

Regular Meeting – P.M.

October 2, 2006

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, October 2, 2006.

Council members in attendance: Mayor Sharon Shepherd, Councillors A.F. Blanleil, B.A. Clark, C.B. Day, B.D. Given, R.D. Hobson, N.J. Letnick and M.J. Rule.

Council members absent: Councillor C.M. Gran.

Staff members in attendance were: City Manager, R.L. Mattiussi; Deputy City Clerk, S.C. Fleming; Director of Planning & Development Services, M. Pynenburg*; Acting Manager of Development Services, S. Gambacort*; Director of Financial Services, P.A. Macklem*; Acting Revenue Manager, G. King*; Manager of Policy, Research & Strategic Planning, S.K. Bagh*; Planner Specialist, P.J. McCormick*; Manager of Community Development & Real Estate, D. Gilchrist*; Community Planning Manager, T. Eichler*; Manager of Inspection Services, R. Dickinson*; Roads & Equipment Superintendent, D. Beaudry*; Environmental Technician, M. Kam*; and Council Recording Secretary, B.L. Harder.

Guests*: Nancy Holmes, Kelowna Poet; Carmen Lenihan, Crystal Meth Task Force; BC Tree Fruit Growers' Association Vice President Pierre Calissi and Executive Director Sukhdev Goraya; Kyle Hawes, Ecoscape Environmental Consultants.

(* denotes partial attendance)

1. CALL TO ORDER

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

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

3. PUBLIC IN ATTENDANCE

3.1 Nancy Holmes re: Random Act of Poetry

Nancy Holmes, Kelowna Poet:

- Presented the Mayor with a book of her poetry and read one of her poems as a representative for Random Acts of Poetry, a celebration of poetry and literacy, a week long event, October 2-8, 2006 sponsored by the City of Victoria Read Society and the Canada Council for the Arts.

3.2 Carmen Lenihan re: Summary Report – Crystal Meth

Carmen Lenihan, Crystal Meth Task Force:

- The Crystal Meth Task Force was spearheaded by the Living Positive Resource Centre in the spring of 2006.
- Presented a condensed version of what the Task Force has been doing over the past four months and advised that they are now in the process of compiling a final report.
- Outlined how the Task Force proposes to address the three pillars, Education; Enforcement and Treatment, and follow-up to the Treatment pillar.

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- 3.3 Pierre Calissi, Vice President and Sukhdev Goraya, Executive Director, B.C. Tree Fruit Growers' Association re: Tree Fruit Industry Update

Pierre Calissi, Vice President, B.C. Tree Fruit Growers' Association:

- Explained the BCTFG's frustrations with the CAIS program and read a sample letter that the BCTFG would like Council to send to the federal and provincial governments on behalf of the Association.

Moved by Councillor Given/Seconded by Councillor Day

R930/06/10/02 THAT Council receive for information the draft letter provided by the B.C. Fruit Growers' Association to Premier Campbell and Federal Agriculture Minister Strahl saying that the Canadian Agricultural Income Stabilization (CAIS) program to provide disaster funding has failed and our municipality is adversely affected by the failure of the CAIS program, and encouraging them to rectify the situation by making a special payment to the farmers;

AND THAT a letter with similar wording be sent from the Mayor and Council.

Carried

4. NON-DEVELOPMENT APPLICATION REPORTS

- 4.1 Inspection Services Manager, dated September 26, 2006 re: ST06-18 – Application for Stratification of the Multiple Housing Dwelling (5 Unit) at 2124 Pandosy Street

Moved by Councillor Hobson/Seconded by Councillor Blanleil

R931/06/10/02 THAT the application to stratify the 5 unit multiple housing dwelling at 2124 Pandosy Street be approved in the name of Oak Lodge Centre (Wayne Ross) subject to the basement area being returned to storage areas.

