

TOWN OF SMITHERS

Minutes of the Regular Meeting of Council held in Council Chambers, 1027 Aldous Street, Smithers, B.C., on Tuesday, April 27, 2010, at 7:30 p.m.

Council Present:

Jo Ann Groves, Acting Mayor
Norm Adomeit, Councillor
Mark Bandstra, Councillor
Lorne Benson, Councillor
Charlie Northrup, Councillor
Frank Wray, Councillor.

Staff Present:

Deborah Sargent, Chief Administrative Officer
Leslie Ford, Director of Finance
Mark Allen, Director of Development Services
Andrew Hillaby, Director of Recreation, Parks and Culture
Wilf Taekema, Director of Works and Operations
Janice McKay, Recording Secretary.

Council Excused:

Cress Farrow, Mayor.

Staff Excused:

Susan Bassett, Director of Corporate Services
Keith Stecko, Fire Chief
Patricia Berg, Airport Manager.

Media Present: S. Stranges, The Peak; K. Koppitz, CFTK-TV, and R. Schierer, The Interior News.

CALL TO ORDER

1. Acting Mayor Groves called the meeting to order (7:30 p.m.).

APPROVAL OF AGENDA (including Supplemental Items)

- 1A Benson/Wray
10.0319 THAT Council approves the agenda, and the following supplemental items for
AGENDA discussion later in the meeting:
APPROVAL
- 9-2 Interview Consent Form from K. Heisler, Simon Fraser University:
Negotiating Benefit from Natural Resource Extraction in Northern British Columbia (0530-05).
- 14-1 Letter dated April 23, 2010, from S. Martin, Treasurer, Bulkley Valley
Gymnastics Association, requesting a letter of support to accompany a
BC Gaming Grant application (0230-20).

CARRIED UNANIMOUSLY.

2. PUBLIC HEARING

None.

APPROVAL OF MINUTES

- 3-1 Adomeit/Benson
10.0320 THAT the minutes of the Regular Meeting of Council held April 13, 2010, be
REG adopted.
APRIL 13

CARRIED UNANIMOUSLY.

- 3-2 Benson/Bandstra
10.0321 THAT the minutes of the Committee of the Whole Meeting held April 6, 2010
C.O.W. (Airport Plan/Central Park/Srs. Water Sewer), be adopted.
APRIL 6

CARRIED UNANIMOUSLY.

3-3 Benson/Northrup
10.0322 THAT the minutes of the Committee of the Whole Meeting held April 7, 2010
C.O.W. (Carbon Action Planning), be adopted.
APRIL 7 **CARRIED UNANIMOUSLY.**

3-4 Bandstra/Benson
10.0323 THAT the minutes of the Committee of the Whole Meeting held April 8, 2010
C.O.W. (Second Sheet), be adopted.
APRIL 8 **CARRIED UNANIMOUSLY.**

BUSINESS ARISING FROM THE MINUTES

4-1 Northrup/Adomeit
10.0324 THAT Report ADM 10-035 dated April 15, 2010, from D. Sargent, Chief
ITEMS Administrative Officer, regarding items being made public from the Special (In-
MADE Camera) Meeting of Council held March 23, 2010, be received;
PUBLIC AND THAT no items be placed on the public agenda at this time (0640-01).
CARRIED UNANIMOUSLY.

PETITIONS AND DELEGATIONS

5-1 R. Fuerst, S. Granda, and D. McMillan provided copies of the Royal Canadian
LEGION Legion Branch 63 Financial Statements dated December 31, 2008, and a
breakdown of 2007, 2008, and 2009 charitable donations. The purpose of the
delegation was to request a full or partial exemption of municipal taxes.

The Smithers Legion, a non-profit Society that has been helping veterans and their families for 90 years, is faced with the challenges of an aging membership, an aging building, and of providing assistance to young soldiers returning from Afghanistan.

In response to questions from Council, it was confirmed that the Branch: a) has a specific liquor license to serve members, with all bar profits distributed to local charities; b) received a \$1,500 grant-in-aid from the Town in 2007; c) incurred debt to avoid permanently losing its Charter status; and d) paid approximately \$5,500 in property taxes last year as a Class 6 and Class 8 establishment.

Acting Mayor Groves advised that Council would deliberate and provide a response at a later date.

5-2 The presentation by Karen Lai, Accessibility Project Coordinator, Social
SPARC-BC Planning and Research Council of BC (SPARC BC), outlined SPARC's mission, roles, and programs. The presentation promoted June 5 as Access Awareness Day and the Accessible Community Bylaws Guide, endorsed by the Union of British Columbia Municipalities. The Guide encourages Councils to support and adopt any or all of nine accessible bylaws.

