

Regular Meeting – P.M.

September 8, 2003

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 8, 2003.

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, E.A. Horning and S.A. Shepherd.

Staff members in attendance were: City Manager, R.A. Born; City Clerk, A.M. Flack; Director of Financial Services, P.A. Macklem\*; Wastewater Manager, W.J. Berry\*; Inspection Services Manager, K. Skinner\*; and Council Recording Secretary, B.L. Harder.

(\* denotes partial attendance)

1. CALL TO ORDER

Deputy Mayor Cannan called the meeting to order at 1:34 p.m.

2. Councillor Day was requested to check the minutes of the meeting.

3. REPORTS

3.1 Wastewater Manager, dated September 2, 2003 re: Award of Construction Contract TE03-17 – North End Sewer Extension (5340-09-32)

Moved by Councillor Clark/Seconded by Councillor Given

**R777/03/09/08** THAT the Contract for construction of the North End Sewer extension be awarded to H & M Excavating Ltd. for the amount of \$1,802,040.50 which includes a contingency and GST;

AND THAT the Mayor and City Clerk be authorized to execute the Contract on behalf of the City.

Carried

3.1.1 Extension of Sewer to South Mission Area

Council:

- Are staff investigating the potential for extending sanitary sewer to the Okaview/Viewcrest/Curlew areas where many of the homes destroyed by the Okanagan Mountain Park forest fire were lost?

Staff:

- Are working on putting together a quick sewer package to service at least the 80 or 90 affected homes. Hope to hold a meeting with the residents to discuss the plan within a week or so, once the easements and rights-of-way that would be needed have been identified and costs have been fine-tuned.

Mayor Gray entered the Council Chamber at 1:42 p.m. and assumed the Chair.

Councillor Blanleil entered the Council Chamber at 1:42 p.m. and took his place at the Council Table.

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- 3.2 Inspection Services Manager, dated August 19, 2003 re: Amendments to City of Kelowna Traffic Bylaw No. 8120 and Municipal Ticket Information Utilization Bylaw No. 6550-89 (BL9079; BL9080)

Moved by Councillor Cannan/Seconded by Councillor Blanleil

**R778/03/09/08** THAT City Council approve the amendments to Schedule 1 of the Ticket Information Utilization Bylaw No. 6550-89 to allow the RCMP to enforce additional bylaws as outlined in the report dated August 19, 2003 from the Inspection Services Manager;

AND THAT City Council approve the amendment to Schedule 13 of the Ticket Information Utilization Bylaw No. 6550-89 to permit the issuing of a Municipal Ticket Information for obstructing traffic flow as outlined in the report;

AND FURTHER THAT City Council approve the amendments to the City of Kelowna Traffic Bylaw No. 8120 pertaining to the definition of "Park" and "Park Obstructing Traffic Flow" as outlined in the report.

Carried

- 3.3 City Clerk, dated September 2, 2003 re: Shell Canada Products – Land Sub-Lease at Kelowna International Airport – Council Petition Opportunity (0155-30/ 2380-20-8037)

Moved by Councillor Given/Seconded by Councillor Shepherd

**R779/03/09/08** THAT Council receive the Certificate of Sufficiency dated August 28<sup>th</sup>, 2003 pertaining to the sub-lease of land at the Kelowna International Airport to Shell Canada Products Ltd. for the continued operation of a bulk storage facility for a further term of 10 years.

Carried

- 3.4 City Clerk, dated September 2, 2003 re: Terasen (BC Gas) Utility Services Inc. Legacy Fund Opportunity – 2001/2002 Additions (BL8660; 0155-30)

Moved by Councillor Given/Seconded by Councillor Day

**R780/03/09/08** THAT Council receive the Certificate of Sufficiency dated August 28<sup>th</sup>, 2003 pertaining to the lease of the 2001/2002 additions to the Terasen Utility Services Inc. distribution system.

Carried

- 3.5 City Clerk, dated September 2, 2003 re: Kelowna Downtown Business Improvement Area Bylaw No. 9042 (BL9042; 0155-30)

Moved by Councillor Given/Seconded by Councillor Shepherd

**R781/03/09/08** THAT Council receive the Certificate of Sufficiency dated August 27<sup>th</sup>, 2003 pertaining to the Kelowna Downtown Business Improvement Area Bylaw No. 9042;

AND THAT Kelowna Downtown Business Improvement Area Bylaw No. 9042 be advanced for adoption consideration.

