

THE CORPORATION OF THE CITY OF GRAND FORKS

REGULAR MEETING OF COUNCIL
MONDAY JUNE 29, 2009

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

CALL TO ORDER:

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

ANNUAL REPORT:

The Mayor brought forward the 2008 Annual Report, for consideration and submissions and questions from the public. There were no presentations or questions from anyone in the gallery at this time.

MOTION: ROBERT / WIRISCHAGIN

RESOLVED THAT THE 2008 ANNUAL REPORT, AS PRESENTED AT THIS MEETING, BE RECEIVED. CARRIED.

RECESS TO PRIMARY COMMITTEE MEETING:

MOTION: THOMPSON / DAVIES

RESOLVED THAT THIS REGULAR MEETING OF COUNCIL BE RECESSED AT 7:03 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 7:03 p.m. and reconvened at 8:02 p.m.

ADOPTION OF AGENDA:

ADDITIONS TO THE AGENDA:

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MOTION: DAVIES / THOMPSON

RESOLVED THAT THE JUNE 29, 2009 REGULAR MEETING AGENDA BE ADOPTED AS CIRCULATED. CARRIED.

MINUTES:

MOTION: DAVIES / THOMPSON

RESOLVED THAT THE MINUTES OF THE PUBLIC HEARING HELD ON MONDAY JUNE 15, 2009, BE ADOPTED AS CIRCULATED.

CARRIED.

MOTION: DAVIES / WIRISCHAGIN

RESOLVED THAT THE MINUTES OF THE REGULAR MEETING OF COUNCIL, HELD ON MONDAY, JUNE 15, 2009, BE ADOPTED AS CIRCULATED.

CARRIED.

REGISTERED PETITIONS AND DELEGATIONS:

UNFINISHED BUSINESS:

a) City Clerk's Report – Development Variance Permit, deferred from the June 15, 2009 Regular Meeting.

Prior to considering the matter of the application for a Development Variance Permit, the public was afforded an opportunity to be heard. In the gallery at this time were Ruby DelCorro and Dereck Piercey, owners of the property in question. Mr. Piercey provided clarification for Council on the permit application, for a sideyard setback variance on property located on Riverside Drive at 85 Avenue.

MOTION: THOMPSON / WIRISCHAGIN

RESOLVED THAT THE CITY CLERK'S REPORT, DATED JUNE 22, 2009, REGARDING AN APPLICATION FOR A DEVELOPMENT VARIANCE PERMIT, BE RECEIVED.

BE IT FURTHER RESOLVED THAT AFTER HEARING FROM THE PUBLIC, COUNCIL RESOLVES TO APPROVE THE APPLICATION FOR A DEVELOPMENT VARIANCE PERMIT, THEREBY VARYING SECTION 33(2)(F)(III), REDUCING THE REQUIRED SIDEYARD SETBACK FROM 15 FEET TO 9 FEET ALLOWING FOR THE PROPOSED CONSTRUCTION OF AN EXECUTIVE TYPE HOME, ON PROPERTY LEGALLY DESCRIBED AS LOT 2, D.L. 585 AND 746, SDYD, PLAN KAP88211 LOCATED ON RIVERSIDE DRIVE AT 85TH AVENUE, AS SUBMITTED BY THE PROPERTY OWNERS, RUBY DELCORRO AND DERECK PIERCEY. CARRIED.

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

Councillor Davies:

Councillor Davies reported on the following:

- Reported on the Medical Marijuana Forum which was held at the Seniors Centre on June 18th.
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Councillor Robert:

Councillor Robert reported on the following:

- Brought forward the matter of funding for “focus” Committees.

MOTION: ROBERT / WIRISCHAGIN

RESOLVED THAT ANY TAXPAYER DOLLARS USED FOR FOCUS COMMITTEES, IE: ECONOMIC TASK FORCE'S MEDICAL MARIJUANA INITIATIVE MUST BE APPROVED BY COUNCIL AND NOT AT THE DISCRETION OF THE CHIEF ADMINISTRATIVE OFFICER. THE MOTION WAS DEFEATED.

MOTION: ROBERT / WIRISCHAGIN

RESOLVED THAT STAFF BE REQUESTED TO BRING FORWARD A POLICY FOR COUNCIL'S CONSIDERATION ON THE USE OF CITY VEHICLES BY ELECTED OFFICIALS. MOTION CARRIED.