Ms. Lai introduced Carmen Nikal and Marg Lubbers, of the Measuring Up the North Committee, present in the gallery, and congratulated the Committee for completing a community assessment and various projects, including improved sidewalk accessibility and an accessible transportation plan. When asked by Council about Central Park's inaccessible railcar, she encouraged creative thinking to find a retrofit solution.

COUNCIL REPORTS:

COUNCILLOR ADOMEIT

6-1 None.

COUNCILLOR BANDSTRA

6-2-1 Bandstra/Benson
10.0325 THAT the minutes of the Economic Development Committee Meeting held
EDC April 12, 2010, be received (0360-20).
APRIL 12 **CARRIED UNANIMOUSLY.**

6-2-2 Bandstra/Adomeit
10.0326 THAT the minutes of the Finance Committee Meeting held April 13, 2010, be
FINANCE received, and amended, by replacing the second question on Page 3 with the
APRIL 13 following: "With the 8% increase in RCMP taxation, can the citizens expect a
larger jump next year?" (0360-20).
CARRIED UNANIMOUSLY.

6-2-3 Councillor Bandstra thanked fellow Councillors for their presentations at the
BANDSTRA Budget Open House held April 13, 2010. He reported that he attended the
REPORT April 19 Omineca Beetle Action Coalition meeting, the North West Trade Show,
and the Minerals North Conference held April 21 to 23 in Prince George,
including the Aboriginal Engagement Workshop. Councillor Bandstra reminded
Council of the Highway 37 Open House being held April 28, at the Hudson Bay
Lodge.

COUNCILLOR BENSON

6-3-1 Benson/Bandstra
10.0327 THAT the Bulkley Valley Aquatic Centre Management Society's February
BVACMS Financial Statements and March Manager's Report, be received (0230-20).
CARRIED UNANIMOUSLY.

COUNCILLOR GROVES

6-4 None.

COUNCILLOR NORTHRUP

6-5-1 Councillor Northrup reported that he attended: a) the April 27 Smithers District
NORTHRUP Chamber of Commerce Luncheon regarding North West Community College; b)
REPORTS the North West Trade Show; and c) the University of Northern British Columbia
North West Regional Advisory Council meeting held April 26 in Terrace.

COUNCILLOR WRAY

6-6-1 Wray/Adomeit
10.0328 THAT Report FIN 09-08 dated April 19, 2010, from Councillor Wray
LIBRARY recommending re-appointment of three Smithers Public Library Board members
BD. APPTS. and appointment of one new member, be received;

AND THAT Council approve the reappointments of Corry Tremblay, Paul Parry and Mike Bovill to the Smithers Public Library Board each for an additional two-year term, commencing May 1, 2010 and ending April 30, 2012;

AND THAT Council approve the new appointment of Barry Smith to the Smithers Public Library Board commencing May 1, 2010 and ending April 30, 2012 (1610-01).

CARRIED UNANIMOUSLY.

MAYOR FARROW

6-7-1 Benson/Adomeit
10.0329 THAT the email dated April 14, 2010, from H. Berndorff, Director of Finance,
RDBN Regional District of Bulkley-Nechako, presenting "Regional District of Bulkley-
DIRECTORS Nechako Bylaw No. 1499 - A Bylaw for Remuneration of Directors and Alternate
REMUNER- Directors" and report "Directors Remuneration Taxation Analysis of Proposed
ATION Increase", be received (0400-55).

CARRIED UNANIMOUSLY.

6-7-2 Wray/Adomeit
10.0330 THAT the invitation from the 204 Babine Royal Canadian Sea Cadet Corps,
SEA inviting a Council representative to make a brief address and perhaps present
CADETS an award at the Annual Ceremonial Review on May 8, 2010, at 10:00 a.m. at St.
Joseph's Elementary School, be received (0530-05).

CARRIED UNANIMOUSLY.

Acting Mayor Groves advised that her attendance has been confirmed.

STAFF (A) REPORTS

7A-1 Adomeit/Wray
10.0331 THAT Report AIR 10-05 dated April 19, 2010, from P. Berg, Airport Manager,
HAWKAIR recommending signing of a five-year lease with Hawkair Aviation Services Ltd.,
LEASE be received;

AND THAT Council authorize the Mayor and Chief Administrative Officer to sign a five-year lease between the Town of Smithers and Hawkair Aviation Services Ltd. (1640-20/Vault).

CARRIED UNANIMOUSLY.

