

City of Prince Rupert

Minutes for the **REGULAR MEETING** of Council held on Monday, June 23, 2014 at 7:00 p.m. in the Council Chambers of City Hall, 424 - 3rd Avenue West, Prince Rupert, B.C.

PRESENT: Mayor J. Mussallem
Councillor A. Ashley
Councillor J. Carlick-Pearson
Councillor B. Cunningham
Councillor G. Garon
Councillor N. Kinney
Councillor J. Thorkelson

ABSENT:

STAFF: R. Long, City Manager
C. Bomben, Chief Financial Officer
Z. Krekic, City Planner
R. Mandryk, Corporate Administrator

1. CALL TO ORDER

MOVED by Councillor Ashley and seconded by Councillor Kenney that the Regular Meeting be suspended and the Committee of the Whole Meeting be convened.

CARRIED

2. ADOPTION OF AGENDA

MOVED by Councillor Kinney and seconded by Councillor Ashley that the Agenda for the Regular Meeting of June 23, 2014 be adopted as circulated.

CARRIED

3. MINUTES

a) MOVED by Councillor Carlick-Pearson and seconded by Councillor Ashley that the Minutes of the Closed Council Meeting of June 5, 2014 be adopted.

CARRIED

b) MOVED by Councillor Kinney and seconded by Councillor Cunningham that the Minutes of the Special Council Meeting of June 9, 2014 be adopted.

CARRIED

c) MOVED by Councillor Garon and seconded by Councillor Cunningham that the Minutes of the Regular Council Meeting of June 9, 2014 be adopted.

CARRIED

4. PETITIONS AND DELEGATIONS

- a) **Presentation Mr. John Litchfield, Manager Indigenous Affairs, Ms. Dayna Burns, Corporate Affairs Adviser, Mr. Cameron Bateman, Senior Structural Engineer, Woodside Energy– Re: Grassy Point LNG Facility.**
- b) **Opportunity for Public Comment – 2013 Annual Report.**

The Mayor asked if anyone from the public would like to come forward to ask questions regarding the 2013 Annual Report.

Mr. Larry Golden – 1601-2nd Avenue West, asked about the Watson Island ‘Burn rate’.

5. UNFINISHED BUSINESS

6. REPORTS AND RECOMMENDATIONS

- a) **Report from the Engineering Coordinator – Encroachment Agreement – 101-1st Avenue East.**

MOVED by Councillor Ashley and seconded by Councillor Kinney that the City renew the attached Encroachment Agreement with the owner of 101 – 1st Avenue East which will set the rental value at \$1,500.00 annually.

CARRIED

- b) **Report from the Engineering Coordinator – Stratification of Inn on the Harbour at 720 – 1st Avenue West.**

MOVED by Councillor Kinney and seconded by Councillor Cunningham that Council approve the stratification as requested.

CARRIED

- c) **Report from the Chief Financial Officer – 2013 Annual Report Approval.**

MOVED by Councillor Ashley and seconded by Councillor Garon that Council, by resolution, having heard the comments of the public, either approve the 2013 Annual Report; or,

Provide direction to staff regarding amendments that Council wishes to make to the 2013 Annual Report.

CARRIED

- d) **Report from the Corporate Administrator – Committee Appointment.**

MOVED by Councillor Carlick-Pearson and seconded by Councillor Kinney that Council appoint Councillor Carlick-Pearson as alternate representative to the Municipal Insurance Association (MIA) as this role was vacated when Councillor Rice resigned from Prince Rupert City Council.

CARRIED

7. REQUESTS

8. CORRESPONDENCE FOR ACTION

9. RESOLUTIONS FROM CLOSED MEETINGS

10. BYLAWS & DEVELOPMENT PERMITS

a) Application for Development Variance Permit – 950 – 8th Avenue East.

MOVED by Councillor Kinney and seconded by Councillor Ashley that the Development Variance Permit Application No. DP-14-09 for 950 - 8th Avenue East proceeds to the Public Notification process.

CARRIED

Councillor Cunningham excused himself in consideration of potentially being in conflict of the following Agenda item.

b) Rezoning and Development Permit to Allow a Multiple Family Development at 1183 Ambrose Avenue.

