Minutes

Regular Council Meeting
held at City of Penticton Council Chambers
171 Main Street, Penticton, B.C.

Monday, February 2, 2015
Following the Public Hearing at 6:00 p.m.

Present: Mayor Jakubeit
          Councillor Sentes
          Councillor Konanz
          Councillor Sayeed
          Councillor Martin
          Councillor Watt
          Councillor Picton

Staff: Annette Antoniak, City Manager
       Chuck Loewen, General Manager Recreation Services
       Dana Schmidt, Corporate Officer
       Colin Fisher, Chief Financial Officer
       Blake Laven, Planning Manager
       Mitch Moroziuik, Director of Operations
       Simone Blais, Communications Officer
       Angie Collison, Deputy Corporate Officer

1. Call to Order

   The Mayor called the Regular Council meeting to order at 6:39 p.m.

2. Introduction of Late Items

3. Adoption of Agenda

   106/2015
   It was MOVED and SECONDED
   THAT Council adopt the agenda for the Regular Council meeting held on February 2, 2015 as presented.

   CARRIED UNANIMOUSLY

4. Adoption of Minutes

   4.1 Minutes of the January 19, 2015 Committee of the Whole

   107/2015
   It was MOVED and SECONDED
   THAT Council receive the minutes of the January 19, 2015 Committee of the Whole as circulated.

   CARRIED UNANIMOUSLY
4.2 Minutes of the January 19, 2015 Public Hearing

108/2015

It was MOVED and SECONDED
THAT Council receive the minutes of the January 19, 2015 Public Hearing as circulated.

CARRIED UNANIMOUSLY

4.3 Minutes of the January 19, 2015 Regular Council Meeting

109/2015

It was MOVED and SECONDED
THAT Council adopt the minutes of the January 19, 2015 Regular Council Meeting as circulated.

CARRIED UNANIMOUSLY

4.4 Minutes of the January 26, 2015 Special Committee of the Whole Meeting

110/2015

It was MOVED and SECONDED
THAT Council receive the minutes of the January 26, 2015 Special Committee of the Whole Meeting as circulated.

CARRIED UNANIMOUSLY

5. Presentations

5.1 RDOS 2015 Goals and Objectives and Budget Presentation – Sandy Croteau

Sandy Croteau, presented Council with the Regional District of Okanagan-Similkameen 2015 Goals and Objectives and Budget.

6. Delegations

6.1 Rotary Mental Wellness Initiative – Brian Hughes

Brian Hughes, Penticton Rotary Club, provided Council with an update regarding the two year initiative with School District #67 to improve mental wellness in our area and will be hosting a TED Talk on February 17, 2015.

6.2 Three Mile Beach – Cary Pinkowski

Cary Pinkowski, Pierre Laqueque and Matt Fraser, residents of Three Mile Beach area, provided Council with their concerns regarding nudists at Three Mile Beach. They believe that there is more than nude sunbathing taking place and would like to see the City implement a bylaw fine similar to that imposed by the City of Victoria.

7. Reconsideration of Bylaws and Permits

7.1 Corry Place Local Area Service Bylaw No. 2014-51
Re: Certificate of Sufficiency

111/2015

It was MOVED and SECONDED
THAT Council receive the Certificate of Sufficiency for “Corry Place Local Area Service Bylaw No. 2014-51”;
AND THAT Council give third reading to “Corry Place Local Area Service Bylaw No. 2014-51”.

CARRIED UNANIMOUSLY

7.2 Zoning Amendment Bylaw No. 2015-02
Re: 96 Yorkton Avenue

112/2015

It was MOVED and SECONDED
THAT Council postpone reading Zoning Amendment Bylaw No. 2015-02 up to 60 days to allow the proponent of 96 Yorkton Avenue an opportunity to consult with the neighbourhood.

CARRIED
Councillors Martin and Konanz, Opposed

7.3 Zoning Amendment Bylaw No. 2015-04
Re: 739 Birch Avenue

113/2015

It was MOVED and SECONDED
THAT Council give second and third reading to “Zoning Amendment Bylaw No. 2015-04”.

CARRIED UNANIMOUSLY

7.4 Irrigation, Sewer and Water Amendment Bylaw No. 2015-05
Re: Service Connections

114/2015

It was MOVED and SECONDED
THAT Council adopt “Irrigation, Sewer and Water Amendment Bylaw No. 2015-05”.

CARRIED UNANIMOUSLY

7.5 Credit Card Processing Fees Bylaw No. 2015-07

115/2015

It was MOVED and SECONDED
THAT Council adopt “Credit Card Processing Fees Bylaw No. 2015-07”.

CARRIED UNANIMOUSLY

7.6 Five Year Financial Plan Bylaw No. 2015-08

116/2015

It was MOVED and SECONDED
THAT Council adopt “Five Year Financial Plan Bylaw No. 2015-08”.

CARRIED
Councillor Konanz, Opposed

8. Staff Reports

8.1 Development Variance Permit PL2014-112
Re: 760 Bird Street

Delegations/Submissions: Nil
117/2015

It was MOVED and SECONDED
THAT Council approve “Development Variance Permit PL2014-112”, for Lot A, District Lots 202 and 249, Similkameen Division Yale District, Plan KAP85080, located at 760 Bird Street, a permit to decrease the minimum rear yard setback from 6.0m to 4.5m and to decrease the interior side yard (south) setback from 1.5 meters to 1.0 meters, in order to place a manufactured home on the property;

AND THAT staff be directed to issue “Development Variance Permit PL2014-112”.

