

Regular Meeting – P.M.May 17, 2004

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, May 17, 2004.

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

Council members absent: Councillor R.D. Hobson.

Staff members in attendance were: City Manager, R.A. Born; Acting City Clerk, S.C. Fleming; Director of Planning & Corporate Services, R.L. Mattiussi*; Manager of Development Services, A.V. Bruce*; Director of Works & Utilities, J. Vos*; Wastewater Manager, W.J. Berry*; Water Manager, D. Degen*; Electrical Utilities Manager, R. Carle*; Director of Financial Services, P.A. Macklem*; Director of Parks & Leisure Services, D.L. Graham*; Civic Properties Manager, J. Waugh*; Projects Supervisor, B. Germaniuk*; and Council Recording Secretary, B.L. Harder.

(* denotes partial attendance)

1. CALL TO ORDER

Mayor Gray called the meeting to order at 1:32 p.m.

Councillor Cannan joined the meeting at 1:34 p.m.

1.1 Memorial Cup

Mayor Gray displayed a small replica of the Memorial Cup trophy that he received at the opening banquet for the Memorial Cup noting that this is only the third time since 1919 when the cup originated that a replica has been presented. The replica trophy bears an inscription recognizing the courage, strength, humanity and compassion of the fire fighters and citizens of Kelowna during the 2003 forest fire.

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

3. UNFINISHED BUSINESS

- 3.1 Electrical Utility Manager, dated May 12, 2004 re: Undergrounding of Wires – Rutland Road (Highway 33 to McIntosh Road) (5520-01) **deferred from Regular Meeting of May 10, 2004.**

Moved by Councillor Horning/Seconded by Councillor Day

R485/04/05/17 THAT Council approves a complete underground system rebuild to the Aquila electrical distribution lines running along Rutland Road North from Highway 33 to McIntosh Road, in a two staged process with stage one being completed in 2004 and stage two by mid-summer of 2005;

AND THAT the 2004 Financial Plan be amended to provide funding in the amount of \$775,000 from the Electrical Utility Accumulated Surplus account.

Carried

Regular Meeting – P.M.

May 17, 2004

4. PLANNING

- 4.1 Planning & Corporate Services Department, dated May 12, 2004 re: Supplemental Information Requested by Council (Grant Gaucher – McKinley Road (OCP03-0002))

Staff:

- Should Council choose to positively consider the OCP amendment after termination of the Public Hearing on May 25, 2004, the purpose of this report is to clarify that it would be on the premise that the project cannot impact the City of Kelowna 20 year servicing plan. On that premise, the applicant, for example, would be responsible for all of the land acquisitions and ALR applications necessary to achieve the Glenmore widening out to McKinley Road, and any additional costs would be borne by the applicant.
- The applicant has submitted a letter clarifying that if they were carrying out improvements that are contained in the current or future DCC schedule, they would expect credits in that regard.

Moved by Councillor Blanleil/Seconded by Councillor Day

R486/04/05/17 THAT Council accept the supplemental report dated May 12, 2004 from the Planning and Corporate Services Department as additional information for consideration regarding Official Community Plan Amendment application OCP03-0002 (Gaucher – McKinley Landing).

Carried

5. BYLAWS (ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR ADOPTION)

- 5.1 Bylaw No. 9194 (OCP00-010) – Romesha Ventures Inc. – 1374 Highway 33 East **requires majority vote of Council (5)**

Councillor Day declared a conflict of interest because he owns the adjoining property and left the Council Chamber at 1:55 p.m.

Moved by Councillor Given/Seconded by Councillor Horning

R487/04/05/17 THAT Bylaw No. 9194 be adopted.

Carried

Councillor Day returned to the Council Chamber at 1:55 p.m. and took his place at the Council Table.

6. REPORTS

- 6.1 Water Manager, dated May 10, 2004 re: Award of UV Equipment Supply Contract (5600-05)

Moved by Councillor Shepherd/Seconded by Councillor Day

R488/04/05/17 THAT Council approve the award of the UV Equipment Supply Contract to Calgon Carbon Corporation for the amount of \$1,207,515.23 excluding GST.

