

Special MeetingSeptember 2, 2008

A Special Meeting of the Municipal Council of the City of Kelowna was held in Meeting Room No. 3, 1435 Water Street, Kelowna, B.C., on Tuesday, September 2<sup>nd</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: Acting City Manager, John Vos; City Clerk, Stephen Fleming; Licence and Bylaw Enforcement Supervisor, Al Dixon, and Council Recording Secretary, Sandi Horning.

Guest: City Solicitor, Barry Williamson.

(\* denotes partial attendance)

1. CALL TO ORDER

Mayor Shepherd called the special meeting to order at 9:15 a.m.

2. Councillor Day to check the minutes of the special meeting.

3. REPORTS

- 3.1 Licence and Bylaw Enforcement Supervisor, dated July 12, 2008, re:  
Revocation of Business Licence No. 62769 Okanagan Jewelry and Loans

Staff:

- Advised that staff have checked the Council Chamber to see if Mr. Martinez was waiting down in the foyer and confirmed that the Council Chamber was empty.
- Advised that phone calls were placed to Mr. Martinez's business and home phone numbers, but there was no answer.

City Solicitor:

- Advised that even though Mr. Martinez is not in attendance, he was notified of the meeting date and time.
- Explained that the hearing was originally scheduled for August 19<sup>th</sup>, however, Mr. Martinez requested that the meeting be rescheduled as his wife was pregnant and her due date was August 19<sup>th</sup>. Therefore the September 2<sup>nd</sup> date was chosen.
- Advised that Mr. Martinez' was representing himself with respect to this hearing.

City Clerk:

- Advised that Council is functioning in a quasi-judicial manner with respect to this hearing.
- Confirmed that the hearing can proceed in Mr. Martinez' absence as he has received sufficient notice of today's meeting.

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City Solicitor:

- Reviewed the Licence and Bylaw Enforcement Supervisor's letter to Mr. Martinez dated July 2, 2008.
- Reviewed the reporting pattern of the pawn shop and advised Council of its inconsistencies.

Staff:

- To the best of staff's knowledge, Mr. Martinez does not own any other business within the City of Kelowna.

Council:

- Patrons of the pawnshop should be given an opportunity to redeem any items in the store prior to the business being shut down.

Moved by Councillor Hobson/Seconded by Councillor Given

**S774/08/09/02** THAT City Council uphold the revocation of Business Licence No. 62769 for Okanagan Jewelry and Loans (also known as Cassiar Pawnshop);

AND THAT Okanagan Jewelry and Loans (also known as Cassiar Pawnshop) be given an opportunity, satisfactory to the City's Licence and Bylaw Enforcement Supervisor, for the recovery of customers' goods to be completed by September 16, 2008.

Carried4. TERMINATION

The special meeting was declared terminated at 9:45 a.m.

Certified Correct:


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 Mayor

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 City Clerk

/slh