

Municipality of Crowsnest Pass

Council Meeting Minutes

Tuesday, March 28, 2023

A regular meeting of the Council of the Municipality of Crowsnest Pass was held in Council Chambers on Tuesday, March 28, 2023.

Council Present:

Mayor Blair Painter, Councillors: Vicki Kubik, Dave Filipuzzi, Doreen Glavin, Glen Girhiny, Lisa Sygutek, and Dean Ward

Administration Present:

Patrick Thomas, Chief Administrative Officer
Kristin Ivey, Deputy Chief Administrative Officer
Brian McCulloch, Director of Finance
Trent Smith, Manager of Community Services
Katherine Mertz, Development Officer
Johan Van der Bank, Manager of Development and Trades
Bonnie Kawasaki, Recording Secretary

CALL TO ORDER

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

ADOPTION OF AGENDA

01-2023-03-28: Councillor Filipuzzi moved to adopt the agenda as presented.

Carried

CONSENT AGENDA

02-2023-03-28: Councillor Girhiny moved that Council approve the following Consent Agenda items as presented without debate:

3.a

Minutes of the Municipal Historic Resources Advisory Committee of November 21, 2022

THAT Council accept the Minutes of the Municipal Historic Resources Advisory Committee of November 21, 2022 as information.

Carried

ADOPTION OF MINUTES

03-2023-03-28: Councillor Kubik moved to adopt the Minutes of the Council Meeting of March 14, 2023 as presented.

Carried

PUBLIC HEARINGS

Bylaw 1141, 2023 - Land Use Bylaw Amendment- Redesignate Pt SW9-8-5-W5M South of Roadway Plan 4226B from Non-Urban Area NUA-1 to Non-Urban Commercial Recreation NUCR-1 - Public Hearing

Mayor Painter declared the Public Hearing opened at 7:01 pm for Bylaw 1141, 2023 - Land Use Bylaw Amendment- Redesignate Pt SW9-8-5-W5M South of Roadway Plan 4226B from Non-Urban Area NUA-1 to Non-Urban Commercial Recreation NUCR-1.

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 Bylaw 1141, 2023.

- Michael Keyes – Lawyer for Applicant In favor of Bylaw 1141, 2023
- Jeff Giesbrecht – Applicant In favor of Bylaw 1141, 2023

Mayor Painter declared the public hearing closed at 7:15 pm.

Bylaw 1146, 2023 - Land Use Bylaw Amendment - redesignate Lot 29 and Lots 30-32, Block 18, Plan 3319I, from Multi-Family Apartment Residential R-3 to Residential R-1 - Public Hearing

Mayor Painter declared the Public Hearing opened at 7:16 pm for Bylaw 1146, 2023 - Land Use Bylaw Amendment - redesignate Lot 29 and Lots 30-32, Block 18, Plan 3319I, from Multi-Family Apartment Residential R-3 to Residential R-1.

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 Bylaw 1146, 2023.

Mayor Painter noted there were no members of the public present to speak at the hearing and declared the public hearing closed at 7:17 pm.

DELEGATIONS

Elkford ATV Club - Inter Community Ethically Responsible ORV Tourism - Tom Kramer

Tom Kramer, President of the Elkford ATV Club was in attendance to present Council with a report on the Inter Community Ethically Responsible ORV Tourism project and to request a letter of support from Council.

04-2023-03-28: Councillor Sygutek moved that the Municipality of Crowsnest Pass provide a letter of support in principle to the Elkford ATV Club for the Inter Community Ethically Responsible ORV Tourism project.

Carried

Dave Baines, NWP Coal - Update on the Regulatory Process for the NWP Crown Mountain Coking Coal Project

Dave Baines of NWP Coal was in attendance to provide Council with an update on the progression of the regulatory process for the NWP Crown Mountain Coking Coal Project.

REQUESTS FOR DECISION

Bylaw 1116, 2022 - Land Use Bylaw Amendment re. Minimum Floor Area for Single-family Dwelling in R-1 and GCR-1 - First Reading

05-2023-03-28: Councillor Filipuzzi moved first reading of Bylaw 1116, 2022 - Land Use Bylaw Amendment re. Minimum Floor Area for Single-family Dwelling in R-1 and GCR-1.

Carried

Bylaw 1140, 2023 - Fees, Rates and Charges Bylaw - First Reading

06-2023-03-28: Mayor Painter moved to table Bylaw 1140, 2023 in the meeting until after item 7.c Bylaw 1141, 2023.

Carried

Bylaw 1141, 2023 - Land Use Bylaw Amendment - Redesignate Pt SW9-8-5-W5M South of Roadway Plan 4226B from Non-Urban Area NUA-1 to Non-Urban Commercial NUCR-1 - Second and Third Readings

07-2023-03-28: Councillor Filipuzzi moved second reading of Bylaw 1141, 2023 - Land Use Bylaw Amendment - Redesignate Pt SW9-8-5-W5M South of Roadway Plan 4226B from Non-Urban Area NUA-1 to Non-Urban Commercial NUCR-1.

Carried

08-2023-03-28: Councillor Sygutek moved third reading of Bylaw 1141, 2023 - Land Use Bylaw Amendment - Redesignate Pt SW9-8-5-W5M South of Roadway Plan 4226B from Non-Urban Area NUA-1 to Non-Urban Commercial NUCR-1.

Carried

Bylaw 1140, 2023 - Fees, Rates and Charges Bylaw - First Reading

09-2023-03-28: Councillor Kubik moved to reduce the water rate for Class 6 by twenty percent.