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- 3.6 Director of Financial Services, dated September 5, 2003 re: Utilities Connections and Utility Billing Charges – Okanagan Mountain Park Forest Fire (1826-02)

Council:

- People were evacuated from areas serviced by other than the City utility.
- Staff to pass on this resolution to the water purveyors so they know what the City is doing.

Moved by Councillor Shepherd/Seconded by Councillor Clark

**R782/03/09/08** THAT Council waive utility billing account transfer fees and the requirement for a security deposit for homeowners who have uninhabitable homes and find it necessary to set up temporary residence elsewhere within the City's utilities boundaries while reconstructing their residence;

AND THAT Council waive the charge to restore water service on properties with uninhabitable homes;

AND THAT Council approve an unmetered rate of \$15.50 per month where water service is restored to the properties with uninhabitable homes during the reconstruction period;

AND THAT Council exempt properties in the evacuation areas from utility billing penalties and disconnections for the billing period that included service during the time properties were under evacuation order;

AND FURTHER THAT Council approve a billing credit for water utility customers in evacuated areas who experienced inordinately large consumption charges in an effort to protect their property.

Carried

4. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

**(BYLAWS PRESENTED FOR FIRST THREE READINGS)**

- 4.1 Bylaw No. 9079 – Amendment No. 61 to Municipal Ticketing Information Bylaw 6550-89

Moved by Councillor Given/Seconded by Councillor Hobson

**R783/03/09/08** THAT Bylaws No. 9079, 9080, 9082 and 9083 be read a first, second and third time.

Carried

- 4.2 Bylaw No. 9080 – Amendment No. 2 to Traffic Bylaw No. 8120

See resolution under 4.1 above.

- 4.2.1 Bylaw No. 9082 – Amendment No. 1 to Utility Billing Customer Care Bylaw No. 8754

See resolution under 4.1 above.

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- 4.2.2 Bylaw No. 9083 – A bylaw to Further Amend Water Regulation Bylaw No. 2173, as Amended

See resolution under 4.1 above.

**(BYLAWS PRESENTED FOR ADOPTION)**

- 4.3 Bylaw No. 9042 – Kelowna Downtown Business Improvement Area

Moved by Councillor Day/Seconded by Councillor Shepherd

**R784/03/09/08** THAT Bylaw No. 9042 be adopted.

Carried

5. COUNCILLOR ITEMS

- (a) Concerns Resulting from Okanagan Mountain Park Forest Fire

Throughout the follow-up and recovery work, staff to keep Council informed on how the following issues of concern are dealt with:

- Drainage problems/flooding resulting from lost vegetation and the creek beds being full of debris from the fire.
- Impact on water quality from the use of fire retardant.
- Review of the development process and how to deal with wildfire prevention in rural/urban interface areas and potential changes to provincial legislation.
- Clean-up of City properties; needs to be done as soon as possible.
- Impact of the fire on parks in the South Mission area, in particular Bertram Creek Park, and estimated costs for restoration.
- How to relay the message to the public to stay out of forested back country areas, Crown Land or privately owned.
- Disposal of burned/hazard trees.
- Could unemployed loggers assist in the logging of wood that is salvageable?

Staff:

- A consultant has been commissioned to look into drainage issues as part of the recovery plan. Recognize the need to deal with these matters soon and will bring forward the consultant's recommendations to Council as soon as possible.

- (b) Extension of Enterprise Way

Councillor Cannan asked that the City Manager look into the timing for completion of the Enterprise Way extension, Highway 97 to Leathead.

- (c) Meeting with Federal Heritage Minister re KVR Railway Trestles

Councillor Hobson summarized the meeting he attended this morning along with Mayor Gray and our local MLAs and MPs with Heritage Minister Sheila Copps. Tremendous amount of support across the country for rebuilding the KVR railway trestles that have been lost to the Okanagan Mountain Park forest fire. A technical inter-ministerial committee is being formed to look at assessment of damage, planning for restoration and for temporary access around where the trestles would be rebuilt. Rebuilding is expected to take several years. Assessment will start as soon as it is safe to get into the area. The Federal Government has pledged to finance the assessment costs.

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6. TERMINATION

The meeting was declared terminated at 2:33 p.m.

Certified Correct:

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Mayor

City Clerk

BLH/bn