



COUNCIL OF THE CITY OF CASTLEGAR

Regular Meeting Minutes

Minutes of the regular meeting of the Council of the City of Castlegar held October 6, 2014, 7:00 p.m. in the Community Forum, 445 – 13th Avenue, Castlegar, B.C.

**MEMBERS
PRESENT:**

Mayor Lawrence Chernoff
Councillor Kevin Chernoff
Councillor Deb McIntosh
Councillor Sue Heaton-Sherstobitoff
Councillor Dan Rye
Councillor Gordon Turner
Councillor Florio Vassilakakis

MEMBERS ABSENT:

Nil

ALSO PRESENT:

John Malcolm, Chief Administrative Officer
Andre Buss, Director of Finance
Chris Barlow, Director of Transportation and Civic Works
Diane Kalen-Sukra, Deputy Director of Corporate Services
Sam Lattanzio, Deputy Fire Chief
Phil Markin, Director of Development Services
Carolyn Rempel, Director of Corporate Services
Gerry Rempel, Fire Chief
David Bristow, Information Technology Manager
Public and Media

CALL TO ORDER:

There being a quorum present, the Mayor called the meeting to order at 7:01 p.m.

**AGENDA:
363-14**

Moved and seconded,
that the agenda be approved as amended by opening a Special Question Period after the delegation presentation by the representative from CP Rail.

Carried.

DELEGATIONS:

**MS. DARLENE
KALAWSKY, CHAIR,
CASTLEGAR
COMMUNITIES IN
BLOOM RE: AWARD
PRESENTATION**

Ms. Darlene Kalawsky Chair of the Castlegar Communities in Bloom Committee presented the "International Challenge" (small) category award the City received at the International Communities in Bloom Conference in Charlottetown this year. She also advised Council of the significance to the City being nominated for an additional two outstanding achievement awards and thanked all of the volunteers, partners, civic works staff, Council and senior management for their support. She distributed the City of Castlegar's 2014 Communities in Bloom Evaluation Form.

Ms. Kalawsky provided an opportunity for 10 volunteers of the Committee to introduce themselves to Council and describe their commitment to this endeavor. They included: Kathy Gregory, Rhonda Sorensen, Kerry Burk, Gail Hunnisset, Tracy Weaver, Roxanne Riley, Andre Usepen and Denise Talarico. Committee member Mac Gregory also described his pride in the program and in the work at Millennium Park, and thanked the Civic Works department for their support.

Ms. Kalawsky indicated that future plans for the Committee include litter pickup. She also introduced young Rotarian Svetlana Hadikin to speak on the importance of a clean, healthy community and the collaboration between the youth group, the City and Communities in Bloom.

Mayor Chernoff thanked Ms. Kalawsky and the Communities in Bloom Committee for their outstanding achievement and presented them on behalf of Council with a certificate and bouquet of flowers as a token of their appreciation.

MR. MIKE LOVECCHIO,
DIRECTOR OF
GOVERNMENT
AFFAIRS, CP RAIL RE:
CHANGE IN TRAIN
SCHEDULES

Mr. Mike LoVecchio, Director of Government Affairs at CP Rail presented to Council on the recent change in train schedules to allow for night trains through the City of Castlegar. He described how the recent change was done by CP Rail in order for the corporation to meet two key goals: optimization of assets and operating safely. Mr. LoVecchio described the scope of CP Rail's operation throughout North America and described the railway as the artery of the economy and a 24/7 hour operation.

Mr. LoVecchio explained that the September 22, 2014 CP Rail train schedule change in Castlegar was required in order to improve efficiency and deploy locomotives that would otherwise be sitting idly. This would allow the corporation to achieve what he described as better asset value and velocity and improve the service to customers.

Mr. LoVecchio further described Transport Canada's whistle cessation program, but cautioned residents that the train whistle is an integral safety device.

Council thanked Mr. LoVecchio for his presentation and proceeded to express their views of the train schedule change and ask him a number of questions related to CP Rail's claimed cost savings, the number of complaints it would take for CP Rail to respond to residents concerns, the cost the community to implement whistle cessation at train crossings, and the corporate responsibility of CP Rail to consider the people of Castlegar. A letter was read on behalf of a member of the business community, Frank McCracken, whose hotel business is very negatively impacted by the train schedule change.

SPECIAL QUESTION
PERIOD:

Over seventy-five members of the public were present. Twenty-one members of the public addressed their questions to Council and Mr. Mike LoVecchio, Director of Government Affairs, CP Rail.

