

THE CORPORATION OF THE CITY OF GRAND FORKS

REGULAR MEETING OF COUNCIL
MONDAY MAY 25, 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.

RECESS TO PRIMARY COMMITTEE MEETING:

MOTION: THOMPSON / 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 8:17 p.m.

ADOPTION OF AGENDA:

ADDITIONS TO THE AGENDA:

- ADD RECREATIONAL INFRASTRUCTURAL CANADA GRANT PROGRAM
- ADD MOTION PERTAINING TO GOLDEN HEIGHTS UNDER NEW BUSINESS

MOTION: MOSLIN / DAVIES

RESOLVED THAT THE MAY 25, 2009 REGULAR MEETING AGENDA BE ADOPTED AS AMENDED. CARRIED.

MINUTES:

MOTION: WIRISCHAGIN / DAVIES

RESOLVED THAT THE MINUTES OF THE REGULAR MEETING OF COUNCIL, HELD ON MONDAY MAY 11, 2009, BE ADOPTED AS AMENDED.

CARRIED.

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MOTION: DAVIES / THOMPSON

RESOLVED THAT THE MINUTES OF THE REGULAR MEETING OF COUNCIL, HELD ON MONDAY, MAY 11, 2009, BE AMENDED AS FOLLOWS:

- Page 6125 – Councillor Davies Report remove “should it be legalized”, in the last bullet. And strike last line on page 6125.
 - Page 6125 – Resolution in support of Grand Forks & District Supportive Housing Coalition Proposal – in 3rd line, delete “Adult Children” and replace with Adults with Developmental Disabilities.
- Page 6130 – Resolution to close Market Avenue for Artisan Market, add the words “consult with the Market Avenue Merchants to ensure they had no issues with the proposed venture”, after the word “to” in the 4th line and before the word “appear”.

CARRIED.

MOTION: ROBERT / DAVIES

RESOLVED THAT THE MINUTES OF THE PUBLIC HEARING HELD ON MONDAY, MAY 11, 2009, BE ADOPTED AS CIRCULATED.

CARRIED.

MOTION: THOMPSON / WIRISCHAGIN

RESOLVED THAT THE MINUTES OF THE PUBLIC MEETING CONVENED ON MONDAY MAY 11, 2009, TO SOLICIT PUBLIC INPUT ON THE PURCHASE OF GOLDEN HEIGHTS PROPERTY, BE ADOPTED AS AMENDED.

CARRIED.

Councillor Thompson requested that the minutes be amended by substituting the word “purchase for the word “sale” in the last paragraph on Page 2.

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MOTION: THOMPSON / WIRISCHAGIN

RESOLVED THAT THE MINUTES OF THE SPECIAL MEETING OF COUNCIL, HELD ON THURSDAY, MAY 14, 2009, BE ADOPTED AS CIRCULATED.

CARRIED.

REGISTERED PETITIONS AND DELEGATIONS:

- a) City Clerk's Report – Delegation, Artisan's Market

Mel Bel of the Artisan's Market group made a presentation to Council on his proposal to close Market Avenue, between 2nd and 3rd Streets, every Saturday from 3:00 p.m. to 9:00 p.m. until September 5, 2009, to hold an Artisan's Market to facilitate artisan stalls, sidewalk sales, and performers. He stated that he has surveyed merchants on Market Avenue and advised that most of those surveyed approve of the event. He stated Council's approval of the event would be appreciated at tonight's meeting so that he may advertise and promote the event. He circulated the original survey sheets, stating that the merchants were generally supportive.

MOTION: THOMPSON / DAVIES

RESOLVED THAT THE CITY CLERK'S REPORT, DATED MAY 19, 2009, REGARDING A DELEGATION PROPOSING TO CLOSE MARKET AVENUE, BETWEEN 2ND AND 3RD STREETS EVERY SATURDAY FROM 3:00 P.M. TO 9:00 P.M. UNTIL SEPTEMBER 5, 2009, BE RECEIVED. BE IT FURTHER RESOLVED THAT THE PRESENTATION MADE BY MEL BEL PROPOSING THIS CLOSURE, BE RECEIVED, AND APPROVAL GRANTED FOR THE ARTISAN MARKET TO PROCEED AS PROPOSED. CARRIED.

