

Regular Meeting – P.M.May 5, 2008

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 5<sup>th</sup>, 2008.

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

Council members absent: Councillors Andre Blanleil and Carol Gran.

Staff members in attendance were: City Manager, Ron Mattiussi; Deputy City Clerk, Stephen Fleming; Director of Financial Services/Interim Director of Planning & Development Services, Paul Macklem\*; Director of Recreation, Parks & Cultural Services, David Graham\*; Acting Airport General Manager, Sam Samaddar\*; Fire Chief, Rene Blanleil\*; Communications Manager, Karen Cairns\*; Planner, Danielle Noble\*; Financial Accounting Manager, Jackie Dueck\*; Financial Planning Manager, Keith Grayston\*; Manager, Policy, Research & Strategic Planning, Signe Bach\*; Wastewater Engineer, Joel Shaw\*; Cultural Services & Public Art Coordinator, Sandra Kochan\*; Transportation Manager, Ron Westlake\*; and Council Recording Secretary, Sandi Horning.

(\* denotes partial attendance)

### 1. CALL TO ORDER

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

### 2. Councillor Letnick was requested to check the minutes of the meeting.

Mayor Shepherd advised that Item No. 4.3 on the Agenda will be moved and dealt with under Non-Development Reports as it deals with financial issues.

Mayor Shepherd advised that Fire Chief is in attendance to remind everyone that this is Emergency Preparedness Week.

Fire Chief:

- Advised what activities are being planned for Emergency Preparedness Week and confirmed that there is an open house on Saturday, May 10th at the Main Fire Hall on Enterprise Way from 11:00 am – 3:00 pm.

Emergency Social Services Director, Beryl Itani:

- Updated Council on the recent Emergency Social Services efforts.

### 3. PUBLIC IN ATTENDANCE

#### 3.1 Recipients, Daryle Roberts and Ken Campbell, re: BC Community Achievement Foundation Awards

Mayor Shepherd:

- Congratulated Daryle Roberts and Ken Campbell on their recent BC Community Achievement Foundation Award.

#### 3.2 Emese Szucs, Manager, Accessibility Programs, Social Planning and Research Council of BC, re: Access Awareness Day 2008

Manager, Accessibility Programs, SPARC BC, Emese Szucs:

- Gave a presentation to Council regarding the upcoming Access Awareness Day in BC (June 7, 2008).

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4. COMMITTEE REPORTS

- 4.1 Acting Airport General Manager, Airport Advisory Committee, re: Amendments to Terms of Reference

Moved by Councillor Hobson/Seconded by Councillor Letnick

**R410/08/05/05** THAT Council increase the membership of the Airport Advisory Committee to include a representative from the District of Westside, Westbank First Nations and Tourism Kelowna;

AND THAT the Tourism Kelowna representative for the remainder of this Council term be Mr. Michael J. Ballingall;

AND FURTHER THAT Council adopt the amended Terms of Reference for the Airport Advisory Committee as attached to the report from the Airport General Manager dated April 15, 2008.

Carried

- 4.2 Councillor Given, Rutland Town Centre Strategy Task Force, verbal, re: Two Month Extension of Task Force

Councillor Given:

- Advised that the Task Force's mandate expired on April 30, 2008. A meeting quorum could not be established prior to that date, and therefore, additional time is required to prepare the Task Force's final report to Council.

Moved by Councillor Letnick/Seconded by Councillor Hobson

**R411/08/05/05** THAT Council approve a two (2) month extension to the Terms of Reference of the Rutland Town Centre Strategy Task Force to June 30, 2008.

Carried

- 4.3 Mayor Shepherd, Chair Audit Committee, re: Financial Statements for the Year Ending December 31, 2007

As this Agenda item relates to financial issues, it was dealt with under Non-Development Reports.

5. DEVELOPMENT APPLICATION REPORTS

- 5.1 Planning & Development Services Department, report dated April 8, 2008, re: Rezoning Application No. Z08-0012 - 703941 (Hangingstone Properties/Robert Bennett) - 3665 McCulloch Road (B/L9998)

- (a) Planning & Development Services report dated April 8, 2008.

Moved by Councillor Letnick/Seconded by Councillor Given

**R412/08/05/05** THAT Rezoning Application No. Z08-0012 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of a part of Lot 85, Sec. 3, Twp 26, ODYD, Plan 1247, located on McCulloch Road, Kelowna, B.C., from the A1 – Agriculture 1 zone to the RR3 – Rural Residential 3 zone, as shown on Map “A” attached to the report of Planning & Development Services Department, dated April 8, 2008, be considered by Council;

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AND THAT Rezoning Application No. Z08-0012 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 and South East Kelowna Irrigation District being completed to their satisfaction.