MOVED by Councillor Carlick-Pearson and seconded by Councillor Kinney that the Council Introduce and give First reading to the City of Prince Rupert Zoning Amendment Bylaw No. 3348, 2014; and instructs Staff to commence the referral process and Public Notification.

CARRIED

Councillor Cunningham returned to the Council Chambers.

Councillor Thorkelson excused herself in consideration of potentially being in conflict of the following Agenda item.

c) Zoning Bylaw No. 3286, 2009 Amendment to Adjust Downtown Development Permit Area Boundary.

MOVED by Councillor Carlick-Pearson and seconded by Councillor Ashley that the Council Introduce and give First Reading to the City of Prince Rupert Amendment Zoning Bylaw No. 3349, 2014 which will allow staff to commence the referral process.

CARRIED

Councillor Thorkelson returned to the Council Chambers.

11. ADDITIONAL ITEMS

Resolutions to be submitted to the 2014 UBCM Convention:

a) Funding Assistance for Project Proposal Evaluation

MOVED by Councillor Ashley and seconded by Councillor Carlick-Pearson that the following resolution be submitted to UBCM for consideration at the 2014 Convention:

WHEREAS North Coastal British Columbia is experiencing a large volume of industrial development project proposals; and,

WHEREAS small communities do not have the financial capacity to sufficiently evaluate the positive and negative impacts to the area of such project proposals;

THEREFORE BE IT RESOLVED that the Province provide funding assistance to communities to help evaluate large scale industrial project proposals.

CARRIED

b) Payment in Lieu of Taxes (PILT) Resolution

MOVED by Councillor Ashley and seconded by Councillor Garon that the following resolution be submitted to UBCM for consideration at the 2014 Convention:

WHEREAS when a Prince Rupert Port Authority (PRPA) property within municipal boundaries is under the administration and control of the Federal Government and is not leased out to a third party, the PRPA makes payments in lieu of taxes (PILT) for these services because the PRPA in its capacity as a Federally Incorporated Agency has a constitutional exemption from paying property taxation; and,

WHEREAS the PRPA, not BC Assessment, decides on the eligibility, class and value of the land and improvements used to calculate the PILT on a PRPA property; and,

WHEREAS the PRPA's valuation of the PRPA property is generally less than the valuation which would be made by BC Assessment; and,

WHEREAS the property valuations are therefore inconsistent and as a result the PRPA is not paying a fair and equitable share of property taxes compared to other municipal taxpayers; which contradicts the broader policy of the PILT Act;

THEREFORE BE IT RESOLVED that the PRPA immediately being using BC Assessment eligibility, class and valuation information for the purposes of calculating the PILT on a consistent basis for PRPA properties within municipal boundaries.

CARRIED

c) Port Property Tax Caps Resolution

MOVED by Councillor Ashley and seconded by Councillor Thorkelson that the following resolution be submitted to UBCM for consideration at the 2014 Convention:

WHEREAS in 2004 the provincial government introduced temporary municipal tax rate restrictions ("caps") until 2018 on ports under the *Ports Property Tax Act* in order to make BC ports more attractive to Canadian and international investors; and,

WHEREAS these port property tax rate caps were made permanent in 2014; and,

WHEREAS the provincial government does not compensate municipalities with ports for the full loss of property tax revenue resulting from these port property tax rate caps; and,

WHEREAS these provincially imposed port property tax caps therefore:

- (a) interfere with the ability of municipalities with ports to access adequate financial resources to support community needs contrary to Section 1(2)(s) of the *Community Charter*; and,
- (b) interfere with the ability of municipalities to determine the appropriate level of municipal taxation contrary to Section 1(2)(d) of the *Community Charter*;

THEREFORE BE IT RESOLVED that the provincial government eliminate port property tax rate caps by repealing the applicable provisions of the *Ports Property Tax Act* in the fall of 2014.