- Expressed his concerns as to the medical marijuana issue, stating that in his opinion the debate is taking place at the wrong level of government.
 - Reported on his attendance at the restorative justice training session for volunteers held in Selkirk College on June 19 – 21, 2009.
 - Reported on his attendance at a Public Safety Focus Committee meeting on June 10, 2009 at the Whispers of Hope. He went on to outline the topics discussed at this meeting.
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Councillor Wyers:

Councillor Wyers reported on the following:

- Reported on her attendance at Federation of Canadian Municipalities conference at the beginning of June. She went on to advise that she found the conference to be very beneficial and informative.
 - Reported on her attendance at Librarian Katherine Anderson's farewell party, as the Council Liaison to the Library. She reported that the Library Board wished Katherine the very best.
 - Reported on her attendance at the Art Gallery's 25th Anniversary celebration.
 - Reported on her attendance at the Boundary District Arts Council meeting on June 22, 2009.
 - Reported on her attendance at the Okangan Call Centre in Kelowna with Citizens on Patrol, June 26th. She encouraged interested citizens to volunteer with this project.
 - Expressed her concerns as to the discussion of medical marijuana at the local level, stating that this is a federal issue.
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Councillor Thompson:

Councillor Thompson reported on the following:

- Reported on her attendance at the June 18th Medical Marijuana Forum.
- Reported on her attendance at the Restorative Justice training on June 18 and 19
- Advised that she represented City on June 22, 2009 at a meeting with the Boundary Economic Development Commission and the Ferry County Commissioners in Republic ington Washington on the proposed abandonment of the Omnitrax railway between Kettle Falls and Laurier/Cascade. She stated that it was agreed that both political bodies will send each other letters of support and lobby both levels of senior governments in each country to try and ensure that the railway remains in place.
- She reported on the Boundary Museum Board of Directors being given a tour of the Flour Mill.
- She expressed concerns as to the deer population in residential areas, stating that they are not only a nuisance in gardens, but they appear to be emaciated. She stated that people are well-meaning in feeding deer; however, they are not really doing the deer a favour.

MOTION: THOMPSON / MOSLIN

RESOLVED THAT STAFF BE REQUESTED TO PREPARE A REPORT ON THE VIABILITY OF THE CITY OF GRAND FORKS ENACTING A BYLAW TO PROHIBIT THE FEEDING OF DEER WITHIN THE BOUNDARIES OF THE CITY AND THAT THE REPORT BE BROUGHT BEFORE COUNCIL THIS FALL.

CARRIED.

- Brought forward the matter of a resolution of Council, adopted at the last Regular Meeting of Council, which outlined Council's request that Mr. Zak Waterlow comply with the City's noise bylaw, which was moved and seconded and defeated at the Regular Meeting of Council held on June 15th. She stated her concern that inasmuch as Council defeated the resolution, it may have left the public with the impression that Council Members condone

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the non-compliance of City bylaws, and that this was not the case, concluding that all members of Council expect that City bylaws will be complied with, and in this particular case, the majority of Council members were of the opinion that Mr. Waterlow was complying with the City's noise bylaw.

Councillor Moslin:

Councillor Moslin reported on the following:

- Reported that the Boundary Air Quality Committee has awarded the dispersion modeling study to SNC Lavalin to determine how pollution moves within the air shed.
- He reported that the Boundary Air Quality Committee has received more complaints about open burning in Electoral Area D. He requested that the Mayor put the question of open burning on the table for the Regional District of Kootenay Boundary in an effort to improve the air quality. The Mayor stated he would discuss the matter first with the Area D Director and then with the Regional District of Kootenay Boundary as a whole.
- Reported on his attendance at the Vital Signs Project meeting on June 19th. He stated that he is looking forward to the "report card" resulting from the project which is expected to be issued this October.
- Advised that he participated in the Christina Lake Triathlon on June 28th.
- Brought forward the matter of medical marijuana, stating he appreciates the volunteers involved.

MOTION: MOSLIN / ROBERT

RESOLVED THAT STAFF BE REQUESTED TO BRING FORWARD A POLICY, FOR COUNCIL'S CONSIDERATION, ON THE CREATION OF COUNCIL COMMITTEES .

CARRIED.

Councillor Wirischagin:

Councillor Wirischagin reported on the following:

- He congratulated all Grand Forks Secondary School grads for 2009.
 - Reported on his attendance at the Men's Open at Christina Lake Golf Course and on his attendance at the Christina Lake Triathlon.
 - He advised that he did not attend the Medical Marijuana Forum, and further expressed his concerns as to the Forum being funded by taxpayers.
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Mayor Taylor:

Mayor Taylor reported on the following:

- Reported on the International Council on Local Environmental Issues (ICLEI) for Sustainable Local Governments, which he attended on behalf of the Regional District of Kootenay Boundary.

MOTION: ROBERT / WIRISCHAGIN

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

Prior to the question being called, Councillors Thompson and Davies answered the questions posed by Councillor Wirischagin during his report on the costs of the Medical Marijuana Forum.