Carried

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

Bylaw No. 9998 (Z08-0012) – 703941 BC Ltd. (Hangingsone Properties/Robert Bennett) - 3665 McCulloch Road

Moved by Councillor Given/Seconded by Councillor Letnick

**R413/08/05/05** THAT Bylaw No. 9998 be read a first time.

Carried

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

**(BYLAWS PRESENTED FOR ADOPTION)**

6.1 Bylaw No. 9923 (Z07-0098) – Dale Riddell, David Bach, Nicole and Jason Marzinzik, Thieu Vu (Jason Marzinzik) – 1859, 1879 and 1891 Marshall Street and 508 Sutherland Avenue and off of Rowcliffe Avenue

Moved by Councillor Letnick/Seconded by Councillor Given

**R414/08/05/05** THAT Bylaw No. 9923 be adopted.

Carried

7. **NON-DEVELOPMENT APPLICATION REPORTS**

4.3 Mayor Shepherd, Chair Audit Committee, re: Financial Statements for the Year Ending December 31, 2007

Moved by Councillor Hobson/Seconded by Councillor Given

**R415/08/05/05** THAT the Statement of Financial Position, Statement of Financial Activities and Auditor's Report, for the City of Kelowna, for the year ending December 31, 2007 be received;

AND THAT Council approves the appropriation of \$1,950,000 of surplus generated from all general fund operations in 2007 to general reserves as detailed in the report from the Mayor dated April 29, 2008;

AND FURTHER THAT the Statement of Financial Position, Statement of Financial Activities and Auditor's Report be reprinted in and form part of the City of Kelowna's annual report.

Carried

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## Staff:

- Provided details regarding the final budget figures and advised that a breakdown of the "Allocation of Tax Dollars" will be provided to the public with the 2008 Tax Notices.
- Provided Council with a new Schedule 7 as the previous Schedule contained the "provisional" budget information, which has now been updated to contain the "final" budget impacts.

## Council:

- Expressed a concern that the 10 Year Capital Plan should be reviewed during the next DCC discussion.
- Expressed a concern that the final budget for 2008 already has an impact on the 2009 budget.
- Expressed a concern regarding the escalating infrastructure deterioration and the cost to replace it.

## Staff:

- Advised that the 10 Year Capital Plan and the 10 Year Servicing Plan will be brought forward to Council very shortly for review. Staff will also be providing Council with comments regarding Bill 27.
- Confirmed that all pertinent information will be brought forward to Council regarding the cost to replace infrastructure deterioration.
- Reviewed the Final Budget Submissions.
- Ensured Council that if any further budgetary funds are required, staff will come back with an amendment to the Final Budget as all of the Bylaws have been produced based on the Final Budget data currently before Council.

Moved by Councillor Letnick/Seconded by Councillor Given**R416/08/05/05** THAT Council adopt the 2008-2012 Financial Plan;

AND THAT Council approve the formulation of 2008 Property Tax Rates that will raise the required funds in 2008, from General Taxation, of \$88,503,000, resulting in an average net property owner impact of 5.66%;

AND FURTHER THAT Bylaw No. 9991 to adopt the 2008-2012 Financial Plan, Bylaw Nos. 9992 and 9993 to adopt the 2008 Tax Rates and Bylaw Nos. 9996 and 10000 to adopt the Reserve Fund Expenditures be advanced for further reading consideration by Council.

Carried7.2 Manager, Policy/Research/Strategic Planning, dated April 28, 2008, re: Budget Funding for Downtown Plan

## Council:

- Expressed a concern regarding the density and height profile for the entire downtown area.
- Would like to see some continuity with the proposed CD zone and the Downtown Plan.
- Considers the Official Community Plan review as staff's first priority.

## Staff:

- Unable to provide Council with the potential cost to develop the Downtown Plan at this time and would require a couple of weeks before staff could report back to Council on cost estimates.

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- It is likely to be 5 or 6 months before a consultant could be engaged and a report brought back to Council for consideration.

City Manager:

- Reminded Council that the Downtown Plan was initiated by the Downtown Centre Strategy Task Force as a planning guide for developing the downtown area. It was not meant to be a full review of the Downtown Plan and the Official Community Plan needs to be reviewed prior to a Downtown Plan being finalized.
- Advised Council that the appropriate time to make any decision with respect to the CD zone (agree to it or defer it pending receipt of additional information) would be when the Report to Council is brought forward for consideration.

