

CITY OF MERRITT

MINUTES FOR THE REGULAR COUNCIL MEETING OF THE CITY OF MERRITT COUNCIL, TUESDAY, FEBRUARY 23, 1999, AT 7:30 P.M., CITY HALL COUNCIL CHAMBERS, 2185 VOGHT STREET, MERRITT, B.C.

1. PRESENT:

COUNCIL:

Mayor - C.Norgaard
Councillors - R. Sherwood, R. Typusiak, D. Laird, H. McCormack,
D.McLean
Absent - L. Barr

ADMINISTRATION:

Treasurer - S. Gill
Clerk - J. Barry
Planner - J. Johnson
Recreation Manager - D. Brandt
Confidential Secretary - B. Harrison
Aquatic Centre Manager - J. Norburn

Brian Hobbs, Urban Systems Ltd.

MEDIA: NL Radio, Merritt Herald, Merritt News, Merritt Morning Market

Twelve (12) members of the General Public.

2. CALL TO ORDER:

Mayor Norgaard called the meeting to order at 7:30 p.m.

3. ADOPTION OF THE AGENDA:

A. Amended Agenda, Regular Council Meeting, February 9, 1999

87/99 Moved by Councillor Laird that Council ADOPT the Amended Agenda. CARRIED

4. ADOPTION OF THE MINUTES/BUSINESS ARISING FROM MINUTES:

A. Minutes, Council Workshop, February 02, 1999
The Minutes were adopted by unanimous consent.

B. Minutes, Council Workshop, February 09, 1999
The Minutes were adopted by unanimous consent.

C. Minutes, Regular Council Meeting, February 09, 1999
The Minutes were adopted by unanimous consent.

5. PUBLIC HEARINGS:

- A. City of Merritt Zoning Amendment Bylaw No. 1712, 1998
- B. City of Merritt Zoning Amendment Bylaw No. 1721, 1999

Mayor Norgaard called the Public Hearing to order and the Planner provided an overview of City of Merritt Zoning Amendment Bylaw No. 1712, 1998 and City of Merritt Zoning Amendment Bylaw No. 1721, 1999. Mayor Norgaard read the statement concerning public hearings and called three times for anyone wishing to speak for or against the bylaw.

Mayor Norgaard called three times for anyone wishing to speak for or against the bylaw and hearing no one, declared the public hearing for Bylaws No. 1712, 1988 and No. 1721, 1999 closed.

6. PETITIONS/DELEGATIONS: Nil.

- A. Delegation, Ginny Prowal, spokesperson – Public Information Fact Sheet
 - 1. Counter Fact Sheet
 - 2. Urban Systems, Feb.22/99

Ginny Prowal addressed Council with concerns related to the Public Information Fact Sheet that was distributed by the City in regards to Loan Authorization Bylaw No. 1720, 1999.

7. BYLAWS:

- A. Memo, Feb. 12, 1999 – Bylaw 1712, 1999 – Accessory Buildings
City of Merritt Zoning Amendment Bylaw No. 1712, 1998

88/99 Moved by Councillor McLean that Council GIVE third reading to City of Merritt Zoning Amendment Bylaw No. 1712, 1998

89/99 Moved by Councillor Typusiak that Council DEFER third reading of City of Merritt Zoning Amendment Bylaw No. 1712, 1998 to the March 9, 1999 Regular Council meeting. CARRIED

The Clerk was directed to obtain legal advice on the validity of Bylaw No. 1712 having a citation year of 1998 when first reading was given to the Bylaw on January 9, 1999.

- B. Memo, Feb. 10, 1999 – Bylaw No. 1721 – Maximum Building Height Review
City of Merritt Zoning Amendment Bylaw No. 1721, 1999

90/99 Moved by Councillor Typusiak that Council GIVE third reading to City of Merritt Zoning Amendment Bylaw No. 1721, 1999.

OPPOSED: Councillor Sherwood CARRIED

8. **UNFINISHED BUSINESS:**

A. Ministry of Environment, Feb.12/99 – Air Quality Study

91/99 Moved by Councillor Typusiak that Council SEND a letter of thanks to NL Radio and MLA Harry Lali for their assistance with the Air Quality Study. CARRIED

B. Delegation, Ginny Prowal – Public Information Fact Sheet

92/99 Moved by Councillor Sherwood that Council DIRECT Administration to obtain prices for a study to investigate the availability, condition, cost, infiltration, irrigation and feasibility of land on the Chutter property at the bottom of Hamilton Hill as well as the cost of moving sewage to this site; AND THAT other alternate sites also be examined; AND FURTHER THAT storage on the former Collett ranch site be examined; AND FURTHER THAT Administration apply for funding grants to assist with this study. CARRIED

9. **REPORTS:**

A. **Mayor's Reports:**

Mayor Norgaard reported that she has proclaimed May 10 – 16, 1999 as Mining Week and March 21, 1999 as United Nations International Day for the Elimination of Racial Discrimination. She also informed Council of an upcoming FRBC Communities meeting in Kamloops.

