



The Corporation of the City of Grand Forks
Regular Meeting of Council
MINUTES

Meeting #: R-2023 -05
Date: Monday, March 27, 2023, 10:00 am
Location: 7217 - 4th Street, City Hall Council Chambers

Present: Mayor Everett Baker
Councillor Zak Eburne-Stoodley
Councillor Neil Krog
Councillor Deborah Lafleur
Councillor David Mark
Councillor Christine Thompson
Councillor Rod Zielinski

Staff: Duncan Redfearn - Chief Administrative Officer
Daniel Drexler - Corporate Officer
Kevin McKinnon - Deputy Corporate Officer
Kirsty Faramin - Corp./IT Services Assistant
Juliette Rhodes - Chief Financial Officer
Dolores Sheets - Manager of Planning & Development Services
Adriana Cameron – Planning & Development
Graham Watt - Manager of Strategic Initiatives
David Bruce - Manager of Inspection & Bylaw Services
James Runciman – Fire Chief

GALLERY

1. LAND ACKNOWLEDGEMENT

The Mayor delivered the land acknowledgement.

2. CALL TO ORDER

Mayor Baker called the March 27, 2023, Regular Meeting to order at 10:00 am.

Resolution #: R073/23/03/27

MOVED/SECONDED

THAT Area 'D' Director Wiese of the Regional District of Kootenay Boundary can participate in discussions at the March 24, 2023, Regular Meeting.

Carried

3. ADOPTION OF AGENDA

a. Adopt agenda

March 27, 2023, Regular Meeting agenda

Resolution #: R074/23/03/27

MOVED/SECONDED

THAT Council adopts the March 27, 2023, Regular Meeting agenda as presented.

Carried

4. MINUTES

a. Adopt minutes - Regular

March 1, 2023, Special Meeting minutes

March 6, 2023, Regular Meeting minutes

March 16, 2023, Special Meeting To Go In-Camera minutes

Resolution #: R075/23/03/27

MOVED/SECONDED

THAT Council adopts the March 1, 2023, Special Meeting minutes, the March 6, 2023, Regular Meeting minutes, and the March 16, 2023 Special Meeting to go In-Camera minutes as presented.

Carried

5. **REGISTERED PETITIONS AND DELEGATIONS**

a. Request for In-Kind Services

Boundary Country Region Chamber of Commerce - Market District Committee

The Executive Director and Vice Chair of the Boundary Country Regional Chamber of Commerce (BCRCC) provided details regarding the newly formed Market District Committee developed under the Chamber.

The Market District Committee (MDC) proposed a Tree Lighting Project for the downtown core, and discussion ensued regarding:

- the web-like installation of high-end LED lights on 24 trees
- the lights can last up to 7 years
- the meshed lighting grows with the tree
- reduced risk and increased safety and security downtown at night
- promotes downtown nightlife as nightlife is evolving
- the committee would purchase the lights, with funds received from the Downtown Business Association
- the request for assistance with tree trimming, installation and maintenance from the City

b. Electric Charging Station

Westfield Management Corp.

A Tesla representative and the property owners of 1866 Central Avenue proposed the location to install an electric vehicle charging station. The following discussion ensued regarding the project:

- funded by Tesla (\$1.3 to \$1.5 million)
- a supercharging hub and 12 charging stalls
- can be utilized by all types of electric vehicles
- the closest supercharging hubs are located in Osoyoos and Castlegar
 - Tesla vehicles can't use the current "FLO" charging stations located in Grand Forks without an expensive adaptor
- pave the remainder of the parking lot until the property owner wants to develop the property at a future date
- the need to obtain the necessary permits to amend the OCP

6. **UNFINISHED BUSINESS**

None.

7. REPORTS, QUESTIONS AND INQUIRIES FROM MEMBERS OF COUNCIL AND COUNCIL'S REPRESENTATIVE TO THE REGIONAL DISTRICT OF KOOTENAY BOUNDARY

a. Reports of Council and Verbal Report of RDKB Representative

Councillors and Council's Representative to the Regional District of Kootenay Boundary

Councillor Thompson presented her written report and attended:

- LGLA's Elected Officials Seminar in Kimberley, BC

Councillor Lafleur presented her written report and attended:

- the Grand Forks and District Public Library meeting
- the Grand Forks Trail Society meeting
- the Senior's Society Centre inquired about flood protection, and potential concrete retaining wall around the building

Councillor Eburne-Stoodley presented his report and attended:

- the Boundary Museum Society
- Businesses on Riverside and in South Ruckle inquired about flood protection
 - the CAO provided information on materials the City has in inventory for flood protection.
 - a tiger dam is 900 feet single stack, potential to stack up to three times while providing 300 feet of protection
 - 80,000 sandbags available for use
 - the limited resources are dependent on what is happening in the province
 - the concept is to protect whole neighbourhoods not single homes
 - to encourage all property owners to protect their own properties

Councillor Mark presented his report and attended the:

- RCMP Meeting and spoke to potential staffing challenges over the coming months due to staff relocations and training opportunities

