

**City of Kelowna  
Regular Council Meeting  
AGENDA**



Monday, April 27, 2015  
9:00 am  
Knox Mountain Meeting Room (#4A)  
City Hall, 1435 Water Street

	Pages
1. Call to Order	
2. Confirmation of Minutes	2 - 3
Regular AM Meeting - April 20, 2015	
3. Reports	
3.1 Council Participation at May Days Parade, Verbal Report, Parks Services Manager	15 m
To obtain direction from Council regarding future participation in the parade.	
3.2 Supreme Court of Canada Decision - Prayer at Council Meetings	60 m      4 - 5
To provide Council with information regarding a recent Supreme Court of Canada decision regarding prayer at Council meetings.	
4. Resolution Closing Meeting to the Public	
THAT this meeting be closed to the public pursuant to Section 90(1) (j) and of the <i>Community Charter</i> for Council to deal with matters relating to the following:	
• Third Party Information	
5. Adjourn to Closed Session	
6. Reconvene to Open Session	
7. Issues Arising from Correspondence & Community Concerns	
7.1 Mayor Basran, re: Issues Arising from Correspondence	30 m
8. Termination	



## City of Kelowna Regular Council Meeting Minutes

Date: Monday, April 20, 2015  
 Location: Knox Mountain Meeting Room (#4A)  
 City Hall, 1435 Water Street

Council Members Present: Mayor Colin Basran and Councillors Maxine DeHart, Ryan Donn, Gail Given, Tracy Gray, Charlie Hodge, Brad Sieben, Mohini Singh and Luke Stack

Staff Present: City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Urban Planning Manager, Ryan Smith\*; and Legislative Systems Coordinator, Sandi Horning

(\* denotes partial attendance)

### 1. Call to Order

Mayor Basran called the meeting to order at 9:02 a.m.

### 2. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Gray

R285/15/04/20 THAT the Minutes of the Regular AM Meeting of April 13, 2015 be confirmed as circulated.

Carried

### 3. Reports

#### 3.1 Development Planning

Staff:

- Displayed a PowerPoint presentation summarizing the Kelowna Model for processing development applications and responded to questions from Council.
- Displayed the City's website and demonstrated the e-Subscribe process as well as the 'Current Developments' webpage.

**Council:**

- Had a discussion regarding the City's previous Advisory Planning Commission and process.
- Had a discussion regarding the placement of development application signage.
- Requested a further planning-related workshop to discuss the following:
  - o Development Cost Charges (DCC's);
  - o Amenity contributions;
  - o Micro-suites;
  - o Parking
  - o RU7 zoning; and
  - o "It's Your Neighbourhood" signage.

**3.2 Engage Policy and Program**

**Mayor Basran:**

- Confirmed that, due to the time, this item has been deferred to a later date.

The meeting recessed at 11:30 a.m. The meeting reconvened at 11:37 a.m.

**4. Resolution Closing the Meeting to the Public**

Moved By Councillor Singh/Seconded By Councillor DeHart

**R286/15/04/20** THAT this meeting be closed to the public pursuant to Section 90(1) (i), (j) and (k) of the *Community Charter* for Council to deal with matters relating to the following:

- Legal Advice;
- Third Party Information; and
- Provision of a Municipal Service.

Carried

**5. Adjourn to Closed Session**

The meeting adjourned to a closed session at 11:37 a.m.

**6. Reconvene to Open Session**

The meeting reconvened to an open session at 12:38 p.m.

**7. Issues Arising from Correspondence & Community Concerns**

**7.1 Mayor Basran, re: Issues Arising from Correspondence**

Mayor Basran advised that he did not have anything to raise with Council.

**8. Termination**

The meeting was declared terminated at 12:38 p.m.

\_\_\_\_\_  
Mayor

/slh

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City Clerk

# Report to Council



**Date:** April 27, 2015  
**File:** 0600-10  
**To:** City Manager  
**From:** City Clerk  
**Subject:** Supreme Court of Canada Decision - Prayer at Council Meetings

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## **Recommendation:**

THAT Council receives for information the report from the City Clerk dated April 27, 2015 with respect to Supreme Court of Canada - Prayer at Council Meetings

## **Purpose:**

To provide Council with information regarding a recent Supreme Court of Canada decision regarding prayer at Council meetings.

## **Background:**

The practice of having a prayer recited at Council meetings originated in January 1956 following the election of Mayor James Ladd. The practice stopped in 1994 and was reinstated in 2000, with the prayer becoming part of the Tuesday evening regular meeting agenda. Prayers are recited by individual members of Council, who may recite one of the existing 26 prayers or one of their own choosing.

The Supreme Court of Canada [SCC] in its decision on *Mouvement laïque québécois v. Saguenay (City)* SCC 16, concluded that the state must maintain a strict neutrality in religious matters and can neither favour nor hinder any particular belief (including non-belief). The SCC found reciting a prayer at or before a Council meeting is a breach of the state's duty of neutrality, and that historical tradition is not a valid reason to continue doing so. As a result of this decision, municipal councils across Canada that include a prayer before or during a Council meeting are reviewing their procedures.

Council directed staff to provide information regarding options for their consideration:

### Option 1

Suspend the recital of a prayer at Tuesday evening regular meetings.

This option would ensure Council is compliant with the SCC decision.

Option 2

Continue with the recital of a prayer at Tuesday evening regular meetings. Note non-denominational prayers were still considered by the SCC to be religious in nature.

Council would be continuing with a practice the SCC has determined is contrary to law. The City would be open to legal challenge. A challenge could be made at either the Supreme Court of BC, or to the BC Human Rights Tribunal. Multiple challenges could be made to either or both bodies, although there is some question whether such a complaint would fall under the BC Human Rights Tribunal's jurisdiction.

Option 3

Replace the prayer with a moment of personal silent reflection at Tuesday evening regular meetings.

This option provides for individual silent prayer to any deity or deities of a person's choice, while also providing an opportunity for others to reflect in any secular manner as they see fit.

**Internal Circulation:**

City Manager  
Divisional Director Communication & Information Services  
Divisional Director Corporate & Protective Services  
City Solicitor

**Legal/Statutory Authority:**

*Community Charter* section 124 requires Council to adopt a bylaw establishing rules of procedure for council meetings.

**Existing Policy:**

*Council Procedure Bylaw No. 9200* section 5.4 states a prayer shall be one of the items on the Tuesday Regular Meeting agenda.

**Considerations not applicable to this report:**

**Legal/Statutory Procedural Requirements:**

**Personnel Implications:**

**Financial/Budgetary Considerations:**

**External Agency/Public Comments:**

**Communications Comments:**

**Alternate Recommendation:**

Submitted by:

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Stephen Fleming, City Clerk

Approved for inclusion: