

Regular Meeting – P.M.

December 10, 2007

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, December 10th, 2007.

Council members in attendance: Mayor Sharon Shepherd, Councillors Andre Blanleil, Barrie Clark, Colin Day, Brian Given*, Carol Gran, Robert Hobson, Norm Letnick and Michele Rule.

Staff members in attendance were: City Manager, Ron Mattiussi; Deputy City Clerk, Stephen Fleming; Director of Parks Recreation and Cultural Services, David Graham*; Director of Financial Services and Acting Director of Corporate Services, Paul Macklem*; Development Manager, Reid Oddleifson*; Environment and Solid Waste Manager, Mark Watt*; Environmental Technician, Michelle Kam*; Urban Forestry Supervisor, Ian Wilson*; Current Planning Manager, Theresa Eichler*; Inspection Services Manager, Ron Dickinson*; Current Planning Supervisor, Shelley Gambacort*; Financial Planning Manager, Keith Grayston*; Public Art Coordinator, Sandra Kochan*; and Council Recording Secretary, Arlene McClelland.

(* denotes partial attendance)

1. CALL TO ORDER

Mayor Shepherd called the meeting to order at 1:33 p.m.

2. Councillor Rule to check the minutes of the meeting.

3. COMMITTEE REPORTS

31 Mayor's Youth Forum on the Parks and Open Space Presentation

- Youth Forum on Parks and Open Space was a huge success.
- Main suggestions from Forum.
 - Reduce vandalism
 - Light system at night
 - Night park patrol ; video surveillance
 - Locked gates
 - Current service (ie. cleanliness of washrooms) is a concern
- Safety and security large issue
- Next Youth Forum topic is on Arts and Culture, Forum date is May 9, 2008.

Councillor Given joined the meeting at 1:40 p.m.

4. UNFINISHED BUSINESS

4.1 Environment and Solid waste Manager, dated November 27, 2007, re: Pesticide Reduction Strategy Supplementary Report

Moved by Councillor Letnick/Seconded by Councillor Given

THAT Council endorse the "Revised" Option 2 Pesticide Reduction Strategy, as outlined in the Supplementary Report from the Environment and Solid Waste Manager, dated November 27, 2007, including:

- (a) Implementation of a Pesticide Bylaw restricting the use of cosmetic, non-essential pesticides partnered with a comprehensive "Be Pesticide Free" education campaign, with an exemption for certified applicators to continue to use pesticides; and

Regular Meeting – P.M.

December 10, 2007

- (b) A plan that the Kelowna Parks Division will pursue PlantHealth BC accreditation in 2008 and City staff will encourage private industry to also pursue accreditation; and
- (c) Once PlantHealth BC is deemed successful by City staff, an amendment will be recommended to Council in 2008 to require mandatory PlantHealth BC accreditation for all pesticide applicators as part of the Pesticide Bylaw.

Staff:

- Provided a brief Synopsis of Recommendation Option 2.
- Staff revised Option Two with new information brought forward by PlantHealth BC with additional educational and certification levels by a qualified applicator within that realm.

Moved by Councillor Given/Seconded by Councillor Rule

R1152/07/12/10 THAT Council hear speaker, Dr. Kent Mullinix, from PlantHealth B.C.

Carried

Dr. Kent Mullinix:

- PlantHealth BC has a Steering Committee made up of municipal, provincial and federal government entities. PlantHealth BC works for all Pest Management Service Providers. Municipal partnerships are important.
- Service providers are starting their accredited programs.
- Municipality will contribute funds to education and that will be matched through grant funds.
- Broad stakeholder driven endeavor for the best outcomes for communities.

Council:

- Confirmed that presently only one Municipality is on board with PlantHealth BC - the City of Kamloops.
- Concerned raised over PlantHealth BC Audit program.

The motion that was put on the floor at the December 3, 2007 Regular Meeting and deferred was then voted upon.

Moved by Councillor Letnick/Seconded by Councillor Given

R1153/07/12/10 THAT Council endorse the “Revised” Option 2 Pesticide Reduction Strategy, as outlined in the Supplementary Report from the Environment and Solid Waste Manager, dated November 27, 2007, including:

- (a) Implementation of a Pesticide Bylaw restricting the use of cosmetic, non-essential pesticides partnered with a comprehensive “Be Pesticide Free” education campaign, with an exemption for certified applicators to continue to use pesticides; and
- (b) A plan that the Kelowna Parks Division will pursue PlantHealth BC accreditation in 2008 and City staff will encourage private industry to also pursue accreditation; and

Regular Meeting – P.M.