Mr. Chris Sykes, a business owner, said residents have a reasonable expectation that trains would run at reasonable hours and the importance of CP Rail communicating their intent to the community. Mr. LoVecchio stated that CP Rail is a 24/7 operation.

Ms. Pat West, a resident, expressed her concerns regarding safety if the community needs to move to whistle cessation and described the safety impact of train stoppages on Columbia Avenue, including an incident where the road was blocked by a train for an hour. Mr. LoVecchio said CP Rail does not want stationary trains and that Rule 104 was not completely followed in that particular incident. He committed to get back to Council regarding the incident.

Mr. Gord Zaitsoff, Rural Area J Director, questioned the logistics and coordination of trains between Nelson and Castlegar and urged CP Rail to be more accommodating. Mr. LoVecchio disagreed.

Mr. Stephan Obal, a Trail resident, came to support Castlegar residents. He stated that residents in Trail are facing the same problems with the train. Mr. LoVecchio reiterated CP Rail's priority to reduce idling locomotives.

Mr. James Nicol, a professor of biology at Selkirk College, described how the night whistles are impacting his family and children. He referred to the recommendations of a 2007 report on Train Proximity and Best Practices which prescribes appropriate distances train tracks should be located away from nursing homes,

bedroom, hospitals, etc., and identifies the dangers to human hearing of train whistles at high decibels. Mr. LoVecchio said it was municipalities that have zoned residences next to train tracks.

Mr. Earl Jader, an employee of Teck, challenged the logistics of the train schedule change and questioned why CP Rail was changing something that wasn't broken. Mr. LoVecchio advised Mr. Jader to pursue these specifics with local staff.

Ms. Sheena Albright, a mother, described a letter she wrote to CP Rail after having her family abruptly woken at night to the sound of the trains. She questioned who the customers are that CP Rail says they have a "statutory obligation" to, the uncertainty in train hours as well as the loudness of the night whistles. Mr. LoVecchio stated that there would always be variability to the train schedule and that the decibel level was set by Transport Canada.

Mr. Dave Allen, a resident, warned of a tax base reduction as a result of a drop in house prices and questioned who made the decision in CP Rail to change the train schedules. Mr. LoVecchio advised that operating plans are developed locally and implemented nationally.

Mr. Sam Brown, a resident and former Teck employee, expressed his concern for the delay and stalling of emergency vehicles by trains blocking level crossings. Mr. LoVecchio described rules that allowed emergency vehicles to pass at crossings.

Mr. Bill McMillan, a resident, asked Council if they would consider utilizing the City's noise bylaw to restrict trains from crossing at certain hours. Mr. LoVecchio responded that trains are federally regulated and that municipal bylaws do not apply as the City has no jurisdiction.

Mr. Tom Gustafson, a resident, advised Mr. LoVecchio that he would join what he described as a fight in Alberta for the right of the public to know and restrict the contents of what is being transported in trains running through communities.

Mr. Dean Gaudry, a resident, asked Mr. LoVecchio to consider his title and advised that he was speaking as a father, husband, neighbour and community citizen. He asked CP Rail to consider the people and questioned the necessity and morality of running trains through the community at night.

Ms. Joanne Craig, a resident, questioned the necessity of CP Rail to run night trains when the company is profitable. She also stated that she is still waiting for a response from the CP Rail Community Connect phone line. Mr. LoVecchio said the corporation has an obligation to their shareholders to earn the highest return and that phone calls to the Community Connect phone line were being returned through a call list.

Mr. John Shirley, a resident, described how in his work job safety is a number one concern, how trains compromise public safety, and how every citizen of Castlegar is impacted by the night trains. He insisted the whistle sounds louder at night. Mr. LoVecchio cautioned against more rail crossings.

Mr. Ernie Quiding, a resident, advised that the negative impact of night trains on the people of Castlegar would be damaging to CP Rail's reputation and bottom line in the long run. Mr. LoVecchio said the decision to change train schedules are never made lightly and that he would be carrying feedback from this meeting with the public back with him.

Ms. Carol Shypitka, a resident, expressed her prayers for the community and that Mr. LoVecchio will take back the community's concerns to CP Rail.

Mr. Graham Littley, a resident of Genelle, asked if CP Rail had considered the safety of residents who work in safety sensitive environments on reduced sleep as a result of the night trains. Mr. LoVecchio said shift workers have had to adjust to day noise.