Carried

- 4.2 Director of Financial Services, dated September 27, 2006 re: Permissive Tax Exemption – Partnering at Capital News Centre (BL9680; 1970-50)

Moved by Councillor Hobson/Seconded by Councillor Blanleil

R932/06/10/02 THAT Council consider a bylaw under Section 225 of the Community Charter to exempt all areas providing a municipal service in the Capital News Centre at 4105 Gordon Drive from municipal taxation for the period concurrent with the partnering operating agreement with RG Facilities (Mission) Ltd., expiring on December 31st of the taxation year 2028;

AND THAT Council authorize the Mayor and City Clerk to enter into an exemption agreement with RG Facilities (Mission) Ltd. for the period concurrent with the partnering operating agreement, expiring on December 31st of the taxation year 2028.

Carried

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4.3 Director of Financial Services, dated September 27, 2006 re: 2007 Tax Exemption Bylaw No. 9679

Staff:

- Permissive Tax Exemption Policy No. 327 was amended by Council in May 2006 to incorporate changes that were a result of an intense process undertaken by a consultant, staff and the Permissive Exemption Task Force in an effort to level the playing field for applicants.
- Outlined the issues that have come up in applying the new criteria for when eligibility for exemptions would be considered, and advised which organizations are impacted by the changes.
- Advised that Schedule 'A' attached to the staff report needs to be revised to remove item No. 22 (Roll No. 69915 - Foursquare Gospel Church, 375 Leon Ave) - the property has been sold and the building demolished. When the tax exemption bylaw comes forward, the Schedule 'A' attached to the bylaw will not include that property.

Moved by Councillor Hobson/Seconded by Councillor Day

R933/06/10/02 THAT a bylaw under section 220, 224 and 225 of the Community Charter, to provide exemption from taxation for the year 2007, be forwarded for reading consideration;

AND THAT the bylaw include those properties outlined in Appendix E to the report of the Director of Financial Services dated September 27, 2006.

Carried

4.4 Roads & Equipment Superintendent, dated September 26, 2006 re: Appointment of Deputy City Engineer (5400-01)

Moved by Councillor Letnick/Seconded by Councillor Clark

R934/06/10/02 THAT the Roads & Equipment Superintendent be appointed Deputy City Engineer for the purpose of issuing Road Usage Permits under Traffic Bylaw No. 8120;

AND THAT the Traffic Supervisor be appointed Deputy City Engineer for the purpose of issuing Traffic Orders and Road Usage Permits under Traffic Bylaw No. 8120.

Carried

4.5 Roads & Equipment Superintendent, dated September 26, 2006 re: Amendment to Council Policy No. 331 (5400-01)

Moved by Councillor Letnick/Seconded by Councillor Given

R935/06/10/02 THAT Council approve an amendment to Council Policy No. 331, Sidewalk Maintenance and Inspection, as outlined in the report from the Roads & Equipment Superintendent dated September 26, 2006.

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- 4.6 Roads & Equipment Superintendent, dated September 26, 2006 re: Winter Sidewalk Maintenance (5400-01; BL9555; 0550-06)

Moved by Councillor Hobson/Seconded by Councillor Blanleil

R936/06/10/02 THAT Council approve the list of sidewalks to be exempt from Section 2.5.1 of Traffic Bylaw No. 8120;

AND THAT an amendment to Traffic Bylaw No. 8120 to include the list of exempt sidewalks be forwarded for reading consideration;

AND THAT Council Policy 332 "Snow & Ice Control" be amended to provide that the City will be responsible for maintaining the sidewalks listed under the exemption to Section 2.5.1 of Traffic Bylaw No. 8120, as outlined in the report of the Roads & Equipment Superintendent dated September 26, 2006;

AND FURTHER THAT the 2007 Base Budget for snow removal on sidewalks be increased by \$12,927.

