

Municipality of Crowsnest Pass

Council Meeting Minutes

Tuesday, May 28, 2024

A regular meeting of the Council of the Municipality of Crowsnest Pass was held in Council Chambers on Tuesday, May 28, 2024.

Council Present:

Mayor Blair Painter, Councillors: Vicki Kubik, Doreen Glavin, Glen Girhiny, and Dean Ward

Council Absent:

Councillors: Dave Filipuzzi, and Lisa Sygutek

Administration Present:

Patrick Thomas, Chief Administrative Officer
Kristin Ivey, Deputy Chief Administrative Officer
Brian McCulloch, Director of Finance
Jeremy Wickson, Temporary Director of Development, Engineering & Operations
Johan van der Bank, Manager of Development and Trades
Katherine Mertz, Development Officer
Bonnie Kawasaki, Recording Secretary

CALL TO ORDER

Mayor Painter called the meeting to order at 7:00 pm.

ADOPTION OF AGENDA

Amendments:

Requests for Decision

- e. Amend Bylaw Number to 1190, 2024

01-2024-05-28: Councillor Ward moved to adopt the agenda as amended.

Carried

CONSENT AGENDA

02-2024-05-28: Councillor Girhiny moved that Council approve the following Consent Agenda items as presented without debate:

3.a

Minutes of the Crowsnest Pass Senior Housing Board of February 20, 2024

THAT Council accept the Minutes of the Crowsnest Pass Senior Housing Board of February 20, 2024 as information.

3.b

Minutes of the Crowsnest Pass Senior Housing Board of March 25, 2024

THAT Council accept the Minutes of the Crowsnest Pass Senior Housing Board of March 25, 2024 as information.

3.c

Request for a Letter of Support for Cando Revive the Roxy Project for an Application for a Community Facility Enhancement Grant

THAT Council approve providing a letter of support for Cando's application for a Community Facility Enhancement Grant.

3.d

NWP Coal Canada Ltd. Invitation to Attend a tour of the Crown Mountain Coking Coal Project Area

THAT Council accept the NWP Coal Canada Ltd. Invitation to Attend a tour of the Crown Mountain Coking Coal Project Area as information and consider attending a tour of the site.

Carried

ADOPTION OF MINUTES

03-2024-05-28: Councillor Kubik moved to adopt the Minutes of the Council Meeting of May 7, 2024 as presented.

Carried

PUBLIC HEARINGS

Bylaw 1153, 2023 Road Closure Bylaw - Public Hearing

Mayor Painter declared the Public Hearing opened at 7:02 pm for Bylaw No. 1153, 2023.

Patrick Thomas, Chief Administrative Officer provided a brief overview of the bylaw and read into the record that there were no written submissions received prior to the due date.

Mayor Painter noted there were no members of the public present to speak at the hearing and declared the public hearing closed at 7:03 pm.

Bylaw 1156, 2023 - Land Use Bylaw Amendment - Rezone Lots 1-4, Block 2, Plan 6099AQ, located at 2158 - 213 Street, Bellevue, from Retail Commercial C-1 to High Density Residential R-3 - Public Hearing

Mayor Painter declared the Public Hearing opened at 7:04 pm for Bylaw No. 1156, 2023.

Patrick Thomas, Chief Administrative Officer provided a brief overview of the bylaw and read into the record that there were no written submissions received prior to the due date.

Mayor Painter invited members of the public to speak in favor of or in opposition to Bylaw 1156, 2023.

Mayor Painter noted there were no members of the public present to speak at the hearing and declared the public hearing closed at 7:05 pm.

Bylaw 1182, 2024 - Land Use Bylaw Amendment - Urban Tourism Accommodation & Recreation District and Non-Urban Tourism Accommodation & Recreation District - Public Hearing

Mayor Painter declared the Public Hearing opened at 7:06 pm for Bylaw No. 1182, 2024.

Patrick Thomas, Chief Administrative Officer provided a brief overview of the bylaw and read into the record that the following written submissions were received prior to the due date:

- Brad Kirk, Trilogy Real Estate Group

Patrick Thomas, Chief Administrative Officer also advised Council that there was one written submission received after the due date from Ralph Tiegen and does not form part of the public meeting package.

Mayor Painter invited members of the public to speak in favor of or in opposition to Bylaw 1182, 2024.

The following members of the public provided an oral submission:

- Melisa Atkinson on behalf of Ralph Tiegen – In Favour
- Doug Montgomery - Opposed
- Tanner Murphy – In Favour
- Marilyn Big Charles – Opposed
- Marcel Kristek - Neutral

Mayor Painter called for a second time for members of the public to speak in favor of or in opposition to Bylaw 1182, 2024.