December 10, 2007

- (c) Once PlantHealth BC is deemed successful by City staff, an amendment will be recommended to Council in 2008 to require mandatory PlantHealth BC accreditation for all pesticide applicators as part of the Pesticide Bylaw.

Carried

Opposed – Councillors Day, Gran, Blanleil and Clark

Moved by Councillor Gran/Seconded by Councillor Letnick

R1154/07/12/10 THAT the Mayor send a letter to the Provincial and Federal Ministers of Environment asking for their support on the action City of Kelowna Council has taken regarding Pesticide Reduction Strategy.

Carried

5. DEVELOPMENT APPLICATION REPORTS

- 5.1 Planning & Development Services Department, dated November 29, 2007 re: Rezoning Application No. Z07-0055 – Albert Hardy, Bomar Distributors Inc. and Norcar Enterprises (Norcar Enterprises) – 1030 and 1040 Tataryn Road

Moved by Councillor Hobson/Seconded by Councillor Day

R1155/07/12/10 THAT Rezoning Application No. Z07-0055 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lots A & B, Sec. 22, Twp. 26, O.D.Y.D., Plan KAP85161, located on Tataryn Road, Kelowna, B.C. from the existing RU1 – Large Lot Housing zone to the proposed RU6 – Two Dwelling Housing zone be considered by Council;

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 subsequent to the requirements of the Works & Utilities Department being completed to their satisfaction.

Carried

(b) **BYLAW PRESENTED FOR FIRST READING**

Bylaw No. 9903 (Z07-0055) - Albert Hardy, Bomar Distributors Inc. and Norcar Enterprises (Norcar Enterprises) – 1030 and 1040 Tataryn Road

Moved by Councillor Letnick/Seconded by Councillor Clark

R1156/07/12/10 THAT Bylaw No. 9903 be read a first time.

Carried

Regular Meeting – P.M.

December 10, 2007

- 5.2 Planning & Development Services Department, dated November 29, 2007 re: Rezoning Application No. Z07-0066 – Vic and Denise Clay (Anne Squair) – 1704 Joe Riche Road

Moved by Councillor Hobson/Seconded by Councillor Day

R1157/07/12/10 THAT Rezoning Application No. Z07-0066 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 168, SEC. 18, TWP 27, O.D.Y.D., Plan 24361, located on Joe Rich Road, Kelowna, B.C. from the A1 – Agriculture 1 zone to the A1(s) – Agriculture 1 with Secondary Suite zone be considered by Council;

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

AND THAT the requirements of Works and Utilities will have to be cash commuted.

Carried

(b) **BYLAW PRESENTED FOR FIRST READING**

Bylaw No. 9902 (Z07-0066) - Vic and Denise Clay (Anne Squair) – 1704 Joe Riche Road

Moved by Councillor Clark/Seconded by Councillor Letnick

R1158/07/12/10 THAT Bylaw No. 9902 be read a first time.

Carried

6. **BYLAWS (ZONING & DEVELOPMENT)**

(BYLAWS PRESENTED FOR ADOPTION)

- 6.1 Bylaw No. 9863 (Z07-0061) – Ranjit and Onkar Dhillon (Surej Dhillon) – 456 Stetson Street

Moved by Councillor Letnick/Seconded by Councillor Clark

R1159/07/12/10 THAT Bylaw No. 9863 be adopted.

Carried

- 6.2 Bylaw No. 9883 (HRA07-0001) – Country Cottage Gifts and Décor Ltd. – 763 Bernard Avenue

Moved by Councillor Letnick/Seconded by Councillor Clark

R1160/07/12/10 THAT Bylaw No. 9883 be adopted.

Carried

7. **NON-DEVELOPMENT APPLICATION REPORTS**

- 7.1 Public Art Co-ordinator, dated December 4, 2007 re: Approval of Recommendation to Financial Contribution from Public Art Reserve Fund for Public Art Project at Cardington Apartments

Regular Meeting – P.M.

