A Regular Meeting of the Municipal Council of the City of Kelowna was held in the Council Chamber, 1435 Water Street, Kelowna, B.C., on Monday, April 26, 1999.

Council members in attendance were: Mayor Walter Gray, Councillors M.I. Bremner, R.D. Cannan*, C.B. Day, R.D. Hobson, J.D. Leask, J.D. Nelson* and S.A. Shepherd.

Council member absent: Councillor A.F. Blanleil.

Staff members in attendance were: City Manager, R.A. Born; Acting-City Clerk, G.D. Matthews; Acting-Current Planning Manager, A. Bruce*; Subdivision Approving Officer, R.G. Shaughnessy*; Community Planning Manager, T. Eichler*; Licensing & Bylaw Enforcement Supervisor, M.A. McCorkell*; Director of Parks & Leisure Services, D.L. Graham*; Civic Properties Manager, H.R. Hyatt*; Cultural Services Manager, I. Forsythe*; Parks Manager, J. Creron*; Parks Operations & Maintenance Supervisor, D. Radford*; Director of Works & Utilities, J. Vos*; Electrical Manager, R. Carle*; Water Manager, D. Degen*; Deputy Director of Finance, P.A. Macklem*; Financial Planning & Systems Manager, K. Grayston*; and Council Recording Secretary, B.L. Harder.

(* denotes partial attendance)

1. <u>CALL TO ORDER</u>

Mayor Gray called the meeting to order at 1:30 p.m.

- 2. Councillor Hobson was requested to check the minutes of the meeting.
- 3. <u>PUBLIC IN ATTENDANCE</u>
 - 3.1 David Mitchell, Okanagan Labour Council re: <u>Day of Mourning April 28,</u> <u>1999</u>

David Mitchell, vice-president of the Okanagan Labour Council, spoke on the need for tougher occupational health and safety standards and gave statistics of victims of workplace accidents. He advised that April 28th is the actual day of mourning when flags around the city will be flown at half-mast in remembrance of people who have lost their lives on the job.

Mayor Gray read a proclamation declaring April 28, 1999 as the annual Day of Mourning in recognition of workers killed, injured or disabled on the job.

3.2 Chris Leathley, Kelowna Hospital Auxiliary re: <u>70th Anniversary</u>

Ms. Chris Leathley gave an outline of the history of auxiliaries to Kelowna General Hospital dating back to prior to the opening of KGH in 1908. There are now six auxiliaries in the area and over the past 70 years they have raised approximately \$5 million for KGH.

Mayor Gray read a proclamation declaring the month of May as Kelowna Hospital Auxiliary 70th Anniversary Month.

Mayor Gray also read proclamation declaring the week of April 27, 1999 as Journey for Sight Week.

4. <u>UNFINISHED BUSINESS</u>

4.1 Licencing & Bylaw Enforcement Supervisor, dated April 21, 1999 re: <u>Expectation of the Pawnbrokers and Second Hand Stores Regarding</u> <u>Amendments to the Licence and Pawnbroker Bylaw No. 7611</u> (3900-20)

The Licensing & Bylaw Enforcement Supervisor presented the report outlining the level of compliance to the bylaw that will be expected from the Pawnbrokers in order for Council to consider a license fee less than \$3,000 for year 2000. He noted that a letter of opposition has been received from Asher Road Pawnbrokers although Mr. Lane met with staff and was in agreement with was is proposed at that time. Mr. Strasser was also at the meeting and in agreement.

Moved by Councillor Nelson/Seconded by Councillor Cannan

<u>R326/99/04/26</u> THAT City Council direct staff to monitor and report back to Council by October 1st, 1999 outlining compliance and staff time spent on enforcement of the Second Hand Dealer and Pawnbroker Regulation Bylaw No. 7611.

Carried

Councillor Cannan opposed.

The Licensing & Bylaw Enforcement Supervisor left the Council Chamber at 2:01 p.m.

- 5. <u>PLANNING</u>
 - 5.1 Planning & Development Services Department, dated April 21, 1999 re: <u>Rezoning Application No. Z99-1023 – Anton & Maria Wolf (Lambert &</u> <u>Paul Construction Ltd.) – 860 McCurdy Road</u> (3360-20)

The Acting-Current Planning Manager indicated the property on maps displayed on the overhead projector and outlined the report noting the property is not currently developed. The applicant is proposing to subdivide the property into two parcels and rezone the northerly parcel to facilitate a freight terminal facility with 23 loading docks. The applicant has been encouraged to develop the entire property for industrial uses; however, for now the parcel to the south will remain zoned C-9. The application has been reviewed and supported by the Advisory Planning Commission.