Carried

Regular Meeting – P.M.

May 17, 2004

- 6.2 Civic Properties Manager, dated May 11, 2004 re: Award of Contract for Memorial Arena Rink Floor Replacement (0760-20-24)

Moved by Councillor Blanleil/Seconded by Councillor Given

R489/04/05/17 THAT the contract for the Memorial Arena Rink Floor Replacement be awarded to Bry Sand Ice Arena Ltd. and A. Hansen and Sons Construction (Camrose) Ltd. for the amount of \$664,536.00 GST excluded;

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

Carried

- 6.3 Wastewater Manager, dated May 12, 2004 re: Award of Construction Contract TE04-01 – North Rutland Sanitary Sewer Specified Area No. 20 – Zone D, Contract No. 1

Moved by Councillor Horning/Seconded by Councillor Blanleil

R490/04/05/17 THAT the contract for the construction of Sewer Specified Area No. 20 – Zone D, Contract #1 be awarded to Acres Enterprises Ltd. for the amount of \$2,720,274.43 which includes GST;

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

Carried

7. RESOLUTIONS

- 7.1 Draft Resolution re: Approval for Low Level Flights – Talon Helicopters Ltd. (0550-05)

Moved by Councillor Day/Seconded by Councillor Cannan

R491/04/05/17 THAT a letter of support be forwarded to Talon Helicopters Ltd. for low level flights throughout the day for the purpose of filming a promotional video of the Bear and the Quail courses at the Okanagan Golf & Country Club on May 27, 2004, and of the Pinnacle course at Gallaghers Canyon Golf Club on May 28, 2004, subject to authorization from Transport Canada.

Carried

8. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR FIRST THREE READINGS)

- 8.1 Bylaw No. 9227 – Second Hand Dealer and Pawnbroker Regulation Bylaw

Moved by Councillor Cannan/Seconded by Councillor Day

R492/04/05/17 THAT Bylaws No. 9227, 9233, 9241 and 9242 be read a first, second and third time.

Carried

Regular Meeting – P.M.

May 17, 2004

8.2 Bylaw No. 9233 – Road Closure Bylaw – Union Road

See resolution under 8.1 above.

8.3 Bylaw No. 9241 – Amendment No. 7 to Development Application Procedures Bylaw No. 8140

See resolution under 8.1 above.

8.4 Bylaw No. 9242 – MTI New Pawnbroker Bylaw Amendment No. 63

See resolution under 8.1 above.

(BYLAWS PRESENTED FOR ADOPTION)

8.5 Bylaw No. 9237 – Amendment No. 2 to Nuisance Trees & Shrubs Bylaw No. 6469-89

Moved by Councillor Clark/Seconded by Councillor Shepherd

R493/04/05/17 THAT Bylaw No. 9237 be adopted.

Carried

9. COUNCILLOR ITEMS

(a) Women of Distinction Awards

Councillor Shepherd noted that of the 5 recipients of the 2004 Women of Distinction Awards, one was Louise Roberts-Taylor, a staff member at the Parkinson Recreation Centre and the other Beryl Itani, who works on behalf of the region as Emergency Services Coordinator. Council agreed that letters of congratulations be sent from the Mayor to the award recipients.

(b) Downtown Revitalization

Councillor Cannan commented that downtown business owners, particularly those in the Leon/Lawrence Avenue area, are enthused about the recent report from staff regarding improving the downtown alleys, and suggested that in the near future, City staff initiate a workshop with the downtown business owners to further discuss ways of ensuring a vibrant and healthy downtown.

(c) Residential Tenancy Branch - Kelowna

Moved by Councillor Cannan/Seconded by Councillor Shepherd

R494/04/05/17 THAT the Mayor write a letter to the Hon. Rich Coleman, Minister of Public Safety and Solicitor General, expressing concern about the potential closing of the Residential Tenancy Branch in Kelowna.

Carried

Regular Meeting – P.M.

May 17, 2004

10. TERMINATION

The meeting was declared terminated at 2:32 p.m.

Certified Correct:

Mayor

Acting City Clerk

BLH/am