL WIRISCHAGIN  
COUNCILLOR CHER WYERS

CITY MANAGER  
CITY CLERK

V. Kumar  
L. Burch

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CALL TO ORDER:

The Mayor called the Meeting to order at 7:00 p.m. in Council Chambers.

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RECESS TO PRIMARY COMMITTEE MEETING:

MOTION: ROBERT / DAVIES

**RESOLVED THAT** THIS REGULAR MEETING OF COUNCIL BE RECESSED AT 7:01 P.M. TO ALLOW FOR THE PRIMARY COMMITTEE MEETING, AND THAT THIS REGULAR MEETING OF COUNCIL BE RECONVENED AT THE CONCLUSION OF THE PRIMARY COMMITTEE MEETING. CARRIED.

The Meeting was recessed at 7:01 p.m. and reconvened at 8:40 p.m.

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ADOPTION OF AGENDA:

ADDITIONS TO THE AGENDA:

- None:

MOTION: WYERS / DAVIES /

**RESOLVED THAT** THE DECEMBER 15, 2008 REGULAR MEETING AGENDA BE ADOPTED AS CIRCULATED.

CARRIED.

**MINUTES:**

MOTION: ROBERT / WIRISCHAGIN

**RESOLVED THAT** THE MINUTES OF THE INAUGURAL MEETING OF COUNCIL, HELD ON MONDAY DECEMBER 1, 2008, BE ADOPTED AS CIRCULATED.

CARRIED.

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**REGISTERED PETITIONS AND DELEGATIONS:**

a) Pope & Talbot Defined Pension Plan

On behalf of Pope & Talbot Ltd. former salaried employees, Randy Waterous made a presentation to Council explaining that status of the Pope & Talbot pension plan and the proposal to dispose of the funds to the former employees of the plan. Mr. Waterous advised that a group of employees not employed by Interfor, were severed and the pension plan proceeds were locked up in the Pope & Talbot bankruptcy proceedings. He advised that this group are not employed, retired at this point and have no access to their Pope & Talbot pension funds. Mr. Waterous concluded by requesting that Council write letters of support on the former employees behalf, encouraging the parties to bring the plan up to full funding and failing that, expedite the plan disposition as soon as possible.

MOTION: ROBERT / THOMPSON

**RESOLVED THAT** THE CITY MANAGER'S REPORT, DATED DECEMEBER 10, 2008, REGARDING THE MATTER OF THE POPE & TALBOT DEFINED PENSION PLAN, BE RECEIVED.

**BE IT FURTHER RESOLVED THAT** THE PRESENTATION MADE BY RANDY WATEROUS REGARDING THE UNDER-FUNDED STATE OF THE POPE & TALBOT DEFINED PENSION PLAN, BE RECEIVED.

**AND BE IT ALSO RESOLVED THAT** COUNCIL WRITES A LETTER OF SUPPORT URGING FOR A PROMPT, FAIR AND EQUITABLE PENSION DISTRIBUTION.

CARRIED.

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**UNFINISHED BUSINESS:**

None

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**RECOMMENDATIONS FROM STAFF FOR DECISIONS:**

**a) City Clerk's Report – Development Variance Permit**

MOTION: MOSLIN / ROBERT

**RESOLVED THAT** THE CITY CLERK'S REPORT, DATED NOVEMBER 27, 2008, REGARDING AN APPLICATION FOR A DEVELOPMENT VARIANCE PERMIT SUBMITTED BY PROPERTY OWNERS HABITAT FOR HUMANITY, BE RECEIVED.

In accordance with Section 922 of the Local Government Act, the Mayor invited anyone present to make a presentation to Council at this time, prior to Council considering a resolution on the proposed Development Variance Permit intended to reduce the front yard setback requirement from 20 feet to 15 feet on property located on 72<sup>nd</sup> Avenue between 8<sup>th</sup> and 9<sup>th</sup> Streets owned by Habitat for Humanity.

Don Caskey of 7247 8<sup>th</sup> Street stated his opposition to the variance because the project will require the closure of the "cowpath" road. He inquired if there was a future plan to develop 8<sup>th</sup> and 9<sup>th</sup> Streets between 72<sup>nd</sup> and 73<sup>rd</sup> Avenue. Michelle Caskey stated her concerns on the closure of the cowpath road and requested that Council reconsider this proposal.

MOTION: MOSLIN / ROBERT

**RESOLVED THAT** CONSIDERATION OF THE MATTER OF THE APPLICATION FOR A DEVELOPMENT VARIANCE PERMIT, SUBMITTED BY PROPERTY OWNERS, HABITAT FOR HUMANITY BOUNDARY SOCIETY, FOR A REDUCTION IN THE FRONT YARD SETBACK ON PROPERTY LOCATED ON 72<sup>ND</sup> AVENUE BETWEEN 8<sup>TH</sup> AND 9<sup>TH</sup> STREETS, BE DEFERRED UNTIL THE JANUARY 19<sup>TH</sup>, 2009 MEETING OF COUNCIL. **BE IT FURTHER RESOLVED THAT** STAFF BE DIRECTED TO INVESTIGATE THE FEASIBILITY OF MOVING THE PROJECT TO AVOID THE CLOSURE OF THE COWPATH ROAD. CARRIED.

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**b) City Clerk's Report – Application for a Development Permit**

MOTION: ROBERT / DAVIES

**RESOLVED THAT** THE CITY CLERK'S REPORT, DATED NOVEMBER 27, 2008, REGARDING AN APPLICATION RECEIVED FOR A DEVELOPMENT PERMIT TO EXISTING COMMERCIAL PROPERTY TO BE RENOVATED FOR AN ADDITIONAL PERMITTED USE, BE RECEIVED.

**BE IT FURTHER RESOLVED THAT** THE APPLICATION FOR A DEVELOPMENT PERMIT TO RENOVATE A 1,214 SQUARE FOOT PART OF AN EXISTING 2,500 SQUARE FOOT BUILDING TO ACCOMMODATE AN 18-SEAT RESTAURANT, ON PROPERTY

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LEGALLY DESCRIBED AS THAT PART OF LOT 5 SHOWN ON PLAN B442, DL 381, PLAN 114, LOCATED AT 1460 CENTRAL AVENUE, IN SUBSTANTIAL COMPLIANCE WITH THE APPLICATION RECEIVED SUBMITTED BY JASON TROLL, AGENT FOR THE PROPERTY OWNERS, ALBERT AND DARCIÉ NIEBOER, BE APPROVED.

CARRIED.

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**c) City Manager's Report – Draft Terms of Reference for Community Transition Plan**

**MOTION: ROBERT / WYERS**

**RESOLVED THAT THE CITY MANAGER'S REPORT, DATED DECEMBER 10, 2008, REGARDING THE DRAFT TERMS OF REFERENCE FOR THE COMMUNITY TRANSITION STUDY, BE RECEIVED.**

**BE IT FURTHER RESOLVED THAT COUNCIL APPROVES THE DRAFT TERMS OF REFERENCE FOR THE COMMUNITY TRANSITION STUDY, AS PRESENTED AND ATTACHED TO THE CITY MANAGER'S REPORT, SUBJECT TO THE TERMS OF REFERENCE BEING AMENDED TO INCLUDE THE GRAND FORKS CHAMBER OF COMMERCE AS A PARTICIPANT AND SUBJECT TO ANY FURTHER AMENDMENTS.**

CARRIED.

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**d) City Manager's Report – Pacific Abrasives and Supply Inc. Notice of 3-year Plan Change of Railway lines**

**MOTION: THOMPSON / WIRISCHAGIN**

**RESOLVED THAT THE CITY MANAGER'S REPORT, DATED DECEMBER 10, 2008, REGARDING NOTICE OF A 3-YEAR PLAN CHANGE OF RAILWAY LINES, AS ADVISED BY PACIFIC ABRASIVES AND SUPPLY, INC., BE RECEIVED.**

**BE IT FURTHER RESOLVED THAT COUNCIL WRITE AND REQUEST MEETINGS WITH THE MINISTERS OF TRANSPORTATION FOR CANADA AND BC INDICATING A SIGNIFICANT LOSS OF ECONOMIC ADVANTAGE TO THE BOUNDARY REGIONAL DUE TO THE PROPOSED ABANDONMENT OF RAIL TRACKAGE AND URGE THE MINISTERS TO DENY THE APPLICATION AS SUBMITTED BY THE KETTLE FALLS INTERNATIONAL RAILWAY.**

CARRIED.

