

Regular Meeting – P.M.

September 10, 2001

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, September 10, 2001.

Council members in attendance were: Mayor Walter Gray, Councillors A.F. Blanleil, R.D. Cannan, B.A. Clark, C.B. Day, B.D. Given, R.D. Hobson, J.D. Nelson and S.A. Shepherd.

Staff members in attendance were: City Manager, R.A. Born; City Clerk, D.L. Shipclark; Director of Planning & Development Services, R.L. Mattiussi*; Current Planning Manager, A.V. Bruce*; Subdivision Approving Officer, R.G. Shaughnessy*; Long Range Planning Manager, S.K. Bagh*; Planner-Long Range, G. Routley*; Director of Works & Utilities, J. Vos*; Electrical Manager, R. Carle*; Acting-Cultural Services Manager, R. Oddleifson*; Financial Planning & Systems Manager, K. Grayston*; and Council Recording Secretary, B.L. Harder.

(* denotes partial attendance)

1. CALL TO ORDER

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. CORRESPONDENCE

- 3.1 - Letter dated August 17, 2001 from Friends of Mission Creek Society re: Mission Creek Greenway – Phase 2 Funding
 - Report dated September 6, 2001 from City Clerk re: Federal/Provincial Infrastructure Grant Applications – 2001 (0430-20)

- Withdrawn from the agenda to allow staff an opportunity to develop a basis for determining project priorities and a process for presenting these requests to Council.

Council:

- Staff to obtain an opinion as to whether members of Council are in a conflict of interest when (i) groups on which they participate as Council's representative discuss projects they intend to submit as Provincial/Federal Infrastructure Grant Applications, and (ii) Council discusses the requests from these groups for Council endorsement of their application for the infrastructure grant.

4. PLANNING

- 4.1 Planning & Development Services Department, dated August 23, 2001 re: Rezoning Application No. Z98-1029 – Rick Hullah/Progressive Lands Ltd. – 5065 Frost Road (B/L 8459)

Moved by Councillor Nelson/Seconded by Councillor Given

R692/01//09/10 THAT in accordance with the Development Application Procedures Bylaw No. 8140, the deadline for adoption of Zone Amending Bylaw No. 8459 (Z98–1029) be extended to April 25, 2002.

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4.2 Planning & Development Services Department, dated August 29, 2001 re: Graffiti Prevention Program (0540-20)

Staff:

- Outlined the existing City of Kelowna anti-graffiti program and the efforts of others for removal of graffiti in the community.
- Summarized the proposed policy and graffiti prevention strategies.

Council:

- Consider asking retailers to voluntarily agree to maintain a registry of people buying cans of spray paint.
- Consider establishing a 'swat team' that could be paid for jointly by the City and other local groups to deal with the removal of graffiti.
- Consider what can be done to help owners of residential properties adjacent to public properties and business owners when they are repeatedly tagged and faced with the expense of removing graffiti from their properties.
- Consider working with the School District to help them educate children on the consequences of graffiti and that graffiti is illegal.
- Consider including the graffiti hotline number as a regular bottom line of City-related advertisements in the local newspapers to increase awareness of the number to phone to report graffiti.
- Investigate potential for increasing the fine and/or penalty to be more of a deterrent for perpetrators of graffiti.
- Consider implementing a program similar to 'adopt a road' where people or groups would adopt a utility pole or a street block in areas targeted for graffiti/vandalism.
- Consider involving the Downtown Citizen's Patrol and various Residents' Associations in the graffiti prevention program.

Moved by Councillor Hobson/Seconded by Councillor Shepherd

R693/01/09/10 THAT Council receive the information relating to a proposed Graffiti Prevention Program as outlined in the Planning and Development Services Department report of August 29, 2001;

AND THAT Council adopt the Council Policy on graffiti as set out in the Planning and Development Services Department report of August 29, 2001;

AND THAT Council direct Civic Properties to assume primary responsibility for removing graffiti from all City-owned structures and buildings within a 24 hour period of the graffiti being reported;

AND THAT Council request that Civic Properties submit a supplemental budget request for \$15,000, to be used for graffiti removal and prevention programs, for consideration at the time of 2002 budget deliberations;

AND FURTHER THAT staff review Council's comments from today's discussion on graffiti prevention and report back with recommendations.

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5. REPORTS

- 5.1 Mayor Gray, Chair of Regional Transportation Sub-Committee – Transit, dated August 29, 2001 re: Annual Operating Agreements – Amendment #1 (2240-20)

Staff:

- The proposed amendment covers the expansion of conventional transit service to growth areas and expansion of the taxi saver program for custom transit.

Moved by Councillor Shepherd/Seconded by Councillor Blanleil

R694/01/09/10 THAT Council approve the 2001/02 Annual Operating Agreement amendment #1 for both the conventional transit services and custom transit services;

AND THAT the Mayor and City Clerk be authorized to execute the agreements.

Carried

- 5.2 Acting-Cultural Services Manager, dated September 5, 2001 re: Rotary Centre for the Arts – Award of Contract (0720-60)

Moved by Councillor Given/Seconded by Councillor Nelson

R695/01/09/10 THAT Council approve the award of a contract for glazing and aluminium frames and related construction at the Rotary Centre for the Arts to Rutland Glass (1994) Ltd. in the amount of \$262,980.