The Acting-Current Planning Manager responded to questions of Council regarding the open channel along the north boundary of the property and the need for a highway reserve agreement with the adjacent property to the east for the McCurdy Road extension.

The Subdivision Approving Officer entered the Council Chamber at 2:10 p.m.

Moved by Councillor Hobson/Seconded by Councillor Day

R327/99/04/26 THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of part of Lot 62, D.L. 143, O.D.Y.D., Plan 426, Except Plans 17786 and A12969, as shown on Map "A" attached to the report of the Planning & Development Services Department dated April 21, 1999, located on McCurdy Road, Kelowna, B.C., from the C9 – Tourist Commercial zone to the I2 – General Industrial zone;

AND THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the zone amending bylaw be considered in conjunction with Council's consideration of a Development Permit on the subject property;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the issuance of Preliminary Layout Review Letter by the Approving Officer;

AND THAT final adoption of the zone amending bylaw be considered following registration of a Road Reservation Agreement in the Land Title Office;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Works & Utilities Department being completed to their satisfaction;

AND FURTHER THAT subsequent to final adoption of the zone amending bylaw, the Mayor and City Clerk be authorized to sign and seal, on behalf of the City of Kelowna, a Voluntary Cost Contribution Agreement to the applicant's credit.

Carried

The Community Planning Manager entered the Council Chamber at 2:17 p.m.

5.2 Planning & Development Services Department, dated April 21, 1999 re: <u>Rezoning Application No. Z99-1017 – 564913 B.C. Ltd. (Don Kerr/Main</u> <u>Street Kelowna) – 1353-1379 Ellis Street</u> (3360-20)

The Acting-Current Planning Manager indicated the property on maps displayed on the overhead projector and outlined the report noting the intent is to convert the existing industrial buildings to accommodate commercial uses. The actual lot boundaries differ from the zone boundaries; the lot boundaries would be readjusted to coincide with the building and zoning boundaries through a subdivision application. Parking would be secured by restrictive covenant on the adjacent lot to the north which is also owned by the applicant.

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Moved by Councillor Nelson/Seconded by Councillor Cannan

R328/99/04/26 THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 9, D.L. 139, O.D.Y.D., Plan 432; Lot 10, D.L. 139, O.D.Y.D., Plan 432; Lot A, D.L. 139, O.D.Y.D., Plan 1667, and a part of Parcel Z (Plan B7376), D.L. 139, O.D.Y.D., Plan 645 as shown on Map "A", located at 1353, 1357, 1379 and 1347 Ellis Street, Kelowna, B.C., from the I4 – Central Industrial zone to the C7 – Central Business Commercial zone;

AND THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT final adoption of the zone amending bylaw be considered in conjunction with Council's consideration of a Development Permit on the subject property.

Carried

The Subdivision Approving Officer left the Council Chamber at 2:24 p.m.

5.3 Planning & Development Services Department, dated April 21, 1999 re: <u>Membership – Social Planning Board</u> (0540-20)

The Community Planning Manager presented the report for Council.

Moved by Councillor Cannan/Seconded by Councillor Nelson

<u>R329/99/04/26</u> THAT City Council appoint William J. Downie and Mac Campbell as new members to the Social Planning Board for a term extending to September 30, 2000, when membership can be reconsidered;

AND THAT City Council appoint Dorothy Silgram as a new member to the Social Planning Board for a term extending to September 30, 1999, when membership can be reconsidered;

AND THAT City Council accept, with regret, the resignation of Len Lifchus from the Social Planning Board.

Carried

The Deputy Director of Finance and the Financial Planning & Systems Manager entered the Council Chamber and the Community Planning Manager left at 2:27 p.m.

6.0 <u>BYLAWS (ZONING & DEVELOPMENT)</u>

(BYLAWS PRESENTED FOR ADOPTION)

6.0.1 <u>Bylaw No. 8383</u> – City of Kelowna Zoning Bylaw Text Amendment No. TA99-006 (amendments regarding Pawnshops)

Moved by Councillor Bremner/Seconded by Councillor Cannan

R330/99/04/26 THAT Bylaw No. 8383 be adopted.