UNFINISHED BUSINESS:

- a) City Clerk's Report – Heritage Corridor Designation

MOTION: THOMPSON / ROBERT

RESOLVED THAT THE CITY CLERK'S REPORT, DATED MAY 19, 2009, REGARDING THE HERITAGE CORRIDOR DESIGNATION, BE RECEIVED. CARRIED.

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MOTION: MOSLIN / DAVIES

RESOLVED THAT STAFF BE REQUESTED TO PROVIDE A LISTING OF PROPERTIES IN GRAND FORKS THAT HAVE RECEIVED MUNICIPAL HERITAGE DESIGNATIONS, AND TO LOCATE THE HERITAGE INVENTORY DONE BY ROBERT HOBSON IN THE 1980'S. CARRIED.

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- b) City Manager's Report – Animal Control Service

MOTION: THOMPSON / WYERS

RESOLVED THAT THE CITY MANAGER'S REPORT, DATED MAY 5, 2009, REGARDING THE ANIMAL CONTROL SERVICE, BE RECEIVED. BE IT FURTHER RESOLVED THAT COUNCIL AUTHORIZES ENTERING INTO AN AGREEMENT WITH THE REGIONAL DISTRICT OF KOOTENAY BOUNDARY FOR THE CONTINUANCE OF THE ANIMAL

CONTROL SERVICE IN THE EXISTING INFRASTRUCTURE THROUGH A MUNICIPALLY OWNED NON-PROFIT SOCIETY AND SUBSEQUENTLY CONTRACT THE ANIMAL CONTROL SERVICE TO THE SOCIETY UNDER CONTRACT FUNDED BY THE RDKB'S PARTICIPATING MEMBERS. CARRIED.

The Meeting was recessed at 9:01 p.m. and reconvened at 9:12 P.M.

c) City Clerk's Report – Maximum Permitted Height for Fences in Residential Areas

MOTION: MOSLIN / THOMPSON

RESOLVED THAT THE CITY CLERK'S REPORT, INCLUDING THE PLANNING TECH'S REPORT, DATED MAY 14, 2009, REGARDING FENCES IN RESIDENTIAL AREAS, BE RECEIVED, AND THAT INDIVIDUALS LOOKING TO BUILD FENCES EXCEEDING THE MAXIMUM PERMITTED HEIGHT FOR FENCES BE REFERRED TO THE DEVELOPMENT VARIANCE PERMIT PROCESS. CARRIED.

d) City Clerk's Report – Noise Complaint 7581 3rd Street

The Mayor invited those in the gallery that are involved in this issue to come forward and provide input to Council at this time.

Erna Gobbett – lives on 4th Street:

Mrs. Gobbett expressed her concerns as to the loud noise in the neighborhood, stating her opinion that this noise is not appropriate inasmuch as it can be heard on the next street inside her house. She advised that the band practices 2 – 3 hours at a time.

Zak Waterlow – lives at 7581 3rd Street

Mr. Waterlow stated that he had not had contact with his neighbors on the matter of noise from his band practicing until recently. He advised that his band practices no more than 5 hours per week at 2 or 3 times different times, and not on a daily or full time basis. He advised that his acoustic drums are not amplified, and that other instruments are amplified to match the drums. He stated that the band is trying to be minimal and not excessive. He stated that both of his adjacent neighbors work night shifts and have stated that they are not bothered by the band, and in fact, support the band practices. He advised Council that he personally canvassed his neighbors and the majority support his band playing.

Councillor Thompson read into the record, comments from Laverne Simpson of 7560 4th Street, who advised that she wished to withdraw her name from the petition against the band playing at 7581 3rd Street. A copy of the email comments are attached to these minutes.

