



MINUTES OF DISTRICT OF KITIMAT
REGULAR MEETING

MEETING HELD IN THE COUNCIL CHAMBERS,
606 MOUNTAINVIEW SQUARE, MONDAY, APRIL 15, 2024, AT 7:00 PM

Present: Mayor: P. Germuth
Present: Councillors: E. Empinado, M. Feldhoff, G. Leibel, T. Marleau M. Martins, G. Pitzel

Present: Staff: W. Waycheshen, Chief Administrative Officer
K. Enders, Deputy Chief Administrative Officer
T. Tavares, Director of Corporate Administration
A. Ramos-Espinoza, Director of Engineering Services
J. Dave, IT Technician
S. Tarnowski, Director of Finance
M. Gould, Director of Leisure Services
F. Sinclair, Interim Director of Planning
A Macdonald, Manager of Planning
S. McLaughlin, Planner

Via WebEx W. Tenshak, Director of Economic Development

1. Call to Order

Mayor Germuth called the April 15, 2024 Regular Meeting of Council to order.

2. Message from the Mayor

Mayor Germuth provided a brief message.

3. Delegations/Presentations

3.1. Kitimat RCMP Detachment – January, February, March 2024 Monthly Policing Reports

Staff Sergeant Graham Morgan and Sergeant Robert Gardner were in attendance to provide Council the January, February and March monthly policing reports and answered questions from Council.

Agenda Amendment

Moved and seconded,
THAT the April 15, 2024, regular agenda be amended to remove Item 9.1 First and Second Readings of 3 Blueberry Avenue Official Community Plan Amendment Bylaw No 2048, 2024 and 3 Blueberry Avenue Zoning Amendment Bylaw No. 2049, 2024.

Motion Carried Unanimously

Motion: R24-083

Bylaw No. 2048, 2024 & Bylaw No. 2049, 2024 (7.5.3.160)

4. Public Input / Questions on Agenda Items

Mayor Germuth called for public input on an application for a Temporary Use Permit at 84 Elderberry Avenue.
There was no public input.

Mayor Germuth called for public input on a Development Variance Permit for 330 Enterprise St. There was no public input.

Mayor Germuth called for public input on a Development Variance Permit for 108 Whittlesey St. There was no public input.

Mayor Germuth called for public input on an application to rezone 182 Loganberry and 190 Loganberry.
Annelise Miller provided input on the rezoning application.

Mayor Germuth called for public input on any other agenda items.

Jason Cathers provided input on the report Active Transportation Options.

Kim Wasyleski provided input on the report 3 Blueberry Avenue Official Community Plan Amendment Bylaw No. 2048, 2024 and 3 Blueberry Avenue Zoning Amendment Bylaw No. 2049, 2024.

5. Media Inquiries - For Clarification Only

Mayor Germuth called for any media inquiries on the agenda items.

There were no media inquiries.

6. Call for New Business / Adoption of the Agenda

Councillor Martins - Consent Agenda, Item 7.4, For Information Only, Regional District of Kitimat Stikine Board Meeting Minutes, dated January 19, 2024

Councillor Martins - Consent Agenda Item 7.6, Correspondence – Letter to Mayor and Council from Ana Pires requesting a financial donation.

Moved and seconded,
THAT Council receive the April 15, 224 supplemental agenda and adopt the April 15, 2024, Regular Meeting of Council Agenda as amended.

Motion Carried Unanimously
Motion: R24-084

7. Consent Agenda

Moved and seconded,
THAT the Consent Agenda for April 15, 2024, be approved as amended.

Motion Carried Unanimously
Motion: R24-085

All correspondence was received and filed.

The following Council meeting minutes were adopted:
April 8, 2024 - Regular Meeting of Council

8. Notice of Motion

None.

9. Bylaws

None.

10. Reports and/or Communications

10.1. Report – Development Variance Permit Application– 86 Clifford Street

Moved and seconded,
THAT the application for Development Variance application at 86 Clifford Street to increase the permitted fence height from 2.0 metres to 2.14 metres be received for consideration.

AND THAT public notice be issued advising that an application to vary fence height at 86 Clifford Street is under consideration by District of Kitimat Council.

Motion Carried Unanimously
Motion: R24-086
DVP- 86 Clifford St (7.9.3.122)

10.2. Report – Temporary Use Permit – 84 Elderberry Street

Councillor Pitzel declared a conflict of interest due to the proximity of his property to the temporary use permit applicant's property.

Councillor Pitzel left the meeting at 7:39pm.

Moved and seconded,
THAT the application for a temporary use permit at 84 Elderberry be received for consideration.