<u>Carried</u>

6.0.2 (a) <u>Bylaw No. 8384 (Z98-1046)</u> – William & Lise Sinclair – 1506 Dickson Avenue

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Moved by Councillor Bremner/Seconded by Councillor Cannan

R331/99/04/26 THAT Bylaw No. 8384 be adopted.

Carried

(b) <u>Development Variance Permit Application No. DVP99-10,008 –</u> Bill & Lise Sinclair – 1506 Dickson Avenue

The Acting-City Clerk reminded Council that they heard the presentations on this application at the April 20, 1999 Regular Meeting at which time adoption of the following resolution had to be deferred because Ministry of Highways approval of the above zone amending bylaw was still pending. Now that bylaw No. 8384 is adopted, it is appropriate for Council to authorize issuance of the DVP.

Moved by Councillor Day/Seconded by Councillor Nelson

R332/99/04/26 THAT Municipal Council authorize the issuance of Development Variance Permit No. 99-10,008; Bill Sinclair; Lot 21, D.L. 141, O.D.Y.D., Plan 3736, located on Dickson Avenue, Kelowna, B.C.;

AND THAT the variance to the following section of Bylaw No. 8000 be granted:

<u>Section 13.1.6(d)</u>, Access to RU1 – Large Lot Housing: to relax the requirement for rear lane access, to access from the front street as proposed.

<u>Carried</u>

The Acting-Current Planning Manager left the Council Chamber at 2:29 p.m.

- 6. <u>REPORTS</u>
 - 6.1 Deputy Director of Finance, dated April 19, 1999 re: <u>Amendment No. 1 to</u> <u>1998 Annual Budget Bylaw No. 8229</u> (1700-20)

The Deputy Director of Finance presented the report for Council.

Moved by Councillor Nelson/Seconded by Councillor Bremner

R333/99/04/26 THAT Council approve amendment No. 1 to the Annual Budget Bylaw 8229 as required by the Municipal Act to reflect an increase in the Operating Budget and Capital Expenditure Program for 1998.

Carried

The Director of Parks & Leisure Services entered the Council Chamber at 2:37 p.m.

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6.2 Councillor Bremner, Chairman, Audit Committee, dated April 16, 1999 re: <u>Financial Statements for the Year Ending December 31, 1998</u> (1830-20; 0540-20)

The Deputy Director of Finance presented highlights of the 1998 budget.

Moved by Councillor Bremner/Seconded by Councillor Leask

<u>R334/99/04/26</u> THAT the Balance Sheets, Financial Statements and Auditor's Report, for the City of Kelowna, for the year ending December 31, 1998 be received;

AND THAT Council approve the appropriation of \$2,230,000 of surplus generated from all general fund operations in 1998 to general reserves as detailed in the body of the report dated April 16, 1999 from the Audit Committee;

AND THAT the Balance Sheets, Financial Statements and Auditor's Report be reprinted in Booklet form.

Carried

The Director of Works & Utilities and the Electrical Manager entered the Council Chamber and the Deputy Director of Finance and the Financial Planning & Systems Manager left at 2:41 p.m.

6.3 Recreation Manager, dated April 16, 1999 re: <u>Special Occasion License</u> <u>Request – City Park – September 11, 1999 (RE/MAX)</u> (4320-50)

The Director of Parks & Leisure Services outlined the report for Council.

Moved by Councillor Nelson/Seconded by Councillor Hobson

R335/99/04/26 THAT Council approve the issuance of a Special Occasion License to RE/MAX of Western Canada for a private outdoor function in City Park on Saturday, September 11, 1999, subject to compliance with all RCMP and Liquor Licensing Branch requirements,

AND THAT section h) of Council Policy No. 223 (Liquor Licenses in Parks) be amended to read "the issuance of the licence is approved by the Outdoor Event Committee" instead of by City Council.

Carried

6.4 Recreation Manager, dated April 21, 1999 re: <u>Kelowna 2000 Millennium</u> <u>Celebration Committee</u> (8100-01)

The Director of Parks & Leisure Services reviewed the report.