Shawn Fitzpatrick –

He advised Council that the noise disturbance has been going on for quite some time & that people did not come forward for a number of months. He stated that he and his family, and Mrs. Gobbett,/ continued on next page

are not the only neighbors that do not appreciate the loud music. He suggested that music is in the "ears of the beholder". He requested that Council enforce the Noise Bylaw. He stated that the noise was a disturbance in the winter; however, it is more of an issue during the summer, as people wish to enjoy their backyards. He advised Council that one of his concerns in agreeing to practice schedules is the fact that there are neighborhood people who have not stepped forward, and if he were to agree to a practice time, it may not be acceptable to these other people in the neighborhood.

Zak Waterlow – suggested that Council establish a decibel level.

MOTION: DAVIES / WIRISCHAGIN

RESOLVED THAT THE CITY CLERK'S REPORT, DATED MAY 20, 2009, REGARDING THE NOISE COMPLAINT ISSUE AT 7581 3RD STREET, BE RECEIVED. CARRIED.

Mayor Taylor suggested that he will work with Mr. Waterlow in trying to relocate the band practices, and further undertook to report back Council on this matter.

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

Councillor Davies:

Councillor Davies reported on the following:

- Reported on her attendance at meetings of Economic Development Task Force.
- Reported on her attendance at the presentation by the Minister of State for Western Diversification and the following Round Table on Wednesday, May 20, 2009.
- Advised that there will be an upcoming Educational Medical Marijuana panel, on June 18th.

Councillor Robert:

Councillor Robert reported on the following:

- Discussed city representation on the Grand Forks & District Recreation Commission, advising that he is aware of individuals that are willing to serve on the commission.
- Brought forward the matter of supportive housing development, which is being considered for the former Hardyview Lodge.
- Outlined his concerns about the reduction of Greyhound Bus service in Grand Forks. He went on to discuss the proposal, brought forward by John Heavener, for a transportation Health Connection system, as an alternative.

MOTION: ROBERT / THOMPSON

RESOLVED THAT STAFF BE REQUESTED TO INVESTIGATE THE PRACTICALITY OF AN ALTERNATIVE TRANSPORTATION SERVICE, SUCH AS THE HEALTH CONNECTION, FOR GRAND FORKS, AND PROVIDE A REPORT AND FURTHER BACKGROUND INFORMATION TO COUNCIL. CARRIED.

- Brought forward concerns from residents regarding the Riverside Walkway, specifically as to costs for the development of the walkway. The Mayor advised that the walkway is funded by grants.
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Councillor Wyers:

Councillor Wyers reported on the following:

- Reported on her attendance of the first Library Board Meeting.
 - Advised that she has met with the Victorian Motel owners regarding their proposal for new highway signage. She advised that she will follow up with the BEDC.
 - Reported on her attendance at the presentation by the Minister of State for Western Diversification on Wednesday, May 20, 2009, stating the City is grateful for the funding received.
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Councillor Thompson:

Councillor Thompson reported on the following:

- Reported on her attendance at a retirement luncheon for Dan Zabinsky.
 - Reported that the Boundary Museum Board will undertake a school theme for their display in the Fructova School.
 - Reported on her attendance at the presentation by the Minister of State for Western Diversification and the following Round Table on Wednesday, May 20, 2009.
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Councillor Moslin:

Councillor Moslin reported on the following:

- Advised that Habitat for Humanity has a proposal for a partnership for supportive housing in the City. He referred to the written proposal, which recently arrived at City Hall.
 - Reported that Habitat for Humanity is looking for volunteers to assist with their development on 72nd Avenue.
 - Advised that the Black Train Bridge has been re-decked and that the Society is looking to complete the handrail.
 - Referred to the Boundary Air Quality Committee website, stating that *PMT10* has improved in past 3 years.
 - Announced Environment Week – Commuter Challenge is scheduled for the first week of June and encouraged residents to register and participate for our community.
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Councillor Wirischagin:

Councillor Wirischagin reported on the following:

- Reported on his attendance at a recent meeting of the Grand Forks & District Recreation Commission

- Reported on his attendance at the last GFI meeting. He advised that the GFI has only 7 teams committed to date.
- Reported on his attendance at the USCC Union of Youth Festival.
- Announced that the Grand Forks Border Bruins have hired a new coach who was welcomed to Grand Forks.

