



COUNCIL OF THE CITY OF CASTLEGAR

Regular Meeting Minutes

Minutes of the regular meeting of the Council of the City of Castlegar held February 4, 2013, 7:00 p.m. in the Community Forum, 445 – 13<sup>th</sup> Avenue, Castlegar, B.C.

**MEMBERS  
PRESENT:**

Mayor Lawrence Chernoff  
Councillor Kevin Chernoff  
Councillor Deb McIntosh  
Councillor Dan Rye  
Councillor Gordon Turner

**MEMBERS ABSENT:**

Councillor Russ Hearne  
Councillor Sue Heaton-Sherstobitoff

**ALSO PRESENT:**

John Malcolm, Chief Administrative Officer  
Andre Buss, Director of Finance  
Chris Barlow, Director of Transportation and Civic Works  
Phil Markin, Director of Development Services  
Carolyn Rempel, Director of Corporate Services  
Gerry Rempel, Fire Chief/Airport Manager  
Public and Media

**CALL TO ORDER:**

There being a quorum present, the Mayor called the meeting to order at 7:00 p.m.

**AGENDA:  
42-13**

Moved and seconded,  
that the agenda be approved as presented. Carried.

**DELEGATIONS:**

Nil

**MINUTES:  
43-13**

Moved and seconded,  
that the minutes of the regular meeting held January 21, 2013, be approved as presented. Carried.

**REPORTS:**

**AIRPORT:**

Nil

**COMMUNITY  
WELLNESS & SOCIAL  
SERVICES:**

Councillor Turner reported on the successful Community Skating Party held on Friday, February 1, 2013 and thanked staff and members of Council, in particular Mr. Garry Sauer and Ms. Nicole Brown, for their work in organizing and attending the event. Approximately two hundred and fifty people attended the party which included hot dogs, hot chocolate and fireworks. It was a great evening that was enjoyed by all.

Councillor McIntosh reminded everyone of the Anti-Bullying meeting being held at the Castlegar and District Community Complex, February 5, 2013 at 6:30 p.m.

**CULTURAL AND CIVIC  
PRIDE:**

Nil

**FINANCE AND  
CORPORATE  
SERVICES:**

**44-13  
- MINUTES**

Moved and seconded,  
that the draft minutes of the Finance and Corporate Services Committee meeting held January 31, 2013, be received for information. Carried.

45-13  
- BUDGET 2013 AND  
THE 2013-2017 FIVE  
YEAR FINANCIAL PLAN  
(#13-25)

Moved and seconded,  
1. that Council consider first reading of Bylaw 1172, the bylaw to adopt the 2013 to 2017 Five Year Financial Plan;  
2. that Council adopt the 2013 provisional budget;  
3. that the City of Castlegar hold a public open house budget meeting on Tuesday February 12, 2013; and  
4. that copies of the 2013 provisional budget and the Five Year Financial Plan be made available to the Public at City Hall as well as on the City's official web site. Carried.

46-13  
- GRANT APPLICATION  
- TURNING POINTE  
PERFORMANCE  
COMPANY (#13-24)

Moved and seconded,  
that Council approve a \$100.00 grant to the Turning Pointe Performance Company, out of the City's grants line item, to assist with the costs for Company members to attend dance competitions in Vernon, BC and Cranbrook, BC in 2013. Carried.

47-13  
- ADVERTISING  
REQUEST –  
KOOTENAY BUSINESS  
MAGAZINE (#13-27)

Moved and seconded,  
that Council approve the purchase of a ½ page ad in the Kootenay Business Magazine to promote Castlegar in the Economic Development Section in the March/April issue and the Castlegar Sculpturewalk in the July/August issue. The \$1,565 per ad cost will be allocated from the Economic Development budget line item. Carried.

48-13  
- GRANT REQUEST –  
CASTLEGAR MIDGET  
REP HOCKEY TEAM  
(#13-26)

Moved and seconded,  
that Council approve a \$500 grant to the Castlegar Midget Rep Hockey Team to assist with the costs associated with travelling to Port Alberni, BC to represent Castlegar at the 2013 BC Hockey Championships to be held March 17-21, 2013. Carried.

**GREEN:**

Nil

**PLANNING AND  
DEVELOPMENT:**

49-13  
- MINUTES

Moved and seconded,  
that the draft minutes of the Planning and Development Committee meeting held January 28, 2013, be received for information. Carried.