Mr. Shawn Smith, a resident and employee at Teck, described how safety, dignity, fairness and respect are drilled into him at work. He asked CP Rail to show dignity and fairness towards the community. Mr. LoVecchio thanked Mr. Smith for his commitment to safety and advised that he hears concerns that the whistles at night are louder than during the day, despite a mandate to keep them the same.

Mr. Wayne Harder, a resident, said he doesn't see the necessity, logistics or business case for the change in trains schedules.

Ms. Cathy Sykes, a resident, said she doesn't accept the argument from CP Rail that they are simply a 24/7 operation and asked why there cannot be some compromise with the community. Mr. LoVecchio said the reason he has come is to account for CP Rails operations and that he considered it progress to understand how operations are impacting the community.

Cord Lafond, a resident, asked why the community must pay the price for CP Rail's increased profitability.

RECESS/RECONVENE: The meeting recessed at 8:52 p.m. and reconvened at 9:09 p.m.

MINUTES:
364-14
REGULAR MEETING
- SEPTEMBER, 15, 2014

Moved and seconded,
that the minutes of the regular meeting held September 15, 2014,
be approved as presented.

Carried.

REPORTS:
AIRPORT:

Nil

**COMMUNITY
WELLNESS & SOCIAL
SERVICES:**
365-14
MINUTES

Moved and seconded,
that the draft minutes of the Community Wellness and Social
Services Committee meeting held October 2, 2014, be received for
information.

Carried.

Councillor Rye reminded the public that the Volunteer Appreciation
Event was scheduled for November 24, 2014 and that Winterfest is
scheduled for December 5, 2014.

**CULTURAL AND CIVIC
PRIDE:**

Councillor Vassilakakis advised that the SculptureWalk Awards
Gala will be hosted this year at The Element Bar and Grill on
Saturday, November 8th, 2014.

**FINANCE AND
CORPORATE
SERVICES:**
366-14
MINUTES

Moved and seconded,
that the draft minutes of the Finance and Corporate Service
committee meeting held on Wednesday, October 1, 2014 be
received for information.

Carried.

367-14
**2015 PROPERTY TAX
EXEMPTION BYLAW
1204 (#14-143)**

Moved and seconded,
that Council consider giving three readings to the 2015 Property Tax
Exemption Bylaw 1204.

Carried.

368-14
GRANT APPLICATION -
ADVERTISING
REQUEST - SELKIRK
COLLEGE SAINTS
HOCKEY (#14-141)

Moved and seconded,
that Council approve the purchase of a quarter page ad in the
Selkirk College Saints Men's Hockey 2014/15 Program, and a home
game sponsorship package at a total cost of \$800; and further that
this expense be allocated to the general office advertising budget
line item.

Carried.

369-14
GRANT APPLICATION -
EMILY ASHTON,
DANCER SCOTTIE
SCHOOL OF
HIGHLAND DANCE
(#14-142)

Moved and seconded,
that Council approve a \$100 grant to Emily Ashton to assist with the
costs associated with travelling to Seattle, WA to represent
Castlegar at the British Association of Teachers of Dancing (BATD)
North American Sadie Simpson Highland Scholarship Competition
October 2 to 6, 2014.

Carried.

370-14
SCHOOL TRUSTEE
ELECTION 2014 (#14-
144)

Moved and seconded,
that Mayor and the Director of Corporate Services be authorized to
sign the agreement with School District No. 20 for Election
Administration and Cost Sharing associated with the 2014 School
Trustee Election.

Carried.

GREEN:
371-14
MINUTES

Moved and seconded,
that the draft minutes of the Green Committee meeting held October
2, 2014, be received for information.

Carried.

Councillor Chernoff advised that the Green Committee and the
Transportation & Civic Works Committee meeting partnered for a
yard waste compost event on October 18th from 11 a.m. to 2 p.m.
where the public can receive two bags of compost for their use.

**PLANNING AND
DEVELOPMENT:**
372-14
MINUTES

Moved and seconded,
that the draft minutes of the Planning and Development Committee
meeting held September 30, 2014, be received for information.

Carried.

373-14
ADVISORY PLANNING
COMMISSION
MINUTES -
SEPTEMBER 23, 2014

Moved and seconded,
that the minutes of the Advisory Planning Commission meeting held
September 23, 2014, be received for information.

Carried.