Carried

10-2023-03-28: Councillor Ward moved that Administration request that the Golf Course provide their financial statements.

Defeated

11-2023-03-28: Councillor Glavin moved first reading of Bylaw 1140, 2023 - Fees, Rates and Charges Bylaw.

Carried

Bylaw 1146, 2023 - Land Use Bylaw Amendment - Redesignate Lot 29 and Lots 30-32, Block 18, Plan 3319I, from Multi-Family Apartment Residential R-3 to Residential R-1 - Second and Third Readings

12-2023-03-28: Councillor Girhiny moved second reading of Bylaw 1146, 2023 - Land Use Bylaw Amendment - Redesignate Lot 29 and Lots 30-32, Block 18, Plan 3319I, from Multi-Family Apartment Residential R-3 to Residential R-1.

Carried

13-2023-03-28: Councillor Ward moved third reading of Bylaw 1146, 2023 - Land Use Bylaw Amendment - Redesignate Lot 29 and Lots 30-32, Block 18, Plan 3319I, from Multi-Family Apartment Residential R-3 to Residential R-1.

Carried

Bylaw 1147, 2023 - 2023 Property Tax Rates Bylaw - First Reading

14-2023-03-28: Councillor Filipuzzi moved first reading of Bylaw 1147, 2023 - 2023 Property Tax Rates Bylaw.

Carried

15-2023-03-28: Councillor Ward moved that Administration bring back the list of deferred initiatives from Budget 2023 for consideration at the same meeting that the Property Tax Rates Bylaw comes back for second reading.

Carried

Bylaw 1148, 2023 - Amendment to the Procedure Bylaw - First Reading

16-2023-03-28: Councillor Sygutek moved first reading of Bylaw 1148, 2023 - Amendment to the Procedure Bylaw.

Carried

17-2023-03-28: Councillor Ward moved second reading of Bylaw 1148, 2023 - Amendment to the Procedure Bylaw.

Carried

18-2023-03-28: Councillor Glavin moved to consider third reading of Bylaw 1148, 2023 – Amendment to the Procedure Bylaw.

Carried Unanimously

19-2023-03-28: Councillor Filipuzzi moved third reading of Bylaw 1148, 2023 - Amendment to the Procedure Bylaw.

Carried

Sparwood Coal Miner Days Parade Invitation on June 10, 2023

20-2023-03-28: Councillor Sygutek moved that any Councillors who are available will attend the Coal Miner Days Parade on June 10, 2023 with the new float.

Carried

COUNCIL MEMBER REPORTS

Council reports since the March 14, 2023 meeting of Council:

- Councillor Girhiny
 - Attended the Parks and Recreation meeting
 - Noted that some communities have a bylaw where dog walkers are required to have pet waste bags on their person
- Councillor Kubik
 - Noted that she polled people at the dog park who indicated that most dog parks are closed during the winter
- Councillor Sygutek
 - Judged the Dummy Downhill at the ski hill last weekend - great event
 - Attended the RMA convention
 - Meetings with provincial ministers went really well
 - Commended Mayor Painter for advocating for the community at the RMA Conference

- Mayor Painter
 - Attended the RMA Convention
 - Pleased with the provincial minister meetings

PUBLIC INPUT PERIOD

- Derek Medland
 - Attended Parks and Recreation meeting
 - Recommended implementation of the requirement for dog walkers to carry pet waste bags, suggested the Peace Officers could enforce
 - Commended Councillor Sygutek on her interview on Cross Border Interviews
- Sue Kostyniuk
 - Has a concern with speed limits in the residential areas and suggested that the speed limits be reduced to 40km per hour in urban areas

COUNCILLOR INQUIRIES AND NOTICE OF MOTION

None

IN CAMERA

21-2023-03-28: Councillor Sygutek 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 10:15 pm:

- a) Personal Privacy – Committee Member Recommendations – FOIP Act Section 17
- b) Economic Interests of the Public Body – Land Purchase Application- FOIP Act Section 25
- c) Personal Privacy - Encroachment Agreement - FOIP Act Section 17
- d) Personal Privacy - Encroachment Agreement - FOIP Act Section 17

Carried

Reconvene

Mayor Painter convened the In Camera meeting at 10:23 pm. Patrick Thomas, Chief Administrative Officer in attendance to provide advice to Council.

22-2023-03-28: Councillor Sygutek moved that Council come out of In Camera at 11:23 pm.

Carried

23-2023-03-28: Councillor Ward moved that Council appoint Myriah Sagrafena to the remainder of a three year term concluding on December 31, 2024 on the Municipal Historic Resources Advisory Committee.

Carried

24-2023-03-28: Councillor Sygutek moved that Council appoint Bruce Nimmo to the remainder of a three year term concluding on December 31, 2023 on the Municipal Historic Resources Advisory Committee.

Carried

25-2023-03-28: Councillor Kubik moved that Council accept the offer to purchase the subject parcel legally described as Section 20, TWP 7, Range 3 West of the 5th.

Defeated

26-2023-03-28: Councillor Filipuzzi moved that an encroachment agreement be entered into for the house and the garage for the property legally described as Lot 13, Block 1, Plan 3387 AE.

Carried

27-2023-03-28: Councillor Sygutek moved that an encroachment agreement be entered into for the fence at the property legally described as Lot 4, Plan 821 1290.

Defeated

ADJOURNMENT

28-2023-03-28: Councillor Filipuzzi moved to adjourn the meeting at 11:27 pm.

Carried



Blair Painter
Mayor



Patrick Thomas
Chief Administrative Officer