REPORT – REGIONAL DISTRICT OF KOOTENAY BOUNDARY

Mayor Taylor, the City representative on the Board of Directors for the Regional District of Kootenay Boundary reported on the following Regional District matters:

- Advised that the City of Trail has withdrawn from the Regional Recreation shared service.
- Reported that repairs to the Grand Forks Aquatic Centre roof are required and will be completed shortly with the funds allocated, and authorized during the pool referendum.
- Proposed that the Area D Director be invited to participate in the Primary Committee or Town Hall meetings.

MOTION: ROBERT / WIRISCHAGIN

RESOLVED THAT THE REGIONAL DISTRICT OF KOOTENAY BOUNDARY VERBAL REPORT FROM THE CITY'S REPRESENTATIVE TO THE RDKB, MAYOR TAYLOR, BE RECEIVED.

CARRIED.

RECOMMENDATIONS FOR DECISIONS:

a) City Clerk's Report – GFI Special Occasion Liquor Licence

MOTION: THOMPSON / WIRISCHAGIN

RESOLVED THAT THE CITY CLERK'S REPORT, DATED JUNE 22, 2009, REGARDING THE USE OF JAMES DONALDSON PARK FOR THE ANNUAL GRAND FORKS INTERNATIONAL, BE RECEIVED.

BE IT FURTHER RESOLVED THAT COUNCIL DECLARES SEPTEMBER 2ND THRU SEPTEMBER 7th, 2009 AS COMMUNITY EVENT DAYS IN ORDER TO ALLOW THE GRAND FORKS INTERNATIONAL TO OBTAIN SPECIAL OCCASION LIQUOR LICENCES ALLOWING THEM TO HOLD BEER GARDENS FOR THE 6 DAYS OF THE TOURNAMENT, SUBJECT TO THE GFI ENTERING INTO A "PARK USER AGREEMENT" WITH THE CITY OF GRAND FORKS; SECURING 3RD PARTY ALCOHOL INSURANCE FOR THE 6 DAYS SEPTEMBER 2ND THRU SEPTEMBER 7th, 2009 AND NAMING THE CITY OF GRAND FORKS AS AN ADDITIONAL INSURED ON THIS POLICY;

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AND, FURTHER, SUBJECT TO ALL LIQUOR PROVIDERS HOLDING A "SERVE-IT-RIGHT" LICENCEE CERTIFICATE AND ICBC "DRINKING AND DRIVING" WARNING POSTERS TO BE DISPLAYED. AND BE IT ALSO RESOLVED THAT COUNCIL AUTHORIZES STAFF TO SIGN THE APPROVAL FORM FOR THE SPECIAL OCCASION LIQUOR LICENCE ACKNOWLEDGING THAT THE EVENT WILL BE HELD ON CITY PROPERTY BEING JAMES DONALDSON PARK. CARRIED.

b) City Manager's Report – Community Adjustment Fund

MOTION: THOMPSON / WYERS

RESOLVED THAT THE CITY MANAGER'S REPORT, DATED JUNE 23, 2009, REGARDING THE COMMUNITY ADJUSTMENT FUND, BE RECEIVED.

BE IT FURTHER RESOLVED THAT COUNCIL ENDORSES THE TOURISM DOWNTOWN REVITALIZATION APPLICATION UNDER THE WESTERN ECONOMIC DEVELOPMENT COMMUNITY ADJUSTMENT FUND PROGRAM AS SUBMITTED.

CARRIED.

c) City Manager's Report – Loader Equipment Replacement

MOTION: THOMPSON / MOSLIN

RESOLVED THAT THE CITY MANAGER'S REPORT, DATED JUNE 24, 2009, PROPOSING THE REPLACEMENT OF THE CAT IT 28, BE RECEIVED.

BE IT FURTHER RESOLVED THAT COUNCIL ENDORSES THE PURCHASE AND LEASE OF THE JOHN DEERE 544K 4-WHEEL DRIVE LOADER, COMPLETE WITH ACCESSORIES AS OUTLINED IN THE STAFF REPORT.

CARRIED.

Councillors Robert and Wirischagin voted against the motion.

REQUESTS ARISING FROM CORRESPONDENCE:

None

INFORMATION ITEMS:

MOTION: MOSLIN / WIRISCHAGIN

RESOLVED THAT INFORMATION ITEMS NUMBERED 10A TO 10P,

- a) Kids Help Phone 20th Anniversary.
- b) Sunshine Valley Community Services expressing disappointment in the decision not to continue the Sunshine Crew Summer Employment.

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- c) City of Burnaby asking for support of municipal problems with joint & severable liabilities.
- d) Chamber of Commerce request for participation in Canada Day.
- e) Letter from Barbara Dann expressing concerns and opinions on the height of fences.
- f) John Heavenor's prioritized public safety issues.
- g) Canadian Apprenticeship Forum.
- h) Fortis BC update regarding status of their resource planning initiative.
- i) Mayors for Peace 7th General Conference.
- j) ASPECT resources for Municipal Harm Reduction Response Strategy.
- k) Vital Signs News Release.
- l) Don Caskey email expressing concerns as to the Greyhound application for reduction in service.
- m) Email from Wia Francis acknowledging the work of the City on the Granby Walkway.
- n) Complaints from downtown merchants regarding Saturday street closures affecting businesses.
- o) UBCM 2009 resolutions from Grand Forks for consideration at the 2009 UBCM Convention in September.
- p) Meeting Task List and disposition of items from June 15th meeting.