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**e) City Manager's Report – Black Train Bridge-Land & Structures under Donation Agreement**

**MOTION: MOSLIN / DAVIES**

**RESOLVED THAT THE CITY MANAGER'S REPORT, DATED DECEMBER 10, 2008,**

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REGARDING THE BLACK TRAIN BRIDGE – LAND AND STRUCTURES UNDER DONATION AGREEMENT, BE RECEIVED.

**BE IT FURTHER RESOLVED** THAT COUNCIL AUTHORIZES THE CITY MANAGER TO EXECUTE THE DONATION AGREEMENT WITH CPR NO LATER THAN JANUARY 31<sup>ST</sup>, 2009, WITHIN THE FRAMEWORK OUTLINED AND ISSUE A DONATION RECEIPT FOR \$2,381,000 AND FURTHER AUTHORIZES THE CITY MANAGER UNDER AN AGREEMENT TO TRANSFER THE STRUCTURES AND LAND TO A “NON-PROFIT SOCIETY UNRELATED TO THE CITY” ON OR BEFORE JANUARY 31, 2009.

CARRIED.

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**REQUESTS ARISING FROM CORRESPONDENCE:**

None

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**INFORMATION ITEMS:**

MOTION: THOMPSON / DAVIES

**RESOLVED THAT** INFORMATION ITEMS NUMBERED 5A TO 5Q, EXCEPT ITEM 5C AND 5E,

- a) Congratulatory Letters from Fortis BC, Mining Association of BC and Premier Campbell to Mayor Taylor on his recent election.
- b) Letter from Nadine Heiberg.
- c) Ministry of Small Business Update of Initiatives to support small business.
- d) RDKB – Report of Building Permits issued to the end of November, 2008.
- e) Copy of letter from Village of Midway to the Minister of Environment questioning the water licence application by Big White Water Utility.
- f) Letter from the Ministry of Health following up to meetings held with Council during the UBCM convention.
- g) Letter of complaint from L. Popoff regarding snow plowing.
- h) Letter from the Henderson Family regarding their concerns over time taken regarding the Habitat for Humanity proposal for the construction of low income housing.
- i) Grant Application – Innovative Clean Energy Fund, Heat Recovery from Park Lift Station Project.
- j) MFA Fall Update
- k) Liquor Control & Licensing Branch on the expansion of pilot programs permitting minors in liquor primary establishments in curling clubs, golf courses, and recreation facilities.
- l) Community Action on Energy & Emissions (CAFÉ) Gold Programs invitation to submit proposals
- m) MOE Cancellation of CanPar Industries Ltd. Permit under the Environmental Management Act as of July 31, 2008.
- n) Gas Tax Agreement Community Works Fund Payment

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- o) "In the House" November Newsletter
  - p) UBCM Member Notice 2009 Property Assessments
  - q) School District 51 Regular Meeting Package for November 10, 2008.
- BE RECEIVED AND ACTED UPON AS RECOMMENDED.

CARRIED.

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MOTION: THOMPSON / ROBERT

**RESOLVED THAT** THE COPY OF THE LETTER FROM THE VILLAGE OF MIDWAY TO THE MINISTER OF ENVIRONMENT, WHEREIN THE VILLAGE QUESTIONS THE CONSIDERATION OF THE WATER LICENCE APPLICATION BY THE BIG WHITE WATER UTILITY, BE RECEIVED.

**BE IT FURTHER RESOLVED THAT** THE CITY OF GRAND FORKS SUPPORT THE VILLAGE OF MIDWAY'S REQUEST TO THE MINISTER OF ENVIRONMENT FOR THE DELAY OF THE APPLICATION BY THE BIG WHITE WATER UTILITY FOR A WATER LICENCE, UNTIL THE REGIONAL DISTRICT OF KOOTENAY BOUNDARY'S STUDY OF THE KETTLE RIVER HAS BEEN COMPLETED. CARRIED.

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MOTION: DAVIES / WIRISCHAGIN

**RESOLVED THAT** THE LETTER FROM THE MINISTRY OF SMALL BUSINESS PROVIDING AN UPDATE OF INITIATIVES TO SUPPORT SMALL BUSINESS, BE RECEIVED.

**BE IT FURTHER RESOLVED THAT** STAFF BE DIRECTED TO REVIEW THE INITIATIVES AND PREPARE A REPORT AND A RECOMMENDATION ON THE VIABILITY OF THE BIZPAL PROJECT FOR THE CITY OF GRAND FORKS. CARRIED.

