

Regular Meeting – P.M.May 4, 2009

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 4th, 2009.

Council members in attendance: Mayor Sharon Shepherd, Councillors Andre Blanleil*, Robert Hobson, Charlie Hodge, Graeme James, Angela Reid*, Michele Rule and Luke Stack*.

Council members absent: Councillor Brian Given.

Staff members in attendance were: City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; General Manager, Corporate Sustainability, Paul Macklem*; Director, Land Use Management, Shelley Gambacort*; Supervisor, Urban Land Use, Danielle Noble*; Fire Chief, Rene Blanleil*; Assistant Fire Chief, Jason Brolund*; Director, Financial Services, Keith Grayston*; Manager, Building Services, Martin Johansen*; Director, Design & Construction Services, Bill Berry*; Manager, Transportation Services, Dale Beaudry*; Manager, Integrated Systems, Mark Watt*; Parks, Beaches & Sports Fields Supervisor, Ted Sophonow*; Financial Accounting Manager, Angie Thiessen*; Manager, Park Services, Ian Wilson*; Director, Infrastructure Planning, Randy Cleveland*; and Council Recording Secretary, Sandi Horning.

(* denotes partial attendance)

1. CALL TO ORDER

Mayor Shepherd called the meeting to order at 1:37 p.m.

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

3. PUBLIC IN ATTENDANCE

3.01 Chief Blanleil, re: Emergency Preparedness Week

Councillor Blanleil joined the meeting at 1:39 p.m.

Staff:

- Gave a presentation to Council regarding Emergency Preparedness Week and the Regional Emergency Program.

4. DEVELOPMENT APPLICATION REPORTS

Mayor Shepherd advised that Items 4.03 and 4.04 have been deferred to the May 25, 2009 Council meeting as there were development signage issues.

4.01 Community Sustainability Division, dated April 23, 2009, re: Rezoning Application No. Z09-0001 – Randy Mosher & Ashley Hager (Randy Mosher) – 1025 Thompson Road (BL 10196)

(a) Community Sustainability Division report dated April 23, 2009.

Moved by Councillor Hodge/Seconded by Councillor Stack

R529/09/05/04 THAT Rezoning Application No. Z09-0001 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, Section 22, township 26, O.D.Y.D., Plan 21501, located on Thompson Road, Kelowna, B.C. from the RU1- Large Lot Housing zone to the RU1(s) – Large Lot Housing with a Secondary Suite zone be considered by Council;

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

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

Bylaw No. 10196 (Z09-0001) – Randy Mosher & Ashley Hager (Randy Mosher) – 1025 Thompson Road

Moved by Councillor Blanleil/Seconded by Councillor Reid**R530/09/04/05** THAT Bylaw No. 10196 be read a first time.Carried

4.02 Community Sustainability Division, dated April 16, 2009, re: Rezoning Application No. Z09-0022 – Gordon & Susan Hammond (Gordon Hammond) – 1861 High Road (BL 10197)

(a) Community Sustainability Division report dated April 16, 2009.

Moved by Councillor Hodge/Seconded by Councillor Hobson

R531/09/05/04 THAT Rezoning Application No. Z09-0022 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, Section 29, Township 26, ODYD, Plan KAP84163, located at 1861 High Road, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the RU1(s) – Large Lot Housing with Secondary Suite zone be considered by Council;

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

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

Bylaw No. 10197 (Z09-0022) – Gordon & Susan Hammond (Gordon Hammond) – 1861 High Road

Moved by Councillor Reid/Seconded by Councillor Blanleil**R532/09/04/05** THAT Bylaw No. 10197 be read a first time.Carried

4.03 Community Sustainability Division, dated April 24, 2009, re: Development Permit Application No. DP08-0234 – City of Kelowna (Philip Macdonald Architect) – 2955 Pandosy Street

This item has been deferred to the May 25, 2009 Council Meeting.

4.04 Community Sustainability Division, dated April 24, 2009, re: Development Permit Application No. DP09-0015 – City of Kelowna (Philip Macdonald Architect) – 330, 340, 352 Boyce Crescent and 1757 Water Street

This item has been deferred to the May 25, 2009 Council Meeting.

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- 5.01 Manager, Building Services, Verbal Report, re: Renovation of the Guisachan House

Staff:

- Gave a presentation to Council regarding the renovation of the Guisachan House.

- 5.02 City Manager, dated April 27, 2009, re: 2009 Financial Plan – Final Budget

Staff:

- Reviewed the individual Final Budget requests.

Moved by Councillor Hobson/Seconded by Councillor Stack**R533/09/05/04** THAT Council adopt the 2009-2013 Financial Plan;

AND THAT Council approve the formulation of 2009 Property Tax Rates that will raise the required funds in 2009, from General Taxation, of \$90,050,000, resulting in an average net property owner impact of 3.49%;

AND FURTHER THAT bylaw 10189 to adopt the 2009-2013 Financial Plan, bylaw's 10190 & 10191 for the 2009 Tax Rates and bylaw's 10192 & 10193 for the Reserve Fund Expenditures be advanced for reading consideration by Council.