Carried

- 4.7 Environment/Solid Waste Manager, dated September 27, 2006 and Ecoscape Environmental Consultants Ltd. re: Sensitive Habitat Inventory and Mapping (SHIM) (5280-14)

Kyle Hawes, Ecoscape Environmental Consultants:

- PowerPoint presentation giving overview of the mapping work that is being done to accurately reflect the location of creeks in Kelowna.

Moved by Councillor Hobson/Seconded by Councillor Rule

R937/06/10/02 THAT Council receive, as information, the Sensitive Habitat Inventory and Mapping overview and presentation.

Carried

- 4.8 Community Planning Manager, dated September 26, 2006 re: Review of Community Planning Function within the Community Development and Real Estate Division of Corporate Services (5080-01)

Moved by Councillor Letnick/Seconded by Councillor Given

R938/06/10/02 THAT Council take the recommendations of the consultant entitled *Defining the City of Kelowna's Role in Social Planning* dated August 2, 2006, under advisement and support the recommendations below, based on the findings of the consultant's report:

AND THAT Council refer the hiring of a Community Development Officer, subject to the parameters defined in this report, to the 2007 budget review process. The community development officer would:

- a. Possess a post-secondary social work or community development diploma or degree;
- b. Report to the Community Planning Manager;
- c. Be required to work with non-profit and social serving agencies and committees operating both within and external to the City structure;
- d. Be pro-active in determining appropriate means of providing community development service to the non-profit and government social-serving sectors;

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AND THAT Council defer any consideration of changing budget allocations to the grant programs administered under Community Planning until a report is received from the contracted grants administration agency (Central Okanagan Foundation);

AND THAT Council direct the Terms of Reference for the Social Planning & Housing Committee be amended in accordance with recommendations No. 1, 2, 4 and 5 of the August 2, 2006 SPARC Report presented to the City, to incorporate the points below, as shown by the changes in the attached revised terms of reference;

- e. Formal appointment of Committee members to represent the City on external community-based committees;
- f. Holding annual community consultations with stakeholders to identify current community priorities;
- g. Preparing annual work plans for projects to be conducted at the committee level, based on community consultation and policy direction;
- h. Providing an annual status report to Council that will include the results of community consultations, corresponding recommended actions and the annual work plans, along with any items that need to be referred to the annual budget review process.

AND THAT an environmental scan process, included as Recommendation 6 in the August 2, 2006 SPARC Report presented to the City, be coordinated with the community consultation to be conducted annually by the Social Planning & Housing Committee;

AND FURTHER THAT Council authorize staff to bring forward the necessary amendments to the Official Community Plan and Zoning By-law to introduce amenity bonusing to achieve community amenities as part of the development process, in response to Recommendations 9 and 11 of the August 2, 2006 SPARC Report presented to the City.

Carried

- 4.9 Director of Planning & Development Services, dated September 27, 2006 re: Funding for Richter Street and Water Street Streetscape Improvements (6530-15)

Moved by Councillor Day/Seconded by Councillor Hobson

R939/06/10/02 THAT Council approve funding of \$324,125 from the Downtown Streetscape Reserve for streetscape enhancements to Richter Street and Water Street as set out in the Planning and Development Services report of September 27, 2006;

AND THAT the 2006 Financial Plan be amended to provide for these expenditures.

Carried

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Staff:

- Pointed out that the schedule provides for both Monday, if required, and Tuesday meetings on August 7th because of the statutory holiday on Monday August 6th.

Moved by Councillor Day/Seconded by Councillor Rule**R940/06/10/02** THAT the 2007 Council Meeting schedule be adopted as follows:

<u>Monday Regular Meetings</u>	<u>Public Hearing/Regular Meetings</u>
January 8, 15, 22 and 29	January 9 and 23
February 5, 12, 19 and 26	February 6 and 20
March 5, 12, 19 and 26	March 6 and 20
April 2, 16, 23 and 30	April 3 and 17
May 7, 14 and 28	May 1, 15 and 29
June 11, 18 and 25	June 12 and 26
July 9 and 23	July 10 and 24
August 7** and 20	August 7** and 21
September 10 and 17	September 4 and 18
October 1, 15, 22 and 29	October 2, 16 and 30
November 5, 19 and 26	November 13 and 27
December 3, 10 and 17	December 11