Director Wiese - accessible and responsive

- Selkirk College hosting Community Grounds Information Session Wednesday evening

Mayor Baker presented his report and attended:

- Boundary Regional Hospital
 - the challenges in our labs due to illness
 - hired a new Clinical Manager
- BC Housing

- temporary use permit and supportive housing
- spoke to current shelters that have occurred in Grand Forks
 - injunction and its cost
 - the CAO clarified scenarios between temporary shelters on private land versus crown land and the process of removal:
 - BMX is on crown land and, through policy, provided flexibility to work with the occupant and remove debris
 - working with the individual to not remove personal effects
 - ability to remove items because of safety
 - DMAF will change this area and the future of this shelter
 - Shelters on private property
 - the bylaws and policies in place to protect human rights
 - zoning and the bylaw
 - riparian restrictions
 - potential for the resident to relocate safely
 - lawyer fees are costly and a court injunction would be needed in most cases
 - once ordered to relocate, they can relocate 10 feet down the way
 - common challenges in other communities, throughout Canada and globally
 - the City is doing its due diligence
- the next Coffee Chats is on April 11, 2023
- Climate Readiness Presentation in Osoyoos with Emergency Management and Climate Readiness Minister Ma
- Nominated for director of the Association of Kootenay Boundary Local Government

Resolution #: R076/23/03/27

MOVED/SECONDED

THAT all reports by members of Council and Council's Representative on the activities of the Regional District of Kootenay Boundary be received.

Carried

1. Submitted Reports of Council

The written reports that members of the Council submitted.

b. Potential Decisions from Registered Delegations

Mayor Baker

1. Request for In-Kind Services

Boundary Country Region Chamber of Commerce - Market District Committee

The Chief Administrative Officer introduced the item. The following discussion ensued regarding:

- the grant received from Investing in Canada Infrastructure Program (ICIP) is ongoing until 2026, which could stall a portion of proposed area
- the potential removal of trees and which will be replaced after the completion of the ICIP program
- the Boundary Country Region Chamber of Commerce (BCRCC) will purchase and supply the lights
- to direct Staff to work with the BCRCC and Market District Committee (MDC) on this project
- Public Works could assist with the installation of the proposed lights
- potential phased approach for installation; beginning with businesses that operate at night
- potential to upgrade downtown light standards at a future date

Resolution #: R077/23/03/27

MOVED/SECONDED

THAT Council greatly appreciates the BCRCC purchasing the lights for the trees;

AND THAT Staff be instructed to work with the BCRCC regarding the installation of the tree lights in the downtown core with the understanding that the installations may be impacted as part of the infrastructure upgrades scheduled to occur over the next few years in the downtown area.

Carried

2. Electric Charging Station

Westfield Management Corp.

The CAO introduced the item, and discussion ensued:

- zoning is currently neighbourhood commercial in a commercial area
- clarification of bylaw in the neighbourhood zoning
- what Council's vision is moving forward
- potential benefits of charging stations to the rear of the lot to make a future building the development have highway frontage
- benefits regarding the paving of the lot and parking in the area during events
- benefits of the high capacity charging stations in our community

Resolution #: R078/23/03/27

MOVED/SECONDED

THAT Staff be directed to follow the legislatively required process to consider the proposed parking lot and Tesla electric vehicle high charging station at 19 Street and Highway 3.

Carried

8. RECOMMENDATIONS FROM STAFF FOR DECISIONS

a. Board of Variance Report

Planning and Development

The CAO introduced the item, and discussion ensued:

- bylaw is in place
- once established a person can request to go to the Board of Variance for minor development variances
- primary focus is on physical attributes such as siting, dimensions and size of building, not land use
- Council would only be approached in an appeal of the Board's decision

Resolution #: R079/23/03/27

MOVED/SECONDED

THAT Council approves in principle the new Supporting Documents as attached;

AND FURTHER directs Staff to begin the recruitment process for Board members for the City of Grand Forks Board of Variance.

Carried

b. Code of Conduct Review

Corporate Services

The CAO introduced the item, and a discussion ensued regarding the following:

- grammatical amendments already made in the attached draft
- that "with Council approval" be added to section 10.4 to ensure Council would approve expenditures before potentially hiring a third party

Resolution #: R080/23/03/27

MOVED/SECONDED

THAT Council acknowledges the consideration requirements of Community Charter s.113.1(2), determines that the intent of the existing Code of Conduct, as adopted last year, meets legislated requirements and the best practices recommended by the Working Group on Responsible Conduct, and directs Staff to update the active policy with the housekeeping amendments as attached to the report and the addition of the words "with Council approval" following "within thirty (30) days" in section 10.4.

Carried

c. Grand Forks Art Gallery – Technology Agreement

Corporate Services

The Corporate Officer (CO) provided clarification on the current agreement the City has with the Gallery regarding technology equipment. The following discussion ensued regarding:

- the gallery utilizes hardware the City already has in place
- the City provides support and charges rates as per the Fees and Charges Bylaw

Resolution #: R081/23/03/27

MOVED/SECONDED

THAT Council instructs Staff to execute the Technology Services Agreement with the Grand Forks Art Gallery as presented.