Carried

- 5.3 Electrical Manager, dated September 5, 2001 re: Municipal Access Agreement (MAA) – Bell Intrigna Inc. (2255-20)

Moved by Councillor Cannan/Seconded by Councillor Clark

R696/01/09/10 THAT the City of Kelowna enter into a 5 year Municipal Access Agreement (MAA) with Bell Intrigna Inc. for the purpose of constructing, maintaining, operating and removing support structures, transmission lines and other related telecommunication facilities (as that term is defined in the Telecom Act) along or across the City Service Corridors in accordance to the terms and conditions outlined in the agreement attached to the report dated September 5, 2001 from the Electrical Utilities Manager;

AND THAT Council authorize staff to negotiate an appropriate fee schedule;

AND FURTHER THAT the Mayor and City Clerk be authorized to execute the contract documents.

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- 5.4 City Clerk, dated September 5, 2001 re: Housing Opportunities Reserve Fund (B/L 8593)

Staff:

- Requested that the deadline date be set for October 26th instead of October 19th as indicated in the report.

Moved by Councillor Shepherd/Seconded by Councillor Given

R697/01/09/10 THAT 4:00 p.m., Friday, October 26, 2001 be set as the deadline for receipt of Counter Petitions by the City Clerk in relation to Housing Opportunities Reserve Fund Bylaw No. 8593.

Carried

6. RESOLUTIONS

- 6.1 Draft Resolution re: Travel Authorization – Pittsburgh, Pennsylvania (1800-01)

Moved by Councillor Shepherd/Seconded by Councillor Hobson

R698/01/09/10 THAT Councillor Given be authorized to travel to attend the International Downtown Association 47th Annual Convention being held September 29 to October 2, 2001 in Pittsburgh, Pennsylvania, with expenses paid in accordance with Council Remuneration and Expense Bylaw No. 7547, using funds from Account No. 351-10-015-0-001.

Carried

7. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR FIRST THREE READINGS)

- 7.1 Bylaw No. 8724 – Okanagan Mission Community Hall Association Agreement Authorization Bylaw

Moved by Councillor Given/Seconded by Councillor Nelson

R699/01/09/10 THAT Bylaw No. 8724 be read a first, second and third time.

Carried

- 7.2 Bylaw No. 8725 – Okanagan Mission Community Hall Association Lease Authorization Bylaw

Moved by Councillor Clark/Seconded by Councillor Shepherd

R700/01/09/10 THAT Bylaw No. 8725 be read a first, second and third time.

Carried

- 7.3 Bylaw No. 8728 – BC Gas Temporary Borrowing Bylaw

Moved by Councillor Hobson/Seconded by Councillor Day

R701/01/09/10 THAT Bylaw No. 8728 be read a first, second and third time.

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(BYLAWS PRESENTED FOR ADOPTION)

7.4 Bylaw No. 8718 – BC Gas Legacy Fund Security Issuing Bylaw

Moved by Councillor Cannan/Seconded by Councillor Day

R702/01/09/10 THAT Bylaw No. 8718 be adopted.

Carried

8. COUNCILLOR ITEMS

(a) Okanagan Lake Bridge Lift Span

Councillor Shepherd commented on the negative impact that raising the lift span has on transit movement. Mayor Gray advised that the City does not have the authority to charge boaters and there is an absolute requirement to lift the span because boaters have the right-of-way. Referred to staff to find out whether there is a policy that controls when the span will be lifted and then see if anything can be done for improvement.

(b) Bus Stop Pull-Outs – Pandosy Street

Councillor Shepherd noted there are no pull-outs for transit buses along the new section of Pandosy. Mayor Gray added that the apartment buildings along that section of Pandosy also provide no area either at the front or rear of the buildings where vehicles can stop when picking-up or dropping off senior and/or disabled residents. Referred to staff.

(c) Petition – Hiawatha Trailer Park

Councillor Clark asked that Council be apprised of whatever action gets taken by City transportation staff in response to a petition that has been received concerning left turn access to Hiawatha Trailer Park from Lakeshore Road.

(d) Visiting Veendam Delegation

Councillor Clark advised that the Mayor of Veendam will be in Kelowna with a small delegation on November 9-12 to sign the renewed Sister City agreement and discuss with Council ways to work together in the Sister City relationship. Councillor Clark noted a number of events that are being organized for their visit and asked that members of Council plan on attending a formal Council session in the early afternoon on Saturday, November 10th in the Council Chamber for an official welcome of the delegation and signing of the agreement followed by a reception in the museum.

(e) Fire Trucks – Use of Jake Brakes

Councillor Nelson reported that he has heard complaints from residents that they are awakened by sirens when fire trucks respond to call-outs and then again by the jake brakes when the trucks return to the fire hall. Staff to investigate.

(f) Request for Quotations (RFQ) – Phase 1 – Mission District Park

Councillor Blanleil reported that the RFQ is now out for Phase 1 of the Mission District Park development and asked that any questions members of Council receive about the RFQ be referred to City Purchasing staff.

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(g) U.S. Surtax - Canadian Softwood Lumber Exports

Moved by Councillor Cannan/Seconded by Councillor Blanleil

R703/01/09/10 THAT the Mayor send a letter on behalf of Council indicating support for the Federal and Provincial Governments vigorously pursuing all avenues for disputing the 19.3% U.S. surtax on Canadian softwood lumber.

Carried

9. TERMINATION

The meeting was declared terminated at 3:36 p.m.

Certified Correct:

Mayor

BLH/am

City Clerk