- PROPERTY  
MAINTENANCE BYLAW  
ENFORCEMENT  
- MS SUSAN  
MCLAREN & MR. BASIL  
MCLAREN  
PRESENTATION

Mayor Chernoff welcomed Ms. Susan McLaren and Mr. Basil McLaren to the meeting and invited them to make their presentation to Council regarding maintenance of their properties located at 1209, 1217 and 1224 3<sup>rd</sup> Street and 310 Columbia Avenue.

Mr. McLaren thanked Council for postponing consideration of this matter from the January 21, 2013 meeting. The McLaren's advised that they had planned to attend that meeting however they were unable to travel back to Castlegar from Vancouver that day.

Mr. McLaren advised that since his attendance at the December 3, 2012 meeting of Council, they have been unable to reach a solution with the owners of the Element. Mr. McLaren advised that he had not received a response to his December 31, 2012 e-mail to Mr. Vassilakakis but had been provided a copy by the City. Mr. McLaren distributed a copy of a letter he sent to the City dated January 26, 2010. The McLaren's allege that the voluntary Good Neighbour Agreement signed by the owners of the Element is not being kept, particularly clause 2 which provides that the Element will assign staff to monitor the activity of patrons in the areas outside of the establishment. Mr. McLaren feels that if this were done it would alleviate a lot of the problem. Mr. McLaren reiterated that

they are willing to do their part, however, others must also do their part.

Mr. McLaren advised that he is willing to replace the windows and has two windows that are ready to be installed, but he needs to see some movement by the Element to uphold the Good Neighbour Agreement.

When questioned by Council on his timeframe to replace the windows Mr. McLaren advised that it would be done as soon as there is some movement by the Element to uphold clause 2 of the Good Neighbour Agreement.

Mr. McLaren noted that he believed that all RCMP resources are out on the nights that the Element bar is open. Mr. McLaren commented that the Element attracts a disproportionate share of City services, in the way of police resources, when compared to other businesses in the community.

A member of Council advised that the City is willing to meet with Mr. Vassilakakis again regarding upholding the terms of the Good Neighbour Agreement, however, the City cannot agree to holding off on acting on the property maintenance bylaw enforcement issue.

Mr. McLaren advised that he needs to see action, not just words, from Mr. Vassilakakis. Mr. McLaren noted that his staff frequently must clean up messes left in front of their building before they open for business in the mornings.

Mr. McLaren also noted that kids are doing damage to his building by accessing the roof from an exterior second storey ladder on the Element building and requested that this be blocked off.

Members of Council agreed that the voluntary Good Neighbour Agreement should be upheld and requested that staff follow up with Mr. Vassilakakis immediately to ensure that any debris left by his patrons be cleaned up before business hours of adjacent businesses.

When asked by Council when the last broken window incident occurred Mr. McLaren advised that it was done by one of his tenants and that he couldn't remember when the last window was broken. It was noted by Council that the condition of the stucco is also of concern. Mr. McLaren alleged that a contractor hired by the Element to do some exterior work started peeling off the stucco on the West's building in the area above the awning overhang.

It was noted that city staff have met with Mr. Vassilakakis who advised that his staff do go out and clean areas around the neighbouring businesses. Staff will meet again with Mr. Vassilakakis to discuss the terms of the Good Neighbour Agreement, however, it was noted that the matter before Council at this time concerns the maintenance of the properties owned by Mr. and Mrs. McLaren.

Council thanked Mr. and Mrs. McLaren for attending the meeting and providing their comments on this matter.

Council requested that staff meet with Mr. Vassilakakis of the Element to ensure the terms of the Good Neighbour Agreement are being complied with.

**PUBLIC SAFETY:**

51-13  
- MINUTES

Moved and seconded,  
that the draft minutes of the Public Safety Committee meeting held January 21, 2013, be received for information. Carried.

**TRANSPORTATION  
AND CIVIC WORKS:**

52-13  
- MINUTES

Moved and seconded,  
that the draft minutes of the Transportation and Civic Works Committee meeting held January 29, 2013, be received for information. Carried.

53-13  
- FEDERAL  
WASTEWATER  
SYSTEM EFFLUENT  
REGULATION (#13-10)

Moved and seconded,  
that Mayor and Council receive Report #13-10 titled "Federal Wastewater System Effluent Regulations" for information purposes. Carried.