93/99 Moved by Councillor McCormack that Council APPROVE travel expenses for two Councillors to attend the FRBC Communities meeting. CARRIED

B. **Liaison and Commission/Committee Reports:**

Councillor McLean informed Council of the upcoming Chamber of Commerce dinner meeting on February 24, 1999 where Chief York will discuss Casino issues.

Councillor Typusiak raised the issue of noise pollution resulting from trucks using their engine brakes in the City.

94/99 Moved by Councillor Typusiak that Staff EXAMINE the feasibility of incorporating an engine brake prohibition in the City's noise bylaw.

Councillor McCormack provided an overview of the 1998 Planning Department Year-end review and the Jan/Feb. 1999 Economic Development Committee report.

Councillor Laird advised Council of his recent meeting with S/Sgt. Jim Senft, the recent Recreation Commission meeting and of the upcoming meeting with Council and the Recreation Commission on March 2, 1999.

10. REPORTS:

B. Liaison and Commission/Committee Reports: - Cont'd.

Councillor Sherwood remarked that the City's sweeper has begun cleaning City streets and the new macerator and upgrading of the sewage treatment plant is under way. He also mentioned that he investigated the possibility of a three-way stop at the corner of Voght St. and Coldwater Avenue and that a three-way stop is not required.

C. Administration Reports:

1) Requires Council Action:

- i. Memo, Feb.4/99 – Building Regulation Liability

95/99

Moved by Councillor Typusiak that Council SUPPORTS the following resolution on amending the Municipal Act regarding Building Regulation Liability: WHEREAS B.C. local government is providing a service to the public through auditing compliance with the building code; and WHEREAS, through joint and several liability, local government pays the costs of the other parties at fault when they have insufficient funds or insurance; Be it resolved that the Province of B.C. amend the Municipal Act to remove joint and several liability in favour of proportionate liability for building regulatory services provided by Local Government. CARRIED

- ii. Memo, Feb.10/99 – Letter from Jeanette Ohata – Bed and Breakfast in the R2 Zone.

96/99

Moved by Councillor McLean that Council DIRECT the Planning Department to investigate amending Zoning Bylaw No. 1530, 1995 to allow bed and breakfast in zones other than the AR1 (Agricultural) zone and to provide clearer regulations for bed and breakfast operations. CARRIED

- iii. Memo, Feb.10/99 – 1998 Planning Department Year-end Review
- iv. Memo, Feb.11/99 – Customer Service Survey Results
- v. Memo, Feb.11/99 – Advertising Request for Proposals

97/99

Moved by Councillor Sherwood that Council ACCEPT the March 1, 1999 to February 29, 2000 local newspaper advertising proposal from the Merritt Herald as the lowest bidder. DEFEATED
OPPOSED: Mayor Norgaard, Councillors McCormack and Typusiak

98/99

Moved by Councillor Typusiak that Council EXTEND the existing advertising contract with the Merritt News for a further 14 days until March 14, 1999. CARRIED

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10. REPORTS:

C. Administration Reports:

2) Requires Council Action: - Cont'd.

99/99 Moved by Councillor Sherwood that the Advertising Request for Proposals be DEFERRED to the March 9, 1999 regular Council meeting. CARRIED

vi. Memo, Feb.12/99 – Tourist Information Centre Lease Operations

100/99 Moved by Councillor McLean that Council APPROVE the signing of the Operating Agreement between the City of Merritt and Manjit Ahuja of Dixie Lee Superior Pizza and Bakery as presented in the memorandum from the Recreation Manager dated February 12, 1999. CARRIED

OPPOSED: Councillor Laird

101/99 Moved by Councillor McCormack that Council APPROVE the signing of the Operating Agreement between the City of Merritt and Steve Rice of Farmer Ed's Fruitstand as presented in the memo from the Recreation Manager dated February 12, 1999. DEFEATED

OPPOSED: Councillors Laird, McLean and Sherwood

102/99 Moved by Councillor Sherwood that Council ENTER into an agreement with Fruit Stand Sally as presented in the memo from the Recreation Manager dated February 12, 1999. CARRIED

Pursuant to Section 231 of the Municipal Act, Councillor Sherwood declared he was unable to participate in discussing or voting on recommendation #3 since he has a relative who works in the gift shop. Councillor Sherwood immediately left the Council Chambers at 9:24 p.m.