CARRIED

d) Birth Corridor Resolution

MOVED by Councillor Ashley and seconded by Councillor Garon that the following resolution be submitted to UBCM for consideration at the 2014 Convention:

WHEREAS the Port Improvements (Berth Corridor) Tax Exemption Regulation, B.C. Reg. 198/2004 exempts berth corridor improvements including breakwaters, crane rails on wharves or piers, docks including caissons and rock mattresses, dolphins, floats, jetties, piers, wharves, and specified piles from property taxation in specified circumstances; and,

WHEREAS this berth corridor taxation exemption:

- (a) interferes with the ability of municipalities with ports to access adequate financial resources to support community needs contrary to Section 1(2)(s) of the *Community Charter*; and,
- (b) interferes with the ability of municipalities to determine the appropriate level of municipal taxation contrary to Section 1(2)(d) of the *Community Charter*;

THEREFORE BE IT RESOLVED that the provincial government repeal the Port Improvements (Berth Corridor) Tax Exemption Regulation in the fall of 2014.

CARRIED

e) Flexible Matching Grants

MOVED by Councillor Ashley and seconded by Councillor Garon that the following resolution be submitted to UBCM for consideration at the 2014 Convention:

WHEREAS most Federal and Provincial Grant Programs require from 1/3 to 1/2 matching funds in order to qualify for grant funding programs; and,

WHEREAS many municipalities are struggling with overwhelming infrastructure

needs and lack of adequate revenue to address those needs, including the amount of money required to match funds to apply for these grants;

THEREFORE BE IT RESOLVED that UBCM lobby the Provincial and Federal Government to provide other options for communities to take advantage of these grants including forgivable loans, the ability to pay the matching portion over a number of years, lower levels for matching (i.e. 1/10 for smaller local governments), and/or providing grants that do not require matching funding.

CARRIED

f) Unconditional Grants

MOVED by Mayor Mussallem and seconded by Councillor Ashley that the following resolution be submitted to UBCM for consideration at the 2014 Convention:

WHEREAS many grants are very restrictive in their nature which limits the ability of local governments to use the money to service the best needs of their citizens and cause inappropriate allocation of scarce local resources;

THEREFORE BE IT RESOLVED that grant requirements be more flexible to allow for local governments to determine how the money would best be used to meet the needs of their population.

CARRIED

g) Poverty Reduction

MOVED by Councillor Kinney and seconded by Councillor Ashley that the following resolution be submitted to UBCM for consideration at the 2014 Convention:

WHEREAS the Province of British Columbia is only one of two provinces in all of Canada that does not have a Poverty Reduction Plan; and,

WHEREAS there is a need for such a plan to help support those who suffer from poverty in our province, in particular children and seniors;

THEREFORE BE IT RESOLVED that the UBCM lobby the Provincial Government to create and implement a Poverty Reduction Plan, as well as set aside the resources to support this plan.

CARRIED

12. REPORTS, QUESTIONS AND INQUIRIES FROM MEMBERS OF COUNCIL

MOVED by Councillor Ashley and seconded by Councillor Carlick-Pearson that Councillor Garon be the Acting Mayor in the months of June and July.

CARRIED

Councillor Cunningham brought forward that the 300 block of 2nd Avenue be reviewed for the provisioning of an unloading zone for seniors' – a drop location to allow seniors the opportunity to safely get in and out of their vehicles while being dropped at the

doctor's office.

Councillor Carlick-Pearson asked that the Bylaws Officer regularly check for disability stickers in handicapped parking spaces.

Staff was asked to identify the various components of housing needs and to report back to Council. Since Mr. Krekic, is performing a housing and vacant land study. When Mr. Krekic is presenting the information surrounding the housing study, he bring forward recommendations on how to best proceed with the next best steps.

MOVED by Councillor Thorkelson and seconded by Councillor Garon that the letter from Community to Community (C2C) with regards to supportive housing be sent to the Minister responsible for Housing in British Columbia and to the Northern Health Authority; and

THAT meetings be arranged with both for the upcoming UBCM conference in September.

CARRIED

The Mayor provided his verbal report.

MOVED by Councillor Ashley and seconded by Councillor Kinney that staff send a letter of thanks to Ridley Terminals for their contribution to local events.

CARRIED

13. ADJOURNMENT

MOVED by Councillor Ashley and seconded by Councillor Cunningham that the meeting be adjourned at 8:51 p.m.

CARRIED

Confirmed:

MAYOR

Certified Correct:

CORPORATE ADMINISTRATOR

These meeting Minutes were adopted by Council. To view signed original, visit Cityhall Administration or contact via phone 250-627-0937 or email cityhall@princerupert.ca