**R.D.C.K. REPORT:**

54-13  
- RDCK MINUTES  
- DECEMBER 13, 2012

Moved and seconded,  
that the minutes of the Regional District of Central Kootenay Board meeting held December 13, 2012, be received for information. Carried.

55-13  
- CASTLEGAR &  
DISTRICT  
RECREATION  
COMMISSION  
MINUTES  
- JANUARY 15, 2013

Moved and seconded,  
that the minutes of the Castlegar & District Recreation Commission meeting held January 15, 2013, be received for information. Carried.

**CORRESPONDENCE:**

56-13

Moved and seconded,  
that the correspondence from the Business Improvement Areas of British Columbia regarding Mr. Roger Brooks, Development International (DDI) as Opening Keynote Speaker at BIABC Conference; LiveSmart BC regarding Small Business Energy Assessment Offer for Kootenay Region; Royal Canadian Mounted Police regarding Police Reports; Association of Kootenay & Boundary Local Governments regarding the 2013 AKBLG Conference and Annual General Meeting; Southern Interior Beetle Action Coalition regarding the January 2013 Project Update; Ministry of Community, Sport and Cultural Development – Population Figures as a Result of a Boundary Extension; Mr. Andrew Chernoff, West Kootenay Labour Council Opposition to Comprehensive Economic and Trade Agreement (CETA); West Kootenay Boundary Regional Hospital District regarding Spotlight Publication and the District of Hudson's Hope regarding Persons with Disabilities Benefit, be received for information. Carried.

- LETTER #78  
LIVESMART BC

Council noted letter #78 from LiveSmart BC regarding the small business energy assessment offer for the Kootenay Region and requested that the information be posted on the City's web site and forwarded to the Castlegar & District Chamber of Commerce.

57-13  
- MOBILE STAGE

Moved and seconded,  
that the correspondence dated January 28, 2013, from Ms. Audrey Maxwell Polovnikoff, Castlegar & District Recreation Department, Regional District of Central Kootenay requesting a letter of support for the Castlegar Festival Society to secure funding for the purchase of a mobile stage, be received for information and that a letter of support to accompany the grant application, be forwarded to Ms. Maxwell Polovnikoff. Carried.

58-13  
- BC SENIORS GAMES SOCIETY

Moved and seconded,  
that letter #124-13 from the BC Seniors Games Society regarding the invitation to host the 2015 or 2016 BC Seniors Games, be referred to the Castlegar and District Recreation Commission. Carried.

**REPORTS OTHER:** Nil

**MAYOR'S REPORT:** Nil

**NEW & UNFINISHED BUSINESS:** Nil

**BYLAWS:**  
57-13  
- BYLAW 1172  
1<sup>ST</sup> READING

Moved and seconded,  
that Bylaw 1172, The City of Castlegar Financial Plan 2013-2017, be read a first time by title. Carried.

58-13  
- BYLAW 1171  
- 3<sup>RD</sup> READING

Moved and seconded,  
that Bylaw 1171, Zoning Amendment Bylaw (Mobile Home Park), be read a third time. Carried.

59-13  
- BYLAW 1171  
- ADOPTION

Moved and seconded,  
that Bylaw 1171, Zoning Amendment Bylaw (Mobile Home Park), be adopted. Carried.

**NEXT MEETINGS:** Regular Meeting, February 18, 2013, 7:00 p.m. at the Community Forum, 445-13<sup>th</sup> Avenue.

**NOTICE OF MOTION:** Nil

**QUESTION PERIOD:**  
- MR. RUDIGER  
CLAUSS

Mr. Clauss commented on the discussion regarding the reported debris left by patrons of the Element and noted that in establishments that he has worked at in the past staff would do a clean up first thing each morning and there were never any problems for the neighbours.

Mr. Clauss also commented on the unwillingness of some property owners to remove snow from streets and sidewalks adjacent to their property and encouraged the City to find some way to encourage the public to do their part when it comes to this issue.

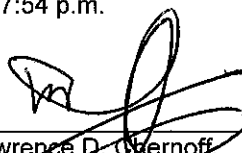
Mr. Clauss distributed information to Council pertaining to Smart Meters.

**ADJOURNMENT:**  
60-13

Moved and seconded,  
that the meeting adjourn at 7:54 p.m. Carried.

**CERTIFIED CORRECT:**

  
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Carolyn Rempel,  
Director of Corporate Services

  
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Lawrence D. Chernoff,  
Mayor