Mayor Taylor:

Mayor Taylor reported on the following:

- Reported on his attendance at a retirement party for Cathy Manson, and recognized her for being a great community leader.
- Advised that the Western Diversification Community Investment Funds program has an application deadline of June 26th, 2009.

MOTION: ROBERT / WIRISCHAGIN

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

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:

- Announced that there will be a Regional District Board Meeting on Thursday, May 28th.
- Advised that the Regional District Board will be dealing with the Animal Control Service matter shortly.

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:

Councillor Moslin brought forward the matter of the Recreation Infrastructure Canada Program.

MOTION: MOSLIN / ROBERT

RESOLVED THAT CITY COUNCIL AUTHORIZES THE CITY MANAGER TO MAKE AN APPLICATION FOR A GRANT UNDER THE RECREATION INFRASTRUCTURE CANADA

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PROGRAM FOR THE SOUTH RUCKLES-PERLEY SCHOOL- BLACK TRAIN BRIDGE
WHEEL CHAIR, PEDESTRIAN AND BIKE PATH ACCESS.

CARRIED.

MOTION: ROBERT / THOMPSON

RESOLVED THAT THE AGENT REPRESENTING THE OWNER OF THE PROPERTY,
COMMONLY KNOWN AS GOLDEN HEIGHTS, BE ADVISED THAT COUNCIL FOR THE
CITY OF GRAND FORKS IS NOT IN A POSITION TO REMOVE THE PURCHASING
CONDITIONS FOR THE OFFER TO PURCHASE THE GOLDEN HEIGHTS PROPERTY.

CARRIED.

REQUESTS ARISING FROM CORRESPONDENCE:

None

INFORMATION ITEMS:

MOTION: THOMPSON / WIRISCHAGIN

RESOLVED THAT INFORMATION ITEMS NUMBERED 10A TO 10Q,

- a) National Missing Children's Month and Missing Children's Day.
- b) Email and graphs from Councillor Moslin regarding the deer count.
- c) Whispers of Hope request for a dumpster and weekly dumping.
- d) Bill and Jane Pring concerns of disposal fees for compost waste at the landfill.
- e) Greyhound Bus Lines application for reduction of bus service affecting Grand Forks.
- f) Sunshine Valley Community Services proposing that the City hire two individuals who previously worked at the campground when it was under contract to the Chamber of Commerce.
- g) 4 pieces of correspondence relating to medical marijuana.
- h) Copy of Community Forest Report from the Industry Group of the EDTF.
- i) RDKB Building Inspection Activity Report for the month of April, 2009.
- j) Request for City advertising in the GFI Program.
- k) Copy of negotiated Licence of Occupation for Roxul Inc.
- l) Copy of negotiated Licence of Occupation for DCT Chambers Trucking.
- m) Memorandum from the Manager of Technical Services & Utilities outlining the water system testing.
- n) Greenwood LIRN Event of March 4, 2009, Report and Survey.
- o) 2009 UBCM Convention Tuesday Forums.
- p) 2008 UBCM Resolutions proposed by Grand Forks City Council and the provincial responses received.
- q) Boundary Air Quality Committee Minutes from May 7th and March 12th meetings.

BE RECEIVED AND ACTED UPON AS RECOMMENDED OR AS AMENDED.

CARRIED.

- c) Whispers of Hope Request for a dumpster and the weekly dumping of it. The Mayor stated that he will take this matter to Staff of the RDKB.
- e) Greyhound Bus Lines Application to reduce service to and from Grand Forks.

MOTION: THOMPSON / DAVIES

RESOLVED THAT THE CITY OF GRAND FORKS SEND A LETTER TO THE GREYHOUND BUS LINES EXPRESSING CONCERN REGARDING THEIR APPLICATION TO REDUCE SERVICE IN GRAND FORKS. CARRIED.