Moved by Councillor Hobson/Seconded by Councillor Day

**R417/08/05/05** THAT Council receive the April 28, 2008 report from Planning and Development Services Department for information;

AND THAT Council direct staff to identify costs and resources to allow for further exploration of densities and building heights within the Downtown area covered by C7 zoning in light of other initiatives, priorities and resources.

Carried

7.3 Wastewater Engineer, dated April 23, 2008, re: WWTF Stage 2 Phase 1 Upgrade - Effluent Filter Construction

Moved by Councillor Letnick/Seconded by Councillor Day

**R418/08/05/05** THAT the Contract for construction of the Kelowna Wastewater Treatment Facility (WWTF) Effluent Filters be awarded to Maple Reinders Inc. for the amount of \$2,088,450 which includes GST (that will be fully rebated) and \$150,000 contingency.

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

Carried

7.4 Cultural Services Manager, dated April 30, 2008, re: Professional Arts Grants Recommendations

Moved by Councillor Rule/Seconded by Councillor Hobson

**R419/08/05/05** THAT City Council approves grants of \$20,000 to the Alternator Gallery, \$25,000 to Ballet Kelowna and \$50,000 to the Okanagan Symphony funded from the 2008 Cultural Services budget for Professional Arts organizations.

Carried

7.5 Public Art Coordinator, dated April 21, 2008, re: Approval of 2008 Community Public Art Project

Moved by Councillor Hobson/Seconded by Councillor Letnick

**R420/08/05/05** THAT Council approve a Community Public Art Project award of \$6,500 to Central Okanagan Science Opportunities for Kids Society (SOKS) for their collaborative art project titled 'Kelowna Waterscapes;'

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AND THAT Cultural Services staff be authorized to enter into a standard form Memorandum of Understanding governing the project.

Carried

8. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

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

8.1 Bylaw No. 9991 - Five Year Financial Plan 2008-2012

Moved by Councillor Clark/Seconded by Councillor Rule

**R421/08/05/05** THAT Bylaw No. 9991 be read a first, second and third time.

Carried

8.2 Bylaw No. 9992 - Tax Structure Bylaw, 2008

Moved by Councillor Clark/Seconded by Councillor Rule

**R422/08/05/05** THAT Bylaw No. 9992 be read a first, second and third time.

Carried

8.3 Bylaw No. 9993 - Annual Tax Rates Bylaw, 2008

Moved by Councillor Clark/Seconded by Councillor Rule

**R423/08/05/05** THAT Bylaw No. 9993 be read a first, second and third time.

Carried

8.4 Bylaw No. 9996 - Development Cost Charge Reserve Fund Expenditure Bylaw, 2008

Moved by Councillor Clark/Seconded by Councillor Rule

**R424/08/05/05** THAT Bylaw No. 9996 be read a first, second and third time.

Carried

8.5 Bylaw No. 10000 - Sale of City-Owned Land Reserve Fund Expenditure Bylaw 2008

Moved by Councillor Clark/Seconded by Councillor Rule

**R425/08/05/05** THAT Bylaw No. 10000 be read a first, second and third time.

Carried

Regular Meeting – P.M.May 5, 2008**(BYLAWS PRESENTED FOR ADOPTION)**8.6 Bylaw No. 9972 - Sterile Insect Release Program Parcel Tax Bylaw 2008Moved by Councillor Day/Seconded by Councillor Hobson**R426/08/05/05** THAT Bylaw No. 9972 be adopted.Carried8.7 Bylaw No. 9997 - Road Name Change - Portion of Clifton RoadMoved by Councillor Hobson/Seconded by Councillor Day**R427/08/05/05** THAT Bylaw No. 9997 be adopted.Carried9. COUNCILLOR ITEMS

Councillor Given left the meeting at 4:18 p.m.

Mayor Shepherd advised that the Transportation Manager is in attendance to address Council regarding the communication plan for the east approach to the new W.R. Bennett Bridge.

## Staff:

- Advised that the lead agency is the Ministry of Transportation.
- Advised that City staff met with Ministry staff on April 30, 2008 to coordinate contractor activities.
- Advised that the City of Kelowna and the Ministry of Transportation's coordinated communications activities include:
  - o Drive Kelowna website updates;
  - o Advertisements placed in both local new papers and on Castanet;
  - o Ministry of Transportation notifications to media outlets; and
  - o An electronic sign board on Abbott Street at Leon Avenue advising people of the new approach.
- Advised joint press releases will be coordinated in the future.

10. TERMINATION

The meeting was declared terminated at 4:27 p.m.

Certified Correct:\_\_\_\_\_  
Mayor

SLH/dld

\_\_\_\_\_  
Deputy City Clerk