Moved by Councillor Shepherd/Seconded by Councillor Hobson

R336/99/04/26 THAT Council confirm the establishment of a civic committee to be known as the Kelowna 2000 Millennium Celebration Committee;

AND THAT this committee be authorized to purchase the necessary goods and services for the celebration event as per the approved budget;

AND THAT the following individuals be appointed to this committee:

Wendy Falkowski Lorraine McGrath	Chairperson Vice Chairperson responsible for Business Administration
Donna Moyer	Administration
Karen Tomnuk	Promotions
Cathy Comben	Protocol
Ric McGrath	Sponsorships and Fundraising
Marta Leskard	Entertainment
Lil Moller	Volunteers
Tibor Balogh	Vice Chairperson responsible for Operations
Chuck Dixon	Communications
Gord Gibbs	Equipment & Logistics
Kevin Davies	Fireworks
Kathleen Lytwick	Medical Services
Wayne Bridges	Security
Rod McIntosh	Transportation
Supt. Gary Forbes	RCMP Liaison
Reid Oddleifson	City Liaison

Carried

The Water Manager entered the Council Chamber at 2:49 p.m.

6.5 Electrical Manager, dated April 20, 1999 re: <u>Banner Installation</u> (5520-01)

The Electrical Manager reviewed the report noting the proposed pricing would result in full cost recovery to the City for providing this service.

Moved by Councillor Nelson/Seconded by Councillor Hobson

<u>R337/99/04/26</u> THAT City Council approve the revised "**Banner Policy**" and implement the new charges for the **Tier 1** and **Tier 2** Administration Fees effective July 1, 1999;

AND THAT Council Policy No. 240 be amended appropriately.

Carried

Councillors Cannan and Shepherd opposed.

The Parks Manager and the Parks Operations & Maintenance Supervisor entered the Council Chamber and the Electrical Manager left the Council Chamber at 3:05 p.m.

6.6

Water Manager, dated April 20, 1999 re: <u>Deep Lake Monitoring</u> (5600-05)

The Water Manager reviewed the report for Council.

Moved by Councillor Hobson/Seconded by Councillor Day

R338/99/04/26 THAT Council approve the expenditure of \$85,000 from the Water Quality Enhancement reserve to accelerate the installation of deep lake water quality monitoring equipment;

AND THAT the 1999 Water Utility budget be amended to increase expenditures and revenues by \$85,000 with funding to be provided from the Water Quality Enhancement Reserve.

Carried

The Director of Works & Utilities and the Water Manager left the Council Chamber at 3:08 p.m.

6.7 Parks Maintenance & Operations Supervisor, dated April 22, 1999 re: <u>Cemetery Operations Tender T99-13</u> (2320-20)

The Parks Maintenance & Operations Supervisor reviewed the report and advised that the incumbent contractor was the low bidder. The landscape maintenance was withdrawn for the 1999 tender in order to attract more competitive bids. Of the 5 bids received, prices ranged from \$313,552 to \$510,717 (GST included) for the 3 year contract.

Moved by Councillor Nelson/Seconded by Councillor Cannan

<u>R339/99/04/26</u> THAT the City of Kelowna award the Cemetery Operation Tender No. T99-13 to Chanchal Bal, DBA Valley Maintenance, the low bidder, for the period commencing of 00:01 hours, May 1, 1999 and terminating at 23:59 hours, April 30, 2002 for the three year lump sum bid price of two hundred ninety-three thousand, forty dollars (\$293,040) exclusive of G.S.T.

Carried

6.8 Parks Maintenance & Operations Supervisor, dated April 22, 1999 re: <u>Cemetery Landscape Maintenance Tender T99-12</u> (2320-20)

The Parks Maintenance & Operations Supervisor reviewed the report advising that nine bids were received ranging from \$141,862.50 to \$266,949.88 with GST extra. The contractor has agreed to a one year trial period because of staff concerns about the ability to perform to the required standards at the low bid price.

Moved by Councillor Shepherd/Seconded by Councillor Day

<u>R340/99/04/26</u> THAT the City of Kelowna award the Cemetery Operation Tender No. T99-12 to Complete Landscaping, the low bidder, for the period commencing of 00:01 hours, May 1, 1999 and terminating at 23:59 hours, April 30, 2000 for a <u>one year</u> lump sum bid price of Forty-five Thousand Dollars (\$45,000), exclusive of GST.

Carried

The Cultural Services Manager entered the Council Chamber and the Parks Manager and the Parks Maintenance & Operations Supervisor left at 3:22 p.m.

6.9 Director of Parks & Leisure Services, dated April 6, 1999 re: <u>Arts and</u> <u>Cultural Policies</u> (8200-01)

The Director of Parks & Leisure Services reviewed the report and advised the new policy is an update of the action items that were adopted in 1990.