Carried

9. REQUESTS ARISING FROM CORRESPONDENCE

- a. BC Farmers Market Nutrition Coupon Program - Thank You Letter to Minister Dix

BC Association for Farmers' Markets

The CAO introduced the item, and no further discussion was required.

Resolution #: R082/23/03/27

MOVED/SECONDED

THAT Staff be directed to compose a letter of thanks to Minister Dix for supporting BC Farmers Market Nutrition Coupon Program in Grand Forks.

Carried

10. INFORMATION ITEMS

- a. 230327 - Controlled Substances Use Within Public Areas

Bylaw Services

Staff introduced the item, and a discussion ensued regarding the following:

- decriminalization of certain illegal drugs for a three-year trial within British Columbia
 - still illegal, limits the amount one can carry legally
- the danger to the public when proper disposal of drug paraphernalia is not practiced
- essential to protect people, children and pets in our community
- the similar challenges other municipalities have experienced and their proposed strategies to prevent drug use in public parks
- public intoxication is still illegal
- essential to provide a program that is balanced enforcement and supportive

- Council asked Staff to continue to work on a bylaw and bring it forward for consideration at a future meeting

b. 230327 - Smoke Alarm Campaign Statistics

Emergency Services / Grand Forks Fire Rescue

The CAO introduced the item, and Council appreciated the information presented.

c. 230327 - Exclusive Use of Public Property - Sidewalk Patios

Corporate Services

The CAO introduced the item, and a discussion ensued regarding the following:

- exclusive use of sidewalks, parking stalls and areas outside of businesses
- refrain from utilizing handicapped parking stalls (see Resolution R083)
- potential to charge fees for the benefit of using City property
 - to forewarn applicants that there is the potential for fees in the future
 - not automatically renewed every year
 - no grandfathering
- potential for Staff to provide input on the construction of the patio
- possible increase required for insurance coverage
- the possible annual inspection of any patio construction is required
- concerns about the potential economic impact on businesses
- Council directed Staff to:
 - not renew any exclusive use renewals regarding sidewalks, parking stall use in the Market District at this time
- Council to present to Staff what changes they would like in future bylaw

Resolution #: R083/23/03/27

MOVED/SECONDED

THAT Council instructs Staff to not utilize handicap-accessible parking spots for patios or other uses as part of the Exclusive Use Bylaw.

Carried

Resolution #: R084/23/03/27

MOVED/SECONDED

THAT Council instructs Staff not to approve any exclusive use of sidewalks and parking stalls in the Market District at this time.

Opposed (1): Mark

Carried

- d. OMNII Project - Phase 1 - Existing Conditions Report

Urban Systems

After a brief discussion on the report, the CAO proposed that Urban Systems be invited back to provide clarification to Council on items presented in the submitted report.

Meeting recess for lunch from 12:35 pm to 1:15 pm.

11. BYLAWS

- a. Zoning Bylaw Amendment Bylaw No. 2039-A28 first and second reading

Planning and Development

The CAO introduced the item, and no further discussion was required.

Resolution #: R085/23/03/27

MOVED/SECONDED

THAT Council give first and second reading to Zoning Bylaw Amendment Bylaw No. 2039-A28;

AND THAT Staff are authorized to secure a SRW/Covenant with respect to the portion of Morrissey Creek Road on the applicants' property for public access and future utilities.

Carried

- b. Five Year Financial Plan Bylaw No. 2097

Financial Services

The CAO introduced the item and no further clarification was needed by Council.

Resolution #: R086/23/03/27

MOVED/SECONDED

THAT Council gives first three readings to the 2023-2027 Five Year Financial Plan Bylaw No. 2097.

Opposed (1): Zielinski

Carried

- c. Fees and Charges Amendment Bylaw 1958-A12 – Electrical, Water and Sewer Fees and Charges

Financial Services

The CAO introduced the item, and no further discussion ensued.

Resolution #: R087/23/03/27

MOVED/SECONDED

That Council gives first three readings to the Fees and Charges Amendment Bylaw No. 1958-A12.

Opposed (1): Zielinski

Carried

12. LATE ITEMS

None.

13. ITEMS RELEASED FROM IN-CAMERA

None.

14. STRATEGIC PLAN

None.

15. QUESTIONS FROM THE PUBLIC AND THE MEDIA

None.

16. IN-CAMERA RESOLUTION

Resolution #: R088/23/03/27

MOVED/SECONDED

RESOLVE THAT 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;

(c) labour relations or other employee relations;

(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;

(f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;

(g) litigation or potential litigation affecting the municipality;

Carried

17. ADJOURNMENT

The March 27, 2023, Regular Meeting was adjourned at 1:20 pm.

Resolution #: R089/23/03/27

MOVED/SECONDED

THAT the March 27, 2023, Regular Meeting be adjourned.

Carried

Mayor Everett Baker

Corporate Administrative Assistant
- Kirsty Faramin