7A-2 Northrup/Bandstra
10.0332 THAT Report ADM 10-040 dated April 16, 2010, from S. Bassett, Director of
HUDSON Corporate Services, recommending renewal of the lease with Hudson Bay
BAY MTN. Mountain Adventures Inc. for a further five-year term, be received (Vault).
ADVENTURES
LEASE **CARRIED UNANIMOUSLY.**

10.0333 Bandstra/Wray
THAT Council authorize the lease renewal at the prices indicated in Report
ADM 10-040 dated April 16, 2010, from S. Bassett, Director of Corporate
Services;
AND THAT Staff obtain professional advice regarding market value of
community, leased spaces and report back to Council;
AND THAT the Town err in favour of the lessee.
OPPOSED: COUNCILLORS ADOMEIT, BANDSTRA, DEFEATED.
BENSON, NORTHRUP, WRAY AND
ACTING MAYOR GROVES.

10.0334 Benson/Bandstra
THAT the matter of the lease renewal with Hudson Bay Mountain Adventures
Inc. be referred to Administration, regarding lease rates.
CARRIED UNANIMOUSLY.

STAFF (B) REPORTS

7B-1 Adomeit/Benson
10.0335 THAT the following monthly department reports for March 2010 be received:
MARCH a) Development Services Department; b) Fire Department; c) Prevention and
DEPT Community Safety; and d) Works and Operations.
REPORTS **CARRIED UNANIMOUSLY.**

7B-2 Adomeit/Benson
10.0336 THAT Report DEV 10-034 dated April 19, 2010, from M. Allen, Director of
LB WARNER Development Services, presenting off-site servicing options and cost estimates
OFF-SITE for upper L.B. Warner Centre, be received (3220-20).
SERVICES **CARRIED UNANIMOUSLY.**

BYLAWS

8-1
10.0337
BYLAW 1623

"Bylaw No. 1623 - Town of Smithers Zoning Bylaw No. 1403 Amendment No. 10-04" (M1 text amendment)

Benson/

THAT Bylaw No. 1623, cited as "Bylaw No. 1623 - Town of Smithers Zoning Bylaw No. 1403 Amendment No. 10-04", be amended by removing the words "and/or goods related to the principal use" and by adding the word "area" in number 2.1.1 (bb), so that it reads:

(bb) retail sales of goods manufactured on-site, provided that retail sales area does not exceed 25% of the building floor space to a maximum of 232 m² (2,500 ft²).

MOTION LOST DUE TO LACK OF A SECONDER.

10.0338

Bandstra/
THAT Bylaw No. 1623, cited as "Bylaw No. 1623 - Town of Smithers Zoning Bylaw No. 1403 Amendment No. 10-04", be read a third time.

MOTION LOST DUE TO LACK OF A SECONDER.

10.0339

Wray/Benson
THAT Council refer "Bylaw No. 1623, cited as "Bylaw No. 1623 - Town of Smithers Zoning Bylaw No. 1403 Amendment No. 10-04" to Administration following discussion by Council at this meeting.

MOTION WITHDRAWN.

Councillor Wray withdrew the motion, as Council was unable to reach a consensus regarding direction to Staff.

10.0340

Benson/Wray
THAT "Bylaw No. 1623, cited as "Bylaw No. 1623 - Town of Smithers Zoning Bylaw No. 1403 Amendment No. 10-04", be tabled to a Committee of the Whole meeting to be held prior to the May 11, 2010, Regular Meeting of Council.

**OPPOSED: COUNCILLORS ADOMEIT, BANDSTRA,
AND NORTHRUP.**

DEFEATED.

10.0341

Northrup/
THAT Council proceed with the remainder of the agenda.

MOTION LOST DUE TO LACK OF A SECONDER.

10.0342

Bandstra/Wray
THAT "Bylaw No. 1623, cited as "Bylaw No. 1623 - Town of Smithers Zoning Bylaw No. 1403 Amendment No. 10-04", be read a third time.

**OPPOSED: COUNCILLORS ADOMEIT, BENSON,
AND NORTHRUP.**

DEFEATED.

8-1 Cont'd

10.0343 Benson/Wray
THAT Bylaw No. 1623, cited as "Bylaw No. 1623 - Town of Smithers Zoning Bylaw No. 1403 Amendment No. 10-04", be amended by removing the words "and/or goods related to the principal use" and by adding the word "area" in number 2.1.1 (bb), so that it reads:

(bb) retail sales of goods manufactured on-site, provided that retail sales area does not exceed 25% of the building floor space to a maximum of 232 m² (2,500 ft²).