Moved by Councillor Hobson/Seconded by Councillor Shepherd

<u>**R341/99/04/26**</u> THAT Council Policy No. 274 (Arts and Cultural Policy) be approved as attached to the April 6, 1999 report from the Director of Parks & Leisure Services;

AND THAT Council Policy No. 208 (former Arts and Cultural Policy) be rescinded.

Carried

6.10 Councillor Day, Chair, Council Policy Review Committee, dated April 14, 1999 re: <u>Council Policy Manual Review</u> (0110

Councillor Day presented the report and advised that the intent is to make the Council Policies available to the public on the City's Web Page when the review is complete.

Council agreed to a friendly amendment to policy No. 272 for the memos to be sent to the Mayor and Councillors rather than the Council Reader File.

The Civic Properties Manager entered the Council Chamber at 3:32 p.m.

Council also agreed to amend policy No. 206 to indicate that residential development on both sides of the creek is to be set back so that houses are not visible from the trail.

Moved by Councillor Day/Seconded by Councillor Shepherd

R342/99/04/26 THAT Council Policies No. 10, 195, 201, 231, 232 be rescinded;

AND THAT Council Policies No. 6, 25, 26, 124, 164, 171, 211 and 241 be revised as attached to the report dated April 6, 1999 from the Council Policy Review Committee;

AND THAT the proposed revised Council Policy No. 206 for Preservation of Sawmill (Bellevue) Creek Corridor and Crawford Falls be further amended to change the first paragraph to read "That residential development at Crawford Estates be set back **on both sides of the Crawford Falls trail** so that houses are not visible from the trail;" and be approved as amended;

AND FURTHER THAT Council Policy No. 272 for Handling of Petitions Received from the Public be amended to indicate that the information on petitions received will be provided in a memo **to the Mayor and Councillors** rather than in a memo to the Council Reader File, and be approved as amended.

Carried

Councillor Cannan left the Council Chamber at 3:34 p.m.

- 6.11 <u>Community Arts Centre</u> (0360-20)
 - (a) Presentation by Brad Bennett, Chairman of the Building Committee and Joost Bakker of Hotson Bakker Architects

The Director of Parks & Leisure Services advised that Ken Thom, Chair of the leadership committee would also be making a presentation regarding the fund raising for this project.

Brad Bennett advised that in the 8 months since the building committee was formed the committee considered 8 design options and compared new construction versus renovation of the existing building. The preferred design incorporates the existing building structure and would bring the total square footage to 40,000 sq. ft. in phase 1. Phase 2 would add another 5,000 sq. ft. plus roof areas to bring the total to about 55,000 sq. ft. The preferred option would provide a fully integrated arts centre for use by the public at large as well as the artists. Construction would not commence until the required capital is firmly committed and that is dependent on fund raising efforts. However, actual construction could commence as early as spring next year with the facility totally operational by Christmas. Mr. Bennett named and acknowledged the 11 members on the building committee and 4 City staff for their contribution to the project and added that the project is worthy of being designated a millennium project.

Ken Thom recognized the members of the leadership committee and their role to date noting they have matched the City's \$1.5 million contribution and there is still tremendous enthusiasm from the public providing funding or in-kind contributions.

Joost Bakker, project architect, described the proposed \$6.9 million project referring to a concept model and overheads displayed on the projector. The facility includes a 300 seat theatre, opportunities for retail, a visual arts gallery, multi-purpose hall and major display gallery, a rehearsal facility and a large outdoor work area. The second floor overlooks the atrium and provides access to the theatre and to studio space. The preferred concept builds-in the structural capacity for construction of the second storey. Mr. Bakker unveiled artist's renderings of the proposed facility and commented that it was a stroke of luck that the existing building is in good structural condition, lends itself well to various arts activities, and is located in centre of the emerging cultural district.

(b) Director of Parks & Leisure Services, report dated April 21, 1999

The Director of Parks & Leisure Services reviewed the capital cost analysis for the preferred concept at a total project cost of \$6,861,140 and reviewed how the project would be funded noting that the City is being asked to commit to providing \$2,800,570. The City would also take responsibility for the building maintenance and operations, as owner of the Arts Centre. It is anticipated the facility would generate an operating surplus by year 3.

Councillor Nelson left the Council Chamber and Councillor Cannan returned at 4:09 p.m. and took his place at the Council Table.

Council congratulated the Building Committee for coming forward with a strong business plan to support the Arts Centre and on the proposed design for the facility.