Carried

- 5.03 Director, Design & Construction Services, dated April 27, 2009, re: 2009 Sewer Rates

Moved by Councillor Hodge/Seconded by Councillor Rule**R534/09/05/04** THAT Council receive the Report dated April 27, 2009 from the Director of Design & Construction Services;

AND THAT Bylaw No. 10147 being Amendment No. 28 to Sewerage System User bylaw No. 3480 be forwarded to Council for reading consideration;

AND FURTHER THAT Bylaw No. 10195 being Amendment No. 6 to Sewer Service Parcel Tax Bylaw No. 8924 be forwarded to Council for reading consideration.

Carried

- 5.04 Manager, Transportation Services, dated April 29, 2009, re: Purchase of Backhoe

Moved by Councillor Hodge/Seconded by Councillor Blanleil**R535/09/05/04** THAT Council receives, for information, the report of the Transportation Services Manager dated April 29, 2009 with respect to purchasing a replacement backhoe;

AND THAT the 2009 Financial Plan be amended to include \$94,000 for this purchase, with funding from the Equipment Replacement Reserve.

Carried

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- 5.05 Park Operations Supervisor, dated April 27, 2009, re: T09-034 North and South Glenmore Parks Maintenance Contract

Moved by Councillor Hodge/Seconded by Councillor Rule

R536/09/05/04 THAT Council accept for information the April 27, 2009 report of the Park Operations Supervisor;

AND THAT a contract for the operation and maintenance of the Glenmore area be awarded to Sierra Landscaping Ltd at a cost of \$702,873 (excluding GST) for a period of three years, with the option for an additional two one-year extensions.

Carried

- 5.06 Project Manager, Integrated Systems, dated April 29, 2009, re: Solid Waste Management – Automated Curbside and Yard Waste Program Update

Staff:

- Provided an update with respect to the Automated Curbside and Yard Waste Program.

Council:

- Expressed a concern that the yard waste containers are not large enough to accommodate the average residence.
- As the public is in a transitional period with respect to yard waste pick up, extra yard waste pick ups may be required for this year.
- Raised concerns about the communication of public information with respect to this program.

Staff:

- Would like some time to research the viability of additional yard waste containers for each residence. Confirmed that something could be put in place, but not until the Fall.

Regional District of Central Okanagan, Waste Reduction Supervisor, Peter Rotheisler:

- Commented on how the new system was introduced to the public.
- Advised that the Regional District is currently monitoring the yard waste pick ups.
- Advised that the public can visit the Regional Waste Reduction website in order to obtain information regarding the automated curbside and yard waste program.
- Advised that a Spring Yard Waste Pick Up was not conducted anywhere within the Regional District.
- Advised that the public can request additional yard waste pick up tags by phoning OK Environmental Waste at 250 868-3211 or by visiting OK Environmental Waste at their Richter Street location.

Moved by Councillor James/Seconded by Councillor Hobson

R537/09/05/04 THAT Council receive, for information, the Report from the Infrastructure Project Manager dated April 29, 2009 with respect to the Automated Curbside and Yard Waste Program.

AND THAT staff provide a service use report on the Yard Waste program in the Fall, 2009;

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AND FURTHER THAT staff report to Council on the full cost of “user pay” alternatives to increase yard waste services in the Fall, 2009.

CarriedMayor Shepherd and Councillor Hodge – Opposed.

- 5.07 City Clerk, dated April 27, 2009, re: Amendments to Council Procedure Bylaw No. 9200

Staff:

- Provided details of the proposed amendments to Council Procedure Bylaw No. 9200.

Moved by Councillor Hodge/Seconded by Councillor Hobson

R538/09/05/04 THAT Bylaw No. 10157, Amendment No. 3 to Council Procedure Bylaw No. 9200 be advanced for reading consideration;

AND THAT notice of the amendment be given in accordance with Section 94 of the *Community Charter*.

Carried

6. RESOLUTIONS

- 6.01 Draft Resolution, dated April 29, 2009, re: Official Community Plan Bylaw Amendment Application No. OCP07-0037 and Rezoning Application No. Z07-0107 – FortisBC (New Town Planning Services Inc.) – 3550 Lochrem Road

Councillor Reid declared a conflict of interest as she has a business relationship with the applicant and left the meeting at 3:56 p.m.

Councillor Stack declared a conflict of interest as the organization he is affiliated with has a business relationship with the applicant’s representative and left the meeting at 3:56 p.m.

Moved by Councillor James/Seconded by Councillor Hodge

R539/09/05/04 THAT the Public Hearing for OCP Bylaw Amendment Application No. OCP07-0037 and Rezoning Application No. Z07-0107 be reconvened on May 19, 2009 for further consideration.