OPPOSED: COUNCILLORS ADOMEIT, BANDSTRA, BENSON, NORTHRUP, WRAY AND ACTING MAYOR GROVES. DEFEATED.

8-2
10.0344 "Bylaw No. 1624 - Local Area Service (4000 Block of Tenth Avenue/Rosenthal Road) Establishment"
BYLAW 1624

Northrup/Benson
THAT Bylaw No. 1624, cited as "Bylaw No. 1624 - Local Area Service (4000 Block of Tenth Avenue/Rosenthal Road) Establishment", be adopted.

CARRIED UNANIMOUSLY.

8-3
10.0345 "Bylaw No. 1625 - Five-Year (2010-2014) Financial Plan"
BYLAW 1625

Benson/Wray
THAT Bylaw No. 1625, cited as "Bylaw No. 1625 - Five-Year (2010-2014) Financial Plan", as introduced in Report FIN 10-06 dated April 15, 2010, by L. Ford, Director of Finance, be read a first and second time.

CARRIED UNANIMOUSLY.

10.0346 Adomeit/Northrup
THAT Bylaw No. 1625, cited as "Bylaw No. 1625 - Five-Year (2010-2014) Financial Plan", be read a third time.

CARRIED UNANIMOUSLY.

8-4
10.0347 "Bylaw No. 1626 – 2010 Tax Rates"
BYLAW 1626

Bandstra/Benson
THAT Bylaw No. 1626, cited as "Bylaw No. 1626 - 2010 Tax Rates", as introduced in Report FIN 10-07 dated April 15, 2010, by L. Ford, Director of Finance, be read a first and second time.

CARRIED UNANIMOUSLY.

10.0348 Bandstra/Benson
THAT Bylaw No. 1626, cited as "Bylaw No. 1626 – 2010 Tax Rates", be read a third time.

CARRIED UNANIMOUSLY.

CORRESPONDENCE - (A) ITEMS

9-1 Wray/Benson
10.0349 THAT the letters dated March 29, 2010, from S. Doodson, Owner/Operator of
McHAPPY Smithers McDonald's, inviting Mayor Farrow and Councillor Wray to participate
DAY in the McHappy Day celebration being held May 5, 2010, be received (0530-05).

CARRIED UNANIMOUSLY.

10.0350 Northrup/
THAT the Town of Smithers donate fifty dollars (\$50.00) to the McHappy Day fundraising effort.

MOTION LOST DUE TO LACK OF A SECONDER.

9-2 Bandstra/Wray
10.0351 THAT the letter (and Interview Consent Form included in the Supplemental
HEISLER Agenda) dated April 12, 2010, from K. Heisler, PhD Candidate, Department of
REGIONAL Geography, Simon Fraser University, requesting the Town's participation in a
PLANNING research project to explore the role of jurisdiction in regional planning in rural, resource-based economies, be received (0530-05).

CARRIED UNANIMOUSLY.

Acting Mayor Groves reported that she would be meeting with K. Heisler on April 28, 2010.

9-3 Bandstra/Benson
10.0352 THAT the email dated April 12, 2010, from D. Welch, Union of British Columbia
UBCM Municipalities, providing a Member Release regarding the *School Community
SCHOOL Connections - Supporting Neighbourhoods Learning Centres* funding
COMMUNITY opportunity, be received;
CONNECT- AND THAT Staff pursue potential projects with School District No. 54, eligible
IONS for such funding (0230-30).

CARRIED UNANIMOUSLY.

9-4 Bandstra/Northrup
10.0353 THAT the invitation from Enbridge Inc. to attend a community reception being
ENBRIDGE held May 4, 2010, in Calgary, be received (0510-20).
RECEPTION

CARRIED UNANIMOUSLY.

CORRESPONDENCE - (B) ITEMS- RECEIVE AND REPLY

10. None.

CORRESPONDENCE - (B) ITEMS - RECEIVE FOR INFORMATION

11-1 to 11-7
10.0354
'B' ITEMS

Bandstra/Adomeit

THAT the following correspondence be received:

- 11-1 Letter dated April 14, 2010, from W. Simmonds, Manager, Plant and Energy, Bulley Valley District Hospital (and letter from A. Woods, Regional Forest Pathologist) regarding the planned removal of dangerous trees located near the Passage Transition House (0400-80).
- 11-2 Letter dated April 7, 2010, from S. Seychuk, Executive Director, Northern Society for Domestic Peace, presenting Smithers RCMP Victim Assistance Program January to March statistics (7400-02).
- 11-3 Letter dated April 14, 2010, from D. Donaldson, Member of the Legislative Assembly, Stikine, regarding carbon neutrality legislation as it applies to municipalities (0400-20).
- 11-4 Letter dated April 14, 2010, from S. Bond, Minister of Transportation and Infrastructure, advising that other commitments preclude attendance at the North Central Local Government Association conference (0400-20).
- 11-5 Letter dated April 17, 2010, inviting G. Williams to attend the North Central Local Government Association conference in appreciation of his past service as President of the Association (0390-20).
- 11-6 Memorandum dated April 19, 2010, from the Union of British Columbia Municipalities advising that May 16 to 22, 2010, is National Public Works Week and Local Government Awareness Week (0230-30).
- 11-7 Letter dated April 14, 2010, from J. Standen, Director, Environmental Protection Division, Ministry of Environment, announcing implementation of the Canadian Council of Ministers of the Environment Canada-wide Municipal Wastewater Strategy in British Columbia (0400-20).
- 11-8 Email dated April 16, 2010, from the City of North Vancouver presenting a report and resolution regarding Trade Agreements (0400-50).

CARRIED UNANIMOUSLY.

CORRESPONDENCE - (C) ITEMS

12. None.

CORRESPONDENCE - (D) ITEMS

13-1 to 13-5
10.0355
'D' ITEMS

Adomeit/Benson

THAT the following correspondence, as routed, be received for information:

- 13-1 *The Woodland Almanac*, Federation of British Columbia Woodlot Associations, Spring 2010.
- 13-2 *Care Quarterly*, BC Care Providers Association, Winter/Spring 2010.
- 13-3 *Truck Logger*, Spring 2010.
- 13-4 *2009 Annual Report*, Pacific Northern Gas Ltd.
- 13-5 *2010 Legacies Now Scrapbook*, 2010 Legacies Now

CARRIED UNANIMOUSLY.

SUPPLEMENTAL ITEMS APPROVED FOR DISCUSSION

14-1 Adomeit/Bandstra
10.0356 THAT a letter of support be sent to the Bulkley Valley Gymnastics Association, BVGA to accompany a BC Gaming Grant application, as requested in the letter dated GAMING April 23, 2010, from S. Martin, Treasurer, Bulkley Valley Gymnastics GRANT Association (0230-20).

CARRIED UNANIMOUSLY.

OTHER BUSINESS/NEW BUSINESS

15-1 Councillor Benson reported that he will be attending the Yellowhead Highway BENSON Association Conference April 29 to May 1, 2010, in Prince George, and that he MTGS. is unable to attend the North Central Local Government Association Conference being held May 5 to 7, 2010.

15-2 D. Sargent advised that Staff will be presenting design options for Town Hall SIGNAGE/ outdoor signage in the near future. M. Allen advised that copies of the newly OCP adopted Official Community Plan will be provided to Council within the next few days.

PUBLIC QUESTION PERIOD

16-1 E. Harding voiced his disappointment in Council's decision not to move forward HARDING on Bylaw No. 1623.

16-2 J. Penninga advised that the off-site servicing costs for the upper L.B. Warner PENNINGA Centre lots may make the marketing of the lots more challenging, but having this additional information is helpful.

NOTICE OF SPECIAL (IN-CAMERA) MEETING OF COUNCIL PURSUANT TO SECTION 92 OF THE COMMUNITY CHARTER

17. Wray/Adomeit
10.0357 THAT, pursuant to Section 92 of the *Community Charter*, Council gives notice NOTICE OF and exercises its authority and excludes the media and the public, except for IN-CAMERA municipal staff, from the Special (In-Camera) Meeting of Council being held on May 11, 2010, at 6:00 p.m. to deal with matters falling under Section 90, subsections 1 and/or 2 of the *Community Charter*.

CARRIED UNANIMOUSLY.

ADJOURNMENT

18. Adomeit/Bandstra
10.0358 THAT the Regular Meeting of Council be adjourned (9:50 p.m.).
ADJOURN

CARRIED UNANIMOUSLY.

Certified Correct:

Jo Ann Groves
Acting Mayor

Deborah Sargent
Corporate Administrator (CAO)

Certified a True and Correct Copy of the minutes of the Regular Meeting of Council held on Tuesday, April 27, 2010, at 7:30 p.m. in the Council Chambers at 1027 Aldous Street, Smithers, B.C.

Deborah Sargent
Corporate Administrator (CAO)

DS/jm

\\server\pccommon\wordpro\min\min 2010 council\min #08 regular apr 27.doc 5/12/10 2:20 PM