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**BYLAWS:**

- a) Chief Financial Officer's Report – Bylaw 1888, 2009 Revenue Anticipation Bylaw, first, second and third readings

MOTION: MOSLIN / THOMPSON

**RESOLVED THAT** BYLAW NO. 1888, CITED AS "CITY OF GRAND FORKS REVENUE ANTICIPATION BORROWING BYLAW – 2009", BE GIVEN FIRST READING.

CARRIED.

MOTION: ROBERT / DAVIES

**RESOLVED THAT** BYLAW NO. 1888, CITED AS “CITY OF GRAND FORKS REVENUE ANTICIPATION BORROWING BYLAW – 2009”, BE GIVEN SECOND READING.

CARRIED

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MOTION: WYERS / THOMPSON

**RESOLVED THAT** BYLAW NO. 1888, CITED AS “CITY OF GRAND FORKS REVENUE ANTICIPATION BORROWING BYLAW – 2009”, BE GIVEN THIRD READING.

CARRIED

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**LATE ITEMS:**

None

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

**Councillor Wirischagin:**

No Report

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**Councillor Moslin:**

Councillor Moslin reported on the following:

- Provided Notice of Motion – at the January 5<sup>th</sup>, 2009 meeting, that Council re-form the Boundary Air Quality Committee for a one year period to allow the work of the committee to be completed.
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**Councillor Thompson:**

Councillor Thompson reported on the following:

- Complimented management and staff on the arrangement of training sessions for new Council.
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**Councillor Wyers:**

Councillor Wyers reported on the following:

- Wished everyone a very Merry Christmas.
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**Councillor Robert:**

Councillor Robert reported on the following:

- Brought forward the matter of parking on the north side of the library.
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MOTION: ROBERT / MOSLIN

**RESOLVED THAT** STAFF BE DIRECTED TO REMOVE THE BARRIERS AND CREATE THREE HANDICAP PARKING SPACES ON THE NORTH SIDE OF THE PUBLIC LIBRARY BUILDING ON A TEMPORARY BASIS. **BE IT FURTHER RESOLVED THAT** STAFF BRING FORWARD A REVISED PLAN FOR PARKING IN THE AREA.

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- Brought forward the Youth Table's proposal for a youth centre.
  - Wished everyone a very Merry Christmas.
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**Councillor Davies:**

Councillor Davies reported on the following:

- Thanked citizens for their input to Council.
  - Wished everyone a very Merry Christmas.
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**Mayor Taylor:**

- Reported on his attendance at the Regional District of Kootenay Boundary Board of Directors Meeting on December 11<sup>th</sup>, 2008. He advised that Marguerite Rotvold was elected Chair of the RDKB Board of Directors. Discussion among Council Members suggesting that the new Procedures Bylaw include a line for regular reports from the Regional District of Kootenay Boundary.
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MOTION: THOMPSON / DAVIES

**RESOLVED THAT** ALL REPORTS OF MEMBERS OF COUNCIL, GIVEN VERBALLY AT THIS MEETING, BE RECEIVED. CARRIED.

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**ADJOURNMENT:**

MOTION: ROBERT

**RESOLVED THAT** THIS REGULAR MEETING OF COUNCIL BE ADJOURNED AT 10:05 P.M. CARRIED.

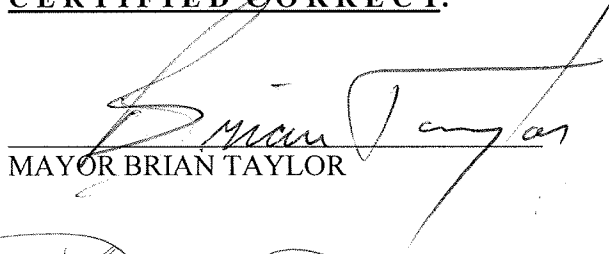
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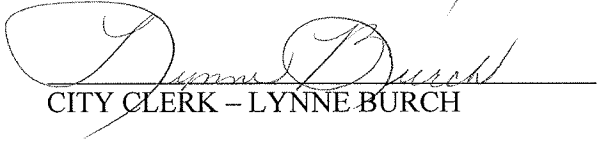


Regular Meeting of Council  
December 15, 2008

**CERTIFIED CORRECT:**



MAYOR BRIAN TAYLOR



CITY CLERK - LYNNE BURCH