December 10, 2007

Moved by Councillor Given/Seconded by Councillor Rule

R1161/07/12/10 THAT Council approve a contribution of \$15,000.00 from the Public Art Reserve Fund for the commissioning of a work of public art for the John Howard Society supportive housing project known as Cardington Apartments.

Carried

7.2 City Manager, dated December 5, 2007 re: 2008 Financial Plan

Moved by Councillor Day/Seconded by Councillor Hobson

R1162/07/12/10 THAT Council received the report from the City Manager, dated December 5, 2007, regarding the 2008 Financial Plan as information.

Carried

7.3 Community Planning Manager, dated December 4, 2007 re: Strategy to End and Stop Homelessness

Moved by Councillor Hobson /Seconded by Councillor Rule

R1163/07/12/10 THAT Council consider a supplemental request for up to \$50,000 as part of the 2008 Budget discussions to fund work necessary to prepare a strategy to end and stop homelessness as set out in the report of the Community Planning Manager dated October 31, 2007.

Carried

Opposed – Councillors Clark and Letnick

7.4 Development Manager, Recreation Parks and Cultural Services, dated November 27, 2007 re: Council Policy – Civic Community Facilities Naming Policy

Council:

- Would prefer a RFP process – look at advertising dollars from major advertisers.

Moved by Councillor Blaneil/Seconded by Councillor Letnick?

R1164/07/12/10 THAT staff be directed to bring a revised draft Civic Community Facilities Naming Policy, including the possibility of opportunities for corporate name sponsorships for large civic facilities, back for further consideration;

AND THAT staff be directed to enter into an RFP process to seek corporate sponsorship and naming rights for the Mission Recreation Park Aquatic Facility and report back to Council.

Carried

Opposed – Mayor Shepherd, Councillors Hobson and Rule

Regular Meeting – P.M.

December 10, 2007

- 7.5 Water/Drainage Manager, dated December 3, 2007 re: Award of Cedar Creek Pump Station Construction TE07-14

Moved by Councillor Day/Seconded by Councillor Hobson

R1165/07/12/10 THAT the Contract for the construction of the Cedar Creek Pump station works be awarded to Maple Reinders Inc. for the amount of \$6,456,000.00

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

Carried

- 7.6 Manager of Inspection Services, dated December 5, 2007 re: Mobile Business Licence Bylaw

Council:

- Chamber of Commerce has endorsed a motion to support this bylaw.

Moved by Councillor Letnick/Seconded by Councillor Hobson

R1166/07/12/10 THAT Council receive the report from the Manager of Inspection Services dated November 19, 2007;

AND THAT Council give consideration to Bylaw 9900, a bylaw to enter into a Mobile Business Licence Scheme;

AND FURTHER THAT Council direct staff to report back one year after adoption of the Mobile Business Licence Bylaw regarding the feasibility of a one time equalization distribution between participating Municipalities of net revenues after expenses.

Carried

8. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR FIRST THREE READINGS)

- 8.1 Bylaw No. 9900 – Mobile Business Licence Scheme

Moved by Councillor Blanleil/Seconded by Councillor Clark

R1167/07/12/10 THAT Bylaw No. 9900 be read a first, second and third time.

Carried

- 8.2 Bylaw No. 9904 – Amendment No. 4 to Solid Waste Management Regulation Bylaw No. 9570

Moved by Councillor Blanleil/Seconded by Councillor Clark

R1168/07/12/10 THAT Bylaw No. 9904 be read a first, second and third time.

Carried

Regular Meeting – P.M.

December 10, 2007

8.3 Bylaw No. 9907 – Amendment No. 18 to City of Kelowna Electricity Regulation Bylaw No. 7639

Moved by Councillor Blanleil/Seconded by Councillor Clark

R1169/07/12/10 THAT Bylaw No. 9907 be read a first, second and third time.

Carried

9. COUNCILLOR ITEMS

Mayor Shepherd:

- Staff to Invite representatives of the motor vehicle carrier industry to speak on taxi licences, including whether sufficient licenses have been issued for Kelowna.

10. TERMINATION

The meeting was declared terminated at 5:40 p.m.

Certified Correct:

Mayor

ACM/dld

Deputy City Clerk