BE RECEIVED AND ACTED UPON AS RECOMMENDED OR AS AMENDED.

CARRIED.

Brought forward for discussion was a letter from Sunshine Valley Community Services expressing disappointment in the decision not to continue the Sunshine Crew Summer Employment. Invited to make a presentation to Council at this time, was Jason Zwaal Services Manager. Upon his question, the Mayor confirmed that the work done by the Sunshine Crew in the past is now being done by students operating the campground this summer. Mr. Zwaal was further advised that the students do other washroom cleaning, not just City Park. The Mayor offered to meet with the Sunshine Crew and advise them how valued their service was to the campground.

MOTION: MOSLIN / ROBERT

RESOLVED THAT THE EMPLOYMENT ISSUE OF THE SUNSHINE CREW BE REFERRED BACK TO STAFF TO INVESTIGATE WHERE THESE INDIVIDUALS COULD BE EMPLOYED.

CARRIED.

Letter from Barbara Dann expressing concerns and opinions on the height of fences. Determined that the letter will be responded to, advising that the fences are regulated through the zoning bylaw and the heights can be varied through the Development Variance Permit process, and to thank Ms Dann for her efforts in xeriscape gardening as well as creative fencing.

Brought forward for discussion was an email received from Don Caskey regarding the Greyhound application for reduction in service. It was determined that Mr. Caskey will be given copy of Mayor's letter to Greyhound expressing concerns on the reduction of service.

MOTION: ROBERT / MOSLIN

RESOLVED THAT STAFF APPROACH BC TRANSIT AND INQUIRE AS TO THE POSSIBILITY OF SCHEDULED TRANSIT SERVICE TO THE GRAND FORKS AREA.

CARRIED.

Brought forward for discussion were the nine complaints from downtown businesses regarding the Saturday Street closures.

MOTION: THOMPSON / ROBERT

RESOLVED THAT INASMUCH AS THE CITY HAS RECEIVED NINE COMPLAINTS FROM DOWNTOWN BUSINESS OWNERS AS TO THE SATURDAY STREET CLOSURES, APPROVAL FOR THE CLOSURE OF MARKET AVENUE ON SATURDAYS, BETWEEN 3:00 P.M. AND 9:00 P.M., UNTIL SEPTEMBER 5TH, BE TEMPORARILY SUSPENDED PENDING A MEETING BETWEEN THE MAYOR AND COUNCILLOR WYERS, THE MERCHANTS AND THE ARTISANS, TO COME TO A MUTUALLY AGREEABLE SOLUTION.

Prior to the question being called, members of the Artisan Market made brief presentations to Council on this matter. Discussion ensued as to alternative areas, or times, that would be amenable to both parties.

CARRIED.

BYLAWS:

a) City Clerk's Report – Amendment to the City of Grand Forks Zoning Bylaw

MOTION: MOSLIN / THOMPSON

RESOLVED THAT BYLAW NO. 1872, CITED AS "AMENDMENT TO THE CITY OF GRAND FORKS ZONING BYLAW NO. 1872, 2009", BE GIVEN THIRD READING.

MOTION DEFEATED.

LATE ITEMS:

QUESTIONS FROM THE PUBLIC AND THE MEDIA:

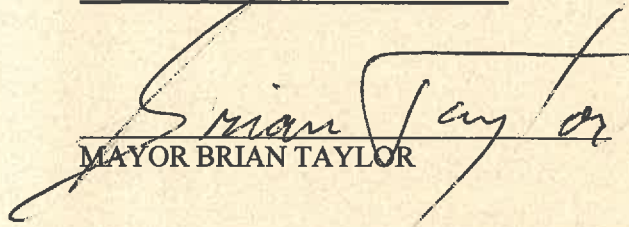
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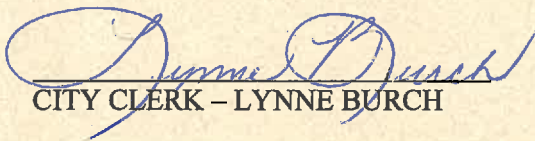
MOTION: WIRISCHAGIN

RESOLVED THAT THIS REGULAR MEETING OF COUNCIL BE ADJOURNED AT 10:31 P.M.

CARRIED.

CERTIFIED CORRECT:


MAYOR BRIAN TAYLOR


CITY CLERK - LYNNE BURCH