Moved by Councillor Bremner/Seconded by Councillor Shepherd

<u>R343/99/04/26</u> THAT City Council accept Concept Scheme B as the concept plan for the Community Arts Centre with a capital budget as outlined in the April 21, 1999 report from the Director of Parks & Leisure Services;

AND THAT City Council approve a total capital contribution of \$2,800,570 comprised of an appropriate combination of "pay as you go" capital, short term borrowing, accumulated surplus and general reserves, with Council's final budgetary approval of funding sources to be made once the timing of the project is determined;

AND THAT the commitment of City funds is contingent upon all other funds required being committed before any City funds are expended on construction of the project;

AND THAT City Council approve the operating model as attached to the April 21, 1999 report from the Director of Parks & Leisure Services including the financial and operational responsibilities for building operations and the creation of the building fund reserves;

AND FURTHER THAT the City KVPACS formalize the necessary operating agreements after all funds are in place and the construction program is commencing.

Carried

The Director of Parks & Leisure Services, the Cultural Services Manager, and the Civic Properties Manager left the Council Chamber at 4:38 p.m.

7. <u>BYLAWS (OTHER THAN ZONING & DEVELOPMENT)</u>

(BYLAWS PRESENTED FOR FIRST THREE READINGS)

 7.1 <u>Bylaw No. 8401</u> – Amendment No. 1 to 1998 Annual Budget Bylaw No. 8229 (increase in Operating Budget and Capital Expenditure Program for 1998)

Moved by Councillor Cannan/Seconded by Councillor Bremner

<u>R344/99/04/26</u> THAT Bylaw No. 8401 be read a first, second and third time.

Carried

(BYLAWS PRESENTED FOR ADOPTION)

7.2 <u>Bylaw No. 8360</u> – Amendment No. 1 to Second Hand Dealer and Pawnbroker Regulation Bylaw No. 7611

Moved by Councillor Day/Seconded by Councillor Hobson

R345/99/04/26 THAT Bylaw No. 8360 be adopted.

<u>Carried</u>

7.3 <u>Bylaw No. 8366</u> – Amendment No. 9 to Business Licence and Regulation Bylaw No. 7878 (increase Pawnbroker Licence Fee)

Moved by Councillor Hobson/Seconded by Councillor Day

R346/99/04/26 THAT Bylaw No. 8366 be adopted.

Carried

8. <u>COUNCILLOR ITEMS</u>

(a) <u>City of Kelowna Civic Awards Banquet</u>

Councillor Bremner commended Councillor Leask and his committee for organizing the civic awards and commented that it was former Councillor Elise Clark who was instrumental in initiating the Women of the Year award.

(b) <u>Cyclist Crossing – Ellison Overpass</u>

Councillor Cannan advised that in 1993 the City received a letter from the Ministry of Transportation and Highways advising that MOTH would be constructing a sidewalk on the north side of the Ellison Overpass for improved safety of cyclists on route to the north campus of Okanagan University College. The project was scheduled for late summer 1993 but never proceeded. In a recent letter, MOTH now indicates that it would be several more years before they could consider construction of the walkway because of limited funding.

Moved by Councillor Cannan/Seconded by Councillor Shepherd

<u>R347/99/04/26</u> THAT a letter be sent to the Ministry of Transportation and Highways to request that construction of the pedestrian/cycling walkway for the Ellison Overhead be moved up on their list of priorities.

Carried

(c) <u>Workers' Compensation Board Regulations for Smoking</u>

Councillor Shepherd noted the town council for Whistler, B.C. has established a task force to review proposed WCB regulations for smoking. The new regulations will apparently be effective January 1, 2000 and will have a big impact on the restaurant and hotel industry. Council agreed to send a letter to WCB asking what they are doing to publicize the new regulations and how they will be enforced.

(d) <u>Development in Rutland Town Centre</u>

Councillor Day advised that development in the Rutland Town Centre is being hindered because the Ministry of Transportation and Highways is refusing to allow access to properties from Highway 33 and because of their parking requirements which far exceed what is required by the City of Kelowna. Councillor Hobson reported that a meeting is being arranged to try to resolve these issues with MOTH.

(e) <u>Transit Passes as Non-Taxable Benefit</u>

Mayor Gray advised that a motion was introduced in the House of Commons on April 13, 1999 to allow employers to offer their employees transit passes as a non-taxable benefit. Hopefully this will soon be approved.

9. <u>TERMINATION</u>

The meeting was declared terminated at 4:53 p.m.

Certified Correct:

Mayor

Acting-City Clerk

BLH/am