Mayor Painter noted that there were no other members of the public in attendance who wished to speak, and therefore declared the public hearing closed at 7:17 pm.

DELEGATIONS

None

REQUESTS FOR DECISION

Bylaw 1156, 2023 - Land Use Bylaw Amendment - Rezone Lots 1-4, Block 2, Plan 6099AQ, located at 2158 - 213 Street, Bellevue, from Retail Commercial C-1 to High Density Residential R-3 - Second and Third Readings

04-2024-05-28: Councillor Girhiny moved second reading of Bylaw 1156, 2023 - Land Use Bylaw Amendment - Rezone Lots 1-4, Block 2, Plan 6099AQ, located at 2158 - 213 Street, Bellevue, from Retail Commercial C-1 to High Density Residential R-3.

Carried

05-2024-05-28: Councillor Ward moved third and final reading of Bylaw 1156, 2023 - Land Use Bylaw Amendment - Rezone Lots 1-4, Block 2, Plan 6099AQ, located at 2158 - 213 Street, Bellevue, from Retail Commercial C-1 to High Density Residential R-3.

Carried

Bylaw 1182, 2024 - Land Use Bylaw Amendment - Urban Tourism Accommodation & Recreation District and Non-Urban Tourism Accommodation & Recreation District - Second and Third Readings

06-2024-05-28: Councillor Girhiny moved second reading of Bylaw 1182, 2024 - Land Use Bylaw Amendment - Urban Tourism Accommodation & Recreation District and Non-Urban Tourism Accommodation & Recreation District.

Carried

07-2024-05-28: Councillor Glavin moved third and final reading of Bylaw 1182, 2024 - Land Use Bylaw Amendment - Urban Tourism Accommodation & Recreation District and Non-Urban Tourism Accommodation & Recreation District.

Carried

Bylaw 1187, 2024 - Procedure Bylaw Amendment - Second and Third Reading

08-2024-05-28: Councillor Glavin moved second reading of Bylaw 1187, 2024 - Procedure Bylaw Amendment.

Carried

09-2024-05-28: Councillor Ward moved third and final reading of Bylaw 1187, 2024 - Procedure Bylaw Amendment.

Carried

Bylaw 1189, 2024 - Records Retention Bylaw - First Reading

10-2024-05-28: Councillor Ward moved first reading of Bylaw 1189, 2024 - Records Retention Bylaw.

Carried

Bylaw 1190, 2024 - General Repeal Bylaw – First Reading

11-2024-05-28: Councillor Girhiny moved first reading of Bylaw 1190, 2024 - General Repeal Bylaw.

Carried

12-2024-05-28: Councillor Kubik moved second reading of Bylaw 1190, 2024 - General Repeal Bylaw.

Carried

13-2023-05-28: Councillor Ward moved to consider third reading of Bylaw 1190, 2024 – General Repeal Bylaw.

Carried Unanimously

14-2023-03-28: Councillor Glavin moved third reading of Bylaw 1190, 2024 – General Repeal Bylaw.

Carried

Service Areas Update

15-2024-05-28: Councillor Kubik moved to accept the Service Areas Update as information.

Carried

2024 Q1 Preliminary Financial Report

16-2024-05-28: Councillor Ward moved to accept the 2024 Q1 Preliminary Financial Report as information.

Carried

Impact of Assessment Value Examples

17-2024-05-28: Councillor Ward moved to accept Impact of Assessment Value Examples Report as information.

Carried

Additional Funding Required for the MDM New Dishwater

18-2024-05-28: Councillor Ward moved that Council approve additional funding for the water softener and additional installation costs for the MDM Dishwasher of \$2000 from the Facilities Reserve.

Carried

Option Pay Credit Card Surcharges

19-2024-05-28: Councillor Girhiny moved that Council directs Administration to proceed with the Option Pay Merchant Agreement, in order to provide citizens the option to pay Property Taxes, Utilities, A/R, Fines, Licenses, Development and Building Permit Fees with a credit card, at the Municipal Office and online.

Carried

COUNCIL MEMBER REPORTS

- Councillor Girhiny
 - Attended the Community Futures presentation where Y2Y presented
 - Attended the AGM for the PPK Ski Society
 - Attended the Tourism Night

- Councillor Kubik
 - Attended the West Fraser-Crowsnest Forest products Public Advisory Committee Meeting
 - Plans were presented for harvesting timber in the Dutch Creek Area
 - West Fraser has an extensive reclamation plan in place with road closures
 - Provincial Government has mandated a fire break to be constructed within 10 km of the community
 - Inquired about benefits to the community by West Fraser
 - Support local community groups financially and with lumber donations
 - 50 Employees locally