In favour: Councillors Empinado, Feldhoff and Marleau
Opposed: Mayor Germuth, Councillors Leibel and Martins
Motion Defeated
Motion: R24-087
TUP- 84 Elderberry Street (7.18.3.69)

Moved and seconded,

THAT the application for a temporary use permit at 84 Elderberry be denied.

In favour: Mayor Germuth, Councillors Leibel and Martins
Opposed: Councillors Empinado, Feldhoff and Marleau
Motion Defeated
Motion: R24-088
TUP- 84 Elderberry Street (7.18.3.69)

Councillor Pitzel returned to the meeting at 8:01pm

10.3. Report – Development Variance Permit Application – 330 Enterprise Avenue

Moved and seconded,

THAT the Development Variance Permit No. 02-2024 at 190 4th Street and 330 Enterprise Avenue to:

- *vary the side setback on 4th Street from 3.0 metres to 1.74 metres;*
- *vary the width of the driveway access at 190 4th Street from 7.5 metres to 13.41 metres*
- *allow an additional access of 7.5 metres on 330 Enterprise Avenue be approved.*

Motion Carried Unanimously

Motion: R24-089

DVP- 330 Enterprise Ave (7.9.3.120)

10.4. Report – Development Variance Permit Application – 108 Whittlesey Street

Moved and seconded,

THAT the Development Variance Permit No 01-2024 at 108 Whittlesey Street to:

- *increase the accessory structure/building height from the permitted maximum of 4.9 meters to 5.2 meters and,*
- *vary the rear yard property line from 1.2 meters to 0.0 meters for the accessory structure/building be approved.*

Motion Carried Unanimously

Motion: R24-090

DVP-18 Whittlesey Street (7.9.3.119)

10.5. Report – Rezoning Application 182 Loganberry Street and 190 Loganberry Street

Moved and seconded,

THAT the consideration of the rezoning application for 182 Loganberry Street and 190 Loganberry Street be approved.

Tabling Motion:

Moved and seconded,

THAT the consideration of the rezoning application for 182 Loganberry Street and 190 Loganberry Street be tabled to confirm with the applicant that the C10 Zoning will meet their proposed use of the property.

In favour: Mayor Germuth, Councillors Empinado, Martins and Pitzel

Opposed: Councillors Leibel, Feldhoff and Marleau

Motion Carried

Motion: R24-091

Rezoning – 182 Loganberry St & 190 Loganberry St. (7.5.3.164)

10.6. Report – Outdoor Recreation Council of BC Grant

Moved and seconded,
THAT the District of Kitimat support the application to the Outdoor Recreation Council of BC Grant program.

Motion Carried Unanimously

Motion: R24-092

Outdoor Recreation Council of BC Grant (2.8.3)

10.7. Report – Kitimat Cemetery Columbarium

Moved and seconded,
THAT a name plate style similar to the Smithers Cemetery be used for the columbarium and be included in a bylaw amending Part 7, Division 4 of the Kitimat Municipal Code.

Motion Carried Unanimously

Motion: R24-093

Kitimat Cemetery Columbarium (6.5.7)

Moved and seconded,
THAT Columbarium fee structure as presented in Table 1 of the Kitimat Cemetery Columbarium report dated April 10, 2024, at 75 % capital recovery be included in a bylaw amending Part 7, Division 4 of the Kitimat Municipal Code.

Motion Carried Unanimously

Motion: R24-094

Kitimat Cemetery Columbarium (6.5.7)

10.8. Notice – Active Transportation Options

Moved and seconded,
THAT the update on Active Transportation Options for Haisla Boulevard between Ptarmigan Street and Nalabila Boulevard and Cable Car subdivision Multi-Use pathway route be received for information.

Motion Carried Unanimously

Motion: R24-095

Active Transportation Options (10.2.3.1)

10.9. Report – Residential Flat Tax Option for 2024 (2.10.3.1)

Moved and seconded,
THAT the Flat Tax rate for the 2024 year be set at \$723, equal to the 2023 Flat Tax rate of \$695 plus a 4.0% adjustment for budget increases;

AND THAT the Residential Flat Tax Court of Revision be scheduled for May 6, 2024 at 7:00 p.m. and electronic participation be allowed.

Motion Carried Unanimously

Motion: R24-096

Residential Flat Tax Option for 2024 (2.10.3.1)

10.10. Report – 2024 Budget Deliberations Report 7 (2.10.3.1)

Moved and seconded,
THAT the 2024 property tax rate bylaw be set at an increase of 4%.

Motion Carried Unanimously
Motion: R24-097
2024 Budget Deliberations Report (2.10.3.1)

Moved and seconded,
That an environmental section be added to the 2024 operational budget and explore the possibility of access to the ecologic reserve fund.