CARRIED UNANIMOUSLY

8.2 ALR Exclusion PL2014-107
Re: 4203 Valleyview Road

118/2015

It was MOVED and SECONDED
THAT Council support “ALR Exclusion PL2014-107”, for that part of Block 237 outlined red on Plan B4253; District Lot 190, Similkameen Division Yale District, Plan 466 Except Plans 6527, 11149 and KAP92940, located at 4203 Valleyview Road, an ALR Exclusion intended to remove a rocky, non-arable section of land from the ALR;

AND THAT staff are directed to forward the application to the Agricultural Land Commission (ALC) with support for their consideration and approval.

CARRIED UNANIMOUSLY

8.3 New Non-Exclusive Licence to Use – Penticton Disc Golf Club
Re: 1400 Riddle Road

119/2015

It was MOVED and SECONDED
THAT Council authorize a new Licence to Use Agreement with the Penticton Disc Golf Club (PDGC) a non-profit Society, over a +27 ac. portion of 1400 Riddle Road (also known as Three Blind Mice) with a legal description of DL 392s to formalize the current use of an existing Disc Golf Course on the property and to allow improvements and development of the course for a period of 5 years, beginning March 1, 2015 at a rate of $250.00 per year;

AND THAT the standard administration fee of $250 be waived for the Penticton Disc Golf Club Licence to Use.

CARRIED UNANIMOUSLY

8.4 Letter of Support to the Okanagan Similkameen Conservation Alliance

120/2015

It was MOVED and SECONDED
THAT Council support the Okanagan Similkameen Conservation Alliance’s (OSCA) application to the Okanagan Basin Water Board (OBWB) for funding from the Water Conservation and Quality Improvement Grant.

CARRIED UNANIMOUSLY

8.5 Building Canada – Small Communities Grant Application Revised

121/2015

It was MOVED and SECONDED
THAT Council rescind Council Resolution 521/2014, see Attachment “A”;
AND THAT Council support an application to the Building Canada – Small Communities Grant program for the upgrading of Main Street from Lakeshore Drive to Nanaimo Avenue;

AND THAT the City's portion of the project costs be funded from Water Capital, Electrical Capital, Local Improvement Charges and General Capital;

AND FURTHER THAT the Director of Operations, Mitch Morozuiuk and the Chief Financial Officer, Colin Fisher, be authorized to sign the Certification Form for the grant application.

CARRIED UNANIMOUSLY

8.6 Utility Rate Review – Electrical, Sanitary and Water

122/2015

It was MOVED and SECONDED

THAT Council approve the expenditure of $60,000 for a water, sewer and electrical Utility Rates Review for 2015;

AND THAT the Utility Rates Review be funded with $30,000 of Sewer Capital Reserves, $15,000 of Water Capital Reserves and $15,000 of Electric Capital Reserves; AND THAT Staff bring forward amendments to the 2015 Financial Plan Bylaw No. 2015-08 as soon as practicable.

CARRIED

Councillor Konanz, Opposed

8.7 OCP Amendment Bylaw No. 2015-09

Re: Amend Schedule 'F' Trails and Cycling Network

123/2015

It was MOVED and SECONDED

THAT prior to consideration of Bylaw 2015-09 and in accordance with Section 879 of the Local Government Act, that Council consider whether early and on-going consultation, in addition to the required Public Hearing, is necessary with:

1. One or more persons, organizations or authorities;
2. The Regional District of Okanagan Similkameen;
3. Local First Nations;
4. School District #67; and
5. The provincial or federal government and their agencies

AND THAT it is determined that the Public Hearing is sufficient consultation;

AND THAT Council amend Official Community Plan Bylaw 2002-20 to reflect work completed on the Trail and Cycling Network and to make small changes to improve safety;

AND THAT "OCP Amendment Bylaw 2015-09", be introduced and given first reading;

AND THAT "OCP Amendment Bylaw No. 2015-09" be forwarded to the February 16, 2015 Public Hearing.

CARRIED UNANIMOUSLY
8.8 Quarterly Update for period ending December 31, 2014
Re: October 1 – December 31, 2014

124/2015

It was MOVED and SECONDED
THAT Council receive the quarterly update on Council strategic priorities and staff departmental work plans for the period of Oct. 1 to Dec. 31, 2014, for information.

CARRIED UNANIMOUSLY

9. Correspondence

9.1 Canadian Union of Postal Workers
Re: Request for Support to Save Canada Post

125/2015

It was MOVED and SECONDED
THAT Council receive the correspondence dated January 15, 2015 from Canadian Union of Postal Workers requesting support to save Canada Post.

CARRIED UNANIMOUSLY

126/2015

It was MOVED and SECONDED
THAT Council send a letter to MP Dan Albas expressing concerns with Canada Post community mailboxes and the loss of door to door services.

CARRIED
Councillors Picton, Martin, Konanz, Opposed

10. Committee and Board Reports

11. Notice of Motion

12. Other Business

13. RDOS Update

14. Business Arising from In-Camera

15. Media and Public Question Period

16. Adjournment

127/2015

It was MOVED and SECONDED
THAT Council adjourn the Regular Council meeting held on Monday, February 2, 2015 at 9:12 p.m.

CARRIED UNANIMOUSLY

Certified correct:

[Signature]
Dana Schmidt
Corporate Officer

Confirmed:

[Signature]
Andrew Jakubeit
Mayor