MOTION: DAVIES / THOMPSON

RESOLVED THAT IN ACCORDANCE WITH SECTION 17(2) OF THE GRAND FORKS PROCEDURE BYLAW COUNCIL CONTINUES WITH THIS MEETING BEYOND THE HOUR OF 11:00 P.M.

THE MOTION WAS DEFEATED AS IT DID NOT RECEIVE UNANIMOUS CONSENT COUNCILLOR MOSLIN VOTED AGAINST THE MOTION.

MOTION: DAVIES / THOMPSON

RESOLVED THAT IN ACCORDANCE WITH SECTION 17(1) OF THE GRAND FORKS PROCEDURE BYLAW, THIS MEETING BE ADJOURNED TO TUESDAY, MAY 26TH, 2009 AT 4:00 P.M. IN COUNCIL CHAMBERS IN CITY HALL.

CARRIED.

The meeting was recessed at 11:00 p.m.

The Meeting was reconvened at 4:00 p.m. Tuesday, May 26, 2009. Mayor Brian Taylor called the Meeting to Order.

- f) Sunshine Valley Community Services

MOTION: THOMPSON / DAVIES

RESOLVED THAT SUNSHINE VALLEY COMMUNITY SERVICES BE ADVISED THAT THE CITY OF GRAND FORKS REGETS THAT WE ARE UNABLE TO HIRE THE "CLEAN-UP AND MAINTENANCE STAFF AT THE CITY CAMPGROUND", AS IN PAST YEARS, AS THE PROGRAM HAS BEEN RE-VAMPED AND TRIMMED TO ELIMINATE THE DEFICIT, AND THAT CONSIDERATION WILL BE GIVEN TO THIS SERVICE IN 2010.

CARRIED.

- g) Councillor Davies commented on the 4 pieces of correspondence relating to medical marijuana, stating that the first 3 pieces are bios for speakers that our coming to the June 18th presentation. She went on to read comments from a citizen with experience in medical marijuana.

q) Boundary Air Quality Committee Minutes

MOTION: MOSLIN / DAVIES

RESOLVED THAT COUNCIL INSTRUCT STAFF TO DRAFT A WOOD STOVE BYLAW WHICH INCLUDES THE FIVE ELEMENTS IDENTIFIED IN THE MINUTES OF THE BOUNDARY AIR QUALITY COMMITTEE MEETING, AND TO PRESENT THIS DRAFT BYLAW TO COUNCIL FOR CONSIDERATION.

CARRIED.

The original Motion to Receive Information Items and act on them as recommended which was moved on May 25th, 2009 was carried at this time.

BYLAWS:

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

MOTION: ROBERT / THOMPSON

RESOLVED THAT BYLAW NO. 1869, CITED AS “AMENDMENT TO THE CITY OF GRAND FORKS ZONING BYLAW NO. 1869, 2009”, BE GIVEN THIRD READING.

CARRIED.

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

MOTION: ROBERT / THOMPSON

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

CARRIED.

MOTION: WIRISCHAGIN / ROBERT

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

CARRIED.

LATE ITEMS:

QUESTIONS FROM THE PUBLIC AND THE MEDIA:

Regular Meeting of Council
May 25, 2009

ADJOURNMENT:

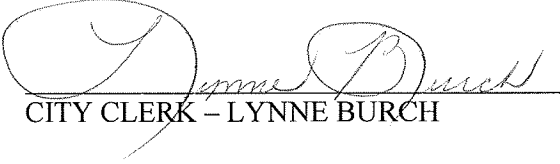
MOTION: WIRISCHAGIN

RESOLVED THAT THIS REGULAR MEETING OF COUNCIL BE ADJOURNED AT 4:32 P.M. TUESDAY, MAY 26, 2009.

CARRIED.

CERTIFIED CORRECT:


MAYOR BRIAN TAYLOR


CITY CLERK - LYNNE BURCH