In Favour: Councillors Leibel, Martins and Marleau
Opposed: Mayor Germuth, Councillors Empinado, Feldhoff and Pitzel
Motion Defeated
Motion: R24-098
2024 Budget Deliberations Report (2.10.3.1)

Moved and seconded,
THAT the alternate capital item “OUT- Nechako Trail Improvement” in the amount of \$15,000 be added to the 2024 Capital budget.

Motion Carried Unanimously
Motion: R24-099
2024 Budget Deliberations Report (2.10.3.1)

Moved and seconded,
THAT the alternate capital item “TAM – Stair Lift (PWD)” in the amount of \$145,000 be added to the 2024 Capital budget.

In Favour: Councillors Leibel and Martins
Opposed: Mayor Germuth, Councillors Empinado, Feldhoff, Marleau and Pitzel
Motion Defeated
Motion: R24-100
2024 Budget Deliberations Report (2.10.3.1)

Moved and seconded,
THAT the alternate capital item “TAM – Arena Hand Rails (Year 1 of 2)” in the amount of \$54,000 be added to the 2024 Capital budget.

In Favour: Councillors Leibel, Marleau and Martins
Opposed: Mayor Germuth, Councillors Empinado, Feldhoff and Pitzel
Motion Defeated
Motion: R24-101
2024 Budget Deliberations Report (2.10.3.1)

Moved and seconded,
THAT the Regular Meeting of Council be extended till 10:45pm.

Motion Carried Unanimously
Motion: R24-102

Moved and seconded,
THAT the alternate capital item "OUT- Hirsch Creek Trail Improvement" in the amount of \$28,000 be added to the 2024 Capital budget.

In Favour: Mayor Germuth, Councillors Empinado, Feldhoff, Marleau,
Martins and Pitzel

Opposed: Councillor Leibel

Motion Carried

Motion: R24-103

2024 Budget Deliberations Report (2.10.3.1)

Moved and seconded,
THAT the alternate capital item "FIRE – Training Prop Replacements" in the amount of \$15,000 be added to the 2024 Capital budget.

Motion Carried Unanimously

Motion: R24-104

2024 Budget Deliberations Report (2.10.3.1)

Moved and seconded,
THAT the operating and capital budgets as amended be approved for developing the Five-Year Financial Plan and Tax Rates Bylaws for Council consideration.

Motion Carried Unanimously

Motion: R24-105

2024 Budget Deliberations Report (2.10.3.1)

11. New Business

11.1 **Councillor Martins - Consent Agenda, Item 7.4, For Information Only, Regional District of Kitimat Stikine Board Meeting Minutes, dated January 19, 2024**

Moved and seconded,
THAT Consent Agenda, Item 7.4, For Information Only, Regional District of Kitimat Stikine Board Meeting Minutes, dated January 19, 2024 be received for information.

Motion Carried Unanimously

Motion: R24-106

RDKS Board Meeting Minutes (1.5.1.5)

11.2. Councillor Martins, Consent Agenda Item 7.6, Correspondence – Letter to Mayor and Council from Ana Pires requesting a financial donation.

Councillor Feldhoff declared a conflict of interest as the requestor is a family member and left the meeting at 10:29pm

Councillor Marleau declared a bias as the requestor is a co worker and left the meeting at 10:30pm

Moved and seconded,
THAT the District grant writer support the requestor in finding a grant for their Jane Austen endeavour.

Motion Carried Unanimously
Motion: R24-107
Financial donation request – Pires (1.1.2.0)

Councillor Feldhoff and Marleau returned the meeting at 10:32pm

12. Council Reports

Councillors Empinado, Feldhoff, Leibel, Marleau, Martins and Pitzel provided a report on their activities since the last Regular Meeting of Council.

Move to Closed/Adoption of Closed Meeting of Council

Moved and Seconded
THAT the April 15, 2024, Closed Meeting of Council Agenda be adopted as presented.

Motion Carried Unanimously
Motion: R24-108

The Regular Meeting of Council was recessed and moved into a Closed Meeting of Council at 10:37pm

The Regular Meeting of Council reconvened at 10:57p.m.

Adjournment

Moved and seconded,
THAT the April 15, 2024, Regular Meeting of Council be reconvened and adjourned.

Motion Carried Unanimously
Motion: R24-109

The Regular Meeting of Council adjourned at 10:58 p.m.

CERTIFIED TRUE AND CORRECT COPY of
the minutes of the Regular Meeting of Council
held Monday, April 15, 2024.

Philip Germuth
Mayor

Tracy Tavares
Corporate Officer