**August 7 – Also includes morning and afternoon Regular Meetings (in lieu of Monday BC Day holiday) if necessary.

Carried5.2 Draft Resolution re: Cancellation of October 31, 2006 Council Meetings (0570-06)Moved by Councillor Blanleil/Seconded by Councillor Day**R941/06/10/02** THAT the Public Hearing and Regular Meeting scheduled for Tuesday, October 31, 2006 be cancelled.Carried5.3 2007 Budget DiscussionsMoved by Councillor Given/Seconded by Councillor Rule**R942/06/10/02** THAT 2007 budget discussions be on December 20, 2006 with carry over to December 21st if necessary.Carried

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6. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR FIRST THREE READINGS)

- 6.1 Bylaw No. 9680 –Capital News Centre Partnering Tax Exemption Bylaw
requires 2/3 majority vote of Council (6)

Moved by Councillor Given/Seconded by Councillor Letnick

R943/06/10/02 THAT Bylaw No. 9680 be read a first, second and third time.

Carried

- 6.1.1 Bylaw No. 9681 – Road Closure and Removal of Highway Dedication
Bylaw - Chute Lake Road off South Perimeter Way

Moved by Councillor Letnick/Seconded by Councillor Given

R944/06/10/02 THAT Bylaw No. 9681 be read a first, second and third time.

Carried

(BYLAWS PRESENTED FOR ADOPTION)

- 6.2 Bylaw No. 9592 – Road Closure Bylaw – Pandosy Street at Harvey
Avenue

Mayor Shepherd invited anyone in the public gallery who deemed themselves affected by the proposed road closure to come forward. There was no response.

Moved by Councillor Clark/Seconded by Councillor Given

R945/06/10/02 THAT Bylaw No. 9592 be adopted.

Carried

7. COUNCILLOR ITEMS (and Committee Updates)

(a) Westside Governance

Mayor Shepherd made reference to the information package that was hand delivered by The Hon. Minister Rick Thorpe at the September 28, 2006 Westside Governance meeting.

Moved by Councillor Day/Seconded by Councillor Hobson

R946/06/10/02 THAT the information package received from the Provincial Government outlining its offer of assistance if the City of Kelowna boundary was to be expanded to include the Westside electoral area be received;

AND THAT the information be referred to staff to bring forward a process, including a timeframe for an analysis of the formal offer, prior to Council considering its position.

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Councillor Clark commented that the citizens of Kelowna have not been involved in the discussion and may not want to expand the city boundaries. He also noted that some members of Council committed in their election platform that there would be a referendum for the citizens of Kelowna on this question. The City Clerk's Department requires six month's preparation for a referendum. Kelowna voters need to be asked the question before the people on the Westside are asked to decide if they want to join the City.

Moved by Councillor Clark/Seconded by Councillor Hobson

THAT staff be directed to begin plans for a Spring referendum to determine the views of Kelowna voters with respect to potential expansion of the Kelowna boundaries to include the Westside.

The motion generated discussion amongst Council and the consensus was to not take action until the report comes forward from staff.

Moved by Councillor Letnick/Seconded by Councillor Rule

R947/06/10/02 THAT further consideration of the motion to go to referendum on the Westside Governance issue be deferred.

Carried

(b) Next Youth Forum

Councillor Rule advised that the date for the next Youth Forum has been changed to Friday, November 24th. The topic is social issues with a focus on: are young people aware of the services in the community and have we done a good job as a municipality working with them in dealing with those issues. Councillor Rule encouraged Council to drop in the session.

8. TERMINATION

The meeting was declared terminated at 5:00 p.m.

Certified Correct:

Mayor

Deputy City Clerk

BLH/am