374-14
DEVELOPMENT
VARIANCE PERMIT
APPLICATION DV 2/14 -
101 18TH STREET (#14-
145)

Moved and seconded,
that Council, at the regular Council meeting to be held on October
20, 2014 consider issuing Development Variance Permit DV-2/14 to
vary the frontage provision in Table 3.3.3(a) of Zoning Bylaw 800 in
order to permit a duplex to be constructed at 101 18th Street.

Carried.

375-14
STREET TREE
MASTER PLAN -
RECOMMENDATION
FOR AWARD (#14-147)

Moved and seconded,
that Council award the contract for the completion of the Street Tree
Master Plan to McElhanney Consulting Services Ltd.; and authorize
the use of \$37,671 from the Climate Action Reserve Fund to
complete the Street Tree Master Plan.

Carried.

PUBLIC SAFETY:
376-14
MINTUES

Moved and seconded,
that the draft minutes of the Public Safety Committee meeting held
September 24,2014, be received for information.

Carried.

**TRANSPORTATION
AND CIVIC WORKS:**
377-14
MINUTES

Moved and seconded,
that the draft minutes of the Transportation and Civic Works
Committee meeting held September 30, 2014, be received for
information.

Carried.

Councillor McIntosh raised a community concern with the speed
limit increase from 50 km/hr to 60 km/hr in the 2200 block of
Columbia Avenue, just north of the lights at the intersection of 24th
Street and Columbia Avenue and suggested that the speed limit
increase be delayed until south of the controlled intersection.
Council agreed to refer this issue to the Transportation and Civic
Works Committee for consideration.

R.D.C.K. REPORT: Nil

CORRESPONDENCE:
378-14

Moved and seconded,
that the correspondence from the Recycling Council of British
Columbia re: Request for Proclamation: Waste Reduction Week
2014 (#829); Castlegar & District Hospital Foundation re: Thank
you (#836); Castlegar Quilters Guild re: Thank you (#837);
Bluegrass Jamboree re: Thank you (#838); Kootenay Robusters
Dragon Boat Team re: Thank you (#841); Don Moores re:
Proclamation for November, Pulmonary Hypertension Month (#881);
Castlegar Rebels re: Thank you (#908); Healthy
CommunitiesCapacity Building Fund re: Invitation (#920); be
received for information.

Carried.

REPORTS OTHER: Nil

MAYOR'S REPORT: Nil

**NEW & UNFINISHED
BUSINESS:** Nil

BYLAWS:
379-14
BYLAW 1204
- 1ST READING

Moved and seconded,
that Bylaw 1204, 2015 Tax Exemption Bylaw, be read a first time by
title.

Carried.

380-14
BYLAW 1204
- 2ND READING

Moved and seconded,
that Bylaw 1204, 2015 Tax Exemption Bylaw, be read a second time
by content.

Carried.

381-14
BYLAW 1204
- 3RD READING

Moved and seconded,
that Bylaw 1204, 2015 Tax Exemption Bylaw, be read a third time.

Carried.

382-14
BYLAW 1203
- 3RD READING

Moved and seconded,
that Bylaw 1203, Zoning Amendment Bylaw, be read a third time.

Carried.

383-14
BYLAW 1203
- ADOPTION

Moved and seconded,
that Bylaw 1203, Zoning Amendment Bylaw, be adopted.

Carried.

384-14
BYLAW 1198
- ADOPTION

Moved and seconded,
that Bylaw 1198, Wildlife Attractant Control Bylaw, be adopted.
Carried.

NOTICE OF MOTION: Nil

QUESTION PERIOD:
MR. KEN MELNICK

Ken Melnick expressed his concern with the expired CUPE contract and urged Council to support a fair wage increase for city workers. He also criticized the salary paid to the Chief Administrative Officer.

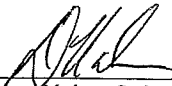
Council strongly supported the salary paid to Chief Administrative Officer John Malcolm and said he was worth every penny.

ADJOURNMENT:
385-14

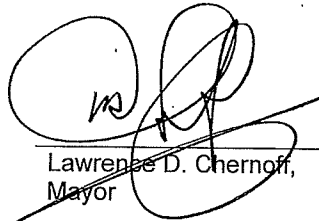
Moved and seconded,
that the meeting adjourn at 9:36 p.m.

Carried.

CERTIFIED CORRECT:



Diane Kalen-Sukra
Deputy Director of Corporate Services



Lawrence D. Chernoff,
Mayor