Carried

Councillors Reid and Stack rejoined the meeting at 3:58 p.m.

7. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

(BYLAW PRESENTED FOR AMENDMENT AT THIRD READING)

- 7.01 Bylaw No. 10183 – Housing Agreement Authorization Bylaw – Mode Properties Ltd. – 1550 Dickson Avenue

Moved by Councillor James/Seconded by Councillor Hodge

R540/09/04/05 THAT Bylaw No. 10183 be amended at third reading by changing the legal descriptions of Strata Lots 38, 39, 40, 41 and 62, DL 141,

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ODYD, Plan _____ to Strata Lots 38, 39, 40, 41 and 62, DL 141, ODYD, Strata Plan KAS3658.

Carried

(BYLAWS PRESENTED FOR FIRST THREE READINGS)

7.02 Bylaw No. 10147 – Amendment No. 28 to Sewerage System User Bylaw No. 3480

Moved by Councillor Hodge/Seconded by Councillor Rule

R541/09/04/05 THAT Bylaw No. 10147 be read a first, second and third time.

Carried

7.03 Bylaw No. 10157 – Amendment No. 3 to Council Procedure Bylaw No. 9200

Moved by Councillor Hodge/Seconded by Councillor Rule

R542/09/04/05 THAT Bylaw No. 10147 be read a first, second and third time.

Carried

7.04 Bylaw No. 10189 – Five Year Financial Plan 2009-2013

Moved by Councillor Hodge/Seconded by Councillor Rule

R543/09/04/05 THAT Bylaw No. 10189 be read a first, second and third time.

Carried

7.05 Bylaw No. 10190 – Tax Structure Bylaw, 2009

Moved by Councillor Hodge/Seconded by Councillor Rule

R544/09/04/05 THAT Bylaw No. 10190 be read a first, second and third time.

Carried

7.06 Bylaw No. 10191 – Annual Tax Rates, 2009

Moved by Councillor Hodge/Seconded by Councillor Rule

R545/09/04/05 THAT Bylaw No. 10191 be read a first, second and third time.

Carried

7.07 Bylaw No. 10192 – Development Cost Charge Reserve Fund Expenditure Bylaw, 2009

Moved by Councillor Hodge/Seconded by Councillor Rule

R546/09/04/05 THAT Bylaw No. 10192 be read a first, second and third time.

Carried

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- 7.08 Bylaw No. 10193 – Sale of City-Owned Land Reserve Fund Expenditure Bylaw, 2009

Moved by Councillor Hodge/Seconded by Councillor Rule**R547/09/04/05** THAT Bylaw No. 10193 be read a first, second and third time.Carried

- 7.09 Bylaw No. 10195 – Amendment No. 6 to Sewer Service Parcel Tax Bylaw No. 8924

Moved by Councillor Hodge/Seconded by Councillor Rule**R548/09/04/05** THAT Bylaw No. 10195 be read a first, second and third time.Carried**(BYLAWS PRESENTED FOR ADOPTION)**

- 7.10 Bylaw No. 10188 – Amendment No. 1 to Five Year Financial Plan 2008-2012 Bylaw No. 9991.

Moved by Councillor Rule/Seconded by Councillor Hodge**R549/09/05/04** THAT Bylaw No. 10188 be adopted.Carried**8. MAYOR & COUNCILLOR ITEMS**

- 8.1 Mayor Shepherd, re: “Spirit of Kelowna” Acknowledgment

Mayor Shepherd:

- Advised that Nicole Kleemaier as the latest recipient of the “Spirit of Kelowna Acknowledgement”. Ms. Kleemaier was one of the organizers that brought a European custom to our City called “Glenmore Footprint Days”. Over a period of four (4) days, children, parents, neighbours and staff all walked a different route of 5 km and there was approximately 266 attendees. Ms. Kleemaier was a leader in the organization of the event, but it took many others in the school, including, Principal, John McMahan, the Parents Advisory Committee and corporate supporters.

Councillor Rule:

- Advised that the Mayor’s Youth Forum on “Healthy Living” is scheduled for this Thursday, May 7th at the Parkinson Recreation Centre.
- Reminded everyone that “Bike to Work/School Week” is next week.

Councillor Stack:

- Advised that he has been approached about bringing a “Trash to Treasure” event to Kelowna.

Moved by Councillor Stack/Seconded by Councillor Reid**R550/09/05/04** THAT staff report back to Council on the feasibility of implementing a one (1) day “Trash to Treasure” event annually in the City of Kelowna.Carried

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Mayor Shepherd:

- Advised that she will be circulating the Poverty Reduction Plan for BC report so that Council can consider forwarding a letter to the Premier requesting that a Poverty Action Plan be implemented for the Province of British Columbia.

9. TERMINATION

The meeting was declared terminated at 4:18 p.m.

Certified Correct:

Mayor

City Clerk

SLH/dld