103/99 Moved by Councillor McLean that the City READVERTISE for new proposals and look at accommodating more than one business in the Tourist Information Centre. DEFEATED

OPPOSED: Mayor Norgaard, Councillors McCormack and Typusiak

104/99 Moved by Councillor McLean that the City PLACE the gift shop in the small area of the Tourist Information Centre and keep the tourism function in the large area. TABLED.

105/99 Moved by Councillor Typusiak that Motion #104/99 be TABLED. CARRIED

106/99 Moved by Councillor Typusiak that the City NOT ENTER into either of the two proposals submitted for the operation of the Gift/Souvenir Shop. CARRIED

OPPOSED: Councillor Laird

Councillor Sherwood returned to the Council Chambers at 9:40 p.m.

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10. REPORTS:

C. Administration Reports:

3) Requires Council Action: - Cont'd.

107/99 Moved by Councillor Typusiak that Motion #104/99 be LIFTED from the table. CARRIED

Voting resumed on Motion #104/99:

That the City PLACE the gift shop in the small area of the Tourist Information Centre and keep the tourism function in the large area. CARRIED

108/99 Moved by Councillor Typusiak that the City READVERTISE using the existing Tourist Information Centre setup for proposals to sell gifts and souvenir items (excluding confectionary items). CARRIED
OPPOSED: Councillor Sherwood

109/99 Moved by Councillor Laird that the upstairs area at the Tourist Information Centre be leased out to a proponent selling non-conflicting products with the other lease holders. CARRIED

vii. Memo, Feb.22/99 – Infrastructure Grant

110/99 Moved by Councillor Typusiak that Council SUPPORTS the submission of three prioritized recreation projects for the Infrastructure Grant Application; AND THAT these three recreation projects be considered as secondary grant applications in relation to the City's sewer and water grant applications. CARRIED

111/99 Moved by Councillor McCormack that Council PRIORITIZES the three recreation projects in the following order:
1. Collettsville Centennial Park – completion of the development plan
2. Revitalization of Voght Park – to include new washroom/concession building
- perimeter trail
- picnic tables / park benches
- irrigation system expansion
- beautification
3. Development of a trail system plan and construction. CARRIED

4) Receive for Information:

- i. Memo, Feb.12/99 – Economic Development Committee Report - Jan/Feb.1999
- ii. Building Permits, January 1999.
- iii. Memo, Jan.30/99 – USL Projects, to Dec.31/98

10. CORRESPONDENCE:

A. Potential Responses:

- 1. Homeowner Protection Office, Information Sessions
- 2. UBCM, Feb.3/99 – Impacts of Prov. Govt. Downloading
- 3. Ministry of Municipal Affairs, Feb.4/99 – Counter Petition Process

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10. CORRESPONDENCE:

A. Potential Responses: - Cont'd.

4. UBCM, Feb.5/99 – Joint Council Decision
5. Ministry of Highways, Feb.8/99 – Update
6. Ministry of Forests, Feb.9/99 – Response
7. Hospitality Industry Coalition, Feb.5/99 – B.C. Liquor Law
8. Electoral Boundaries Commission Review, Feb.16/98 – Hearing Schedule for B.C. Electoral Boundaries Commission
9. B.C. Aviation Council, Feb.9/99 – Invitation to Workshop

112/99 Moved by Councillor Typusiak that Councillor McLean and the Treasurer be AUTHORIZED to attend the B.C. Aviation Council Airports Spring Workshop.
CARRIED

10. City of Prince Rupert, Feb.12/99 – Ferry Service between Port Hardy and Prince Rupert
11. UBCM, Feb.17/99 – Meeting with the Premier
12. FCM, Feb.18/99 - Member Advisory
13. V.May Chapman, Feb.22/99 – Tourist Centre

113/99 Moved by Councillor Sherwood that a letter of thanks be SENT to V. May Chapman advising that the City agrees with her comments and to inform her of the decisions made regarding the Tourist Information Centre.
CARRIED

B. Receive for Information:

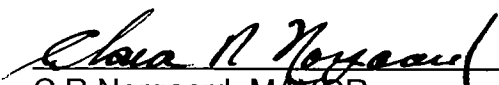
1. UBCM, Feb.5/99 – Drafting Gaming Act Released
2. Citizens Against Gambling Expansion, Feb/99

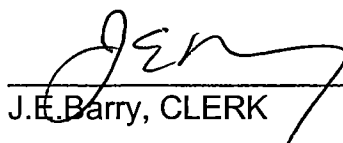
11. NEW BUSINESS: Nil

12. ADJOURNMENT:

114/99 Moved by Councillor Laird that Council TERMINATE this meeting at 10:20 p.m.
CARRIED

CERTIFIED CORRECT:


C.R.Norgaard, MAYOR


J.E. Barry, CLERK