- Councillor Glavin
 - Attended the South Canadian Rockies Meeting
 - John Reddekopp presented on the UROC trail expansion in the York Creek Area

- Mayor Painter
 - Noted there is a ribbon cutting ceremony this coming Friday for the Taber-Burdett section of Highway 3 with the Premier, and other Provincial Ministers in attendance

PUBLIC INPUT PERIOD

- Ed Strembicki
 - Advised that he previously installed equipment at the MDM
 - Noted that filters were plugging due to iron deposits coming from a 3-inch galvanized line
 - Recommended that Council budget to replace the water line
- Carmen Roman (Taxpayers Association)
 - Opposed to the passing of Bylaw 1187, 2024, feels that the bylaw is unconstitutional
- Gord Gosse
 - Stated that he was the Manager of Transportation
 - Thanked Council for the opportunity to work at the Municipality
- Marilyn Big Charles
 - Spoke on the dangers of poor visibility at intersections
 - The intersection of 19th Avenue and 129 Street near the Forestry Office has poor visibility with vehicles parking in the area.
 - Requested that the yield sign be replaced with a stop sign and to clear the corners to improve visibility at that intersection.
 - Noted other intersections with similar problems.
- Marcel Kristek
 - Suggested that the Municipality get a copy of the Canadian Charter of Rights and Freedoms
 - Concerned about freedom of speech
- Henry Koopman
 - Disappointed that Bylaw 1187, 2024 was passed
 - Concerned that the gravel roads have not been graded
 - Noted that taxes have increased unfairly for his property

COUNCILLOR INQUIRIES AND NOTICE OF MOTION

Notice of Motion - Canadian Sustainable Standards Board (CSSB) Climate Disclosure Standards - Mayor Painter

20-2024-05-28: Mayor Painter moved to send the requested letter in objection to the Climate Disclosure Standards.
Carried

Bulk Water Fill Station Inquiry - Councillor Glavin

Patrick Thomas, Chief Administrative Officer provided clarification to Council regarding setting up an account for billing purposes and obtaining a PIN number in order to access the bulk water fill station.

IN CAMERA

21-2024-05-28: Councillor Ward moved that Council go In Camera for the purpose of discussion of the following confidential matters under the Freedom of Information and Protection of Privacy Act and to take a short recess at 10:17 pm:

- a. Economic Interests of the Public Body – Land Purchase Application - FOIP Act Section 25
 - b. Economic Interests of the Public Body – Land Purchase Application - FOIP Act Section 25
- Carried

Reconvene

Mayor Painter convened the In Camera meeting at 10:28 pm. Patrick Thomas, Chief Administrative Officer in attendance to provide advice to Council.

22-2024-05-28: Councillor Glavin moved that Council come out of In Camera at 11:13 pm.
Carried

23-2024-05-28: Councillor Ward moved that Council approve the request to purchase a portion of the road allowance as amended, subject to the following conditions:

1. That the price is \$4.00 per square foot plus GST.
2. That the applicant is responsible for all costs relating to the closure of the road allowance.
3. That the applicant is responsible for all costs relating to re-districting the subject land to R-1 Residential.
4. That the applicant is responsible for all costs relating to the consolidation of the subject property to the current title for 2702-27th Avenue in Bellevue by plan of survey.
5. That the applicant is responsible for all legal costs associated with the transaction, including the legal costs of the Municipality, if any.
6. That the standard width of the road right of way for 27th Avenue be maintained at 20 meters.
7. That the SW boundary is modified so that it aligns with the existing property line, not the fence line.
8. This transaction is completed by April 30, 2025.

Carried

24-2024-05-28: Councillor Kubik moved that Council accepts the offer to purchase a portion of Lot 1 MR, Block 3, Plan 8311587 subject to the following conditions:

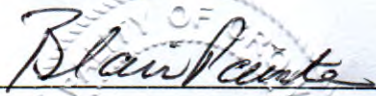
1. That the price for the land is \$4.00 per square foot plus GST.
2. That the applicants are responsible for all costs associated with the removal of the MR designation of the subject property by bylaw.
3. That the applicants are responsible for all costs associated with amending the land use bylaw to R-1 Residential for the subject lands.
4. That the applicants are responsible for all costs relating to the consolidation of the subject lands to the existing title for 2946-114 Street by plan of survey.
5. That the applicants are responsible for all legal costs associated with this transaction including the legal costs of the Municipality, if any.
6. Access to the garage must be through the consolidated parcel and not through the private driveway to the west.
7. That this transaction be completed in its entirety by April 30, 2025.

Carried

ADJOURNMENT

25-2024-05-28: Councillor Girhiny moved to adjourn the meeting at 11:14 pm.

Carried


Blair Painter
Mayor


Patrick Thomas
Chief Administrative Officer