

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

Monday, January 12, 2015
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
Shawn Filice, Manager of Electric Dept.
Simone Blais, Communications Officer
Angie Collison, Deputy Corporate Officer

1. Call to Order

The Mayor called the Regular Council meeting to order at 6:00 p.m.

2. Introduction of Late Items

3. Adoption of Agenda

73/2015

It was MOVED and SECONDED

THAT Council adopt the agenda for the Regular Council meeting held on January 12, 2015 as presented.

CARRIED UNANIMOUSLY

4. Adoption of Minutes

4.1 Minutes of the December 8, 2014 Special Council Meeting

74/2015

It was MOVED and SECONDED

THAT Council adopt the minutes of the December 8, 2014 Special Meeting of Council as circulated.

CARRIED UNANIMOUSLY

4.2 Minutes of the December 10, 2014 Special Council Meeting

75/2015

It was MOVED and SECONDED

THAT Council adopt the minutes of the December 10, 2014 Special Council Meeting as circulated.

CARRIED UNANIMOUSLY

4.3 Minutes of the December 15, 2014 Committee of the Whole Meeting

76/2015

It was MOVED and SECONDED

THAT Council receive the minutes of the December 15, 2014 Committee of the Whole Meeting as circulated.

CARRIED UNANIMOUSLY

4.4 Minutes of the December 15, 2014 Public Hearing

77/2015

It was MOVED and SECONDED

THAT Council receive the minutes of the December 15, 2014 Public Hearing as amended.

CARRIED UNANIMOUSLY

4.5 Minutes of the December 15, 2014 Regular Council Meeting

78/2015

It was MOVED and SECONDED

THAT Council adopt the minutes of the December 15, 2014 Regular Council Meeting as circulated.

CARRIED UNANIMOUSLY

4.6 Minutes of the December 16, 2014 Special Council Meeting

79/2015

It was MOVED and SECONDED

THAT Council adopt the minutes of the December 16, 2014 Special Council Meeting as circulated.

CARRIED UNANIMOUSLY

4.7 Minutes of the December 17, 2014 Special Council Meeting

80/2015

It was MOVED and SECONDED

THAT Council adopt the minutes of the December 17, 2014 Special Council Meeting as circulated.

CARRIED UNANIMOUSLY

5. Presentations

5.1 Certificate of Commendation – Curtis Gibbons

On behalf of the Governor General of Canada, Council presented Firefighter Curtis Gibbons with a certificate of commendation for his act of bravery.

6. Delegations

7. Reconsideration of Bylaws and Permits

- 7.1 Phase 1 – Main Street Local Area Service Bylaw No. 2014-42
Re: Street Improvement 100 – 200 Block Main Street

81/2015

It was MOVED and SECONDED

THAT Council adopt "Phase 1 – Main Street Local Area Service Bylaw No. 2014-42".

CARRIED UNANIMOUSLY

- 7.2 Fees and Charges Amendment Bylaw No. 2015-01
Re: Electrical Rates

82/2015

It was MOVED and SECONDED

THAT Council adopt "Fees and Charges Amendment Bylaw No. 2015-01".

CARRIED

Councillor Konanz, Opposed

8. Staff Reports

- 8.1 Section 57 Notice on Title and Injunctive Action
Re: 890 Three Mile Road

Delegations/Submissions: Richard Giles, representing owner, presented Council with a power point presentation, does not agree with Section 57 process or staff decision to proceed with this action.

83/2015

It was MOVED and SECONDED

THAT Council resolve to place a Notice on Title under Section 57 of the *Community Charter* with respect to contraventions of the City of Penticton Building Bylaw 94-45 on Lot 04, District Lot 199 SDYD, Plan 7508 located at 890 Three Mile Road, stating the following:

"Failure to obtain a Building Permit (retaining) for earthworks, which is a violation of City Building Bylaw 94-45, Part 9.1(r) and failure to complete a building permit under Part 13.3 for an addition and retaining wall."

AND THAT further injunctive action be commenced by staff within 120 days of Section 57 Notice on Title being registered if no building permit is issued and/or geotechnical covenant registered on title.

DEFEATED

Mayor Jakubeit, Councillors Watt, Picton, Sayeed, Konanz, Martin, Sentes, Opposed

84/2015

It was MOVED and SECONDED

THAT Council grant the owner of 890 Three Mile Road 60 days to allow for a geotechnical assessment and/or building permit to address the situation and to close the old permit, failing this, a Section 57 will be registered on title.

CARRIED

Councillor Martin, Opposed

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

85/2015

It was MOVED and SECONDED

THAT "Zoning Amendment Bylaw No. 2015-02" being a bylaw to amend City of Penticton Zoning Bylaw 2011-23 by adding Section 10.1.3.5 "In the case of Lot 1, District Lot 189 Similkameen Division Yale (Formerly Yale-Lytton) District, Plan 18867, located at 96 Yorkton Avenue, a day care centre, major shall be permitted", be introduced, read a first time and forwarded to the February 2, 2015 Public Hearing.

CARRIED UNANIMOUSLY

8.3 Fees and Charges Amendment Bylaw No. 2015-03

86/2015

It was MOVED and SECONDED

THAT Council read "Fees and Charges Amendment Bylaw No. 2015-03" a first, second and third time.

CARRIED UNANIMOUSLY

9. Correspondence

9.1 Okanagan Fest-of-Ale

Re: Request for letter of endorsement for 20th Annual Okanagan Fest-of-Ale

87/2015

It was MOVED and SECONDED

THAT Council send a letter of endorsement for the 20th Annual Okanagan Fest-of-Ale, April 10 and 11, 2015.

CARRIED UNANIMOUSLY

9.2 Okanagan Nation Alliance

Re: Request for resolution supporting grant application to the OBWB-WCQI

88/2015

It was MOVED and SECONDED

THAT Council support the grant application submitted by the Okanagan Nation Alliance to OBWB – Water Conservation and Quality Improvement Grant for environmental monitoring during the construction works in the Penticton Channel.

CARRIED UNANIMOUSLY

10. Committee and Board Reports

10.1 Penticton Creek Restoration Select Committee of December 15, 2014

89/2015

It was MOVED and SECONDED

THAT Council receive the minutes of the Penticton Creek Restoration Select Committee meeting of December 15, 2014.

CARRIED UNANIMOUSLY

11. Notice of Motion

Councillor Konanz will be putting forward a notice of motion requesting Council direct staff to base the 2016 budget on the wholesale power purchase level from FortisBC.

- 12. **Business Arising from In-Camera**
- 13. **Media and Public Question Period**
- 14. **Adjournment**

90/2015

It was MOVED and SECONDED

THAT Council adjourn the Regular Council meeting held on Monday, January 12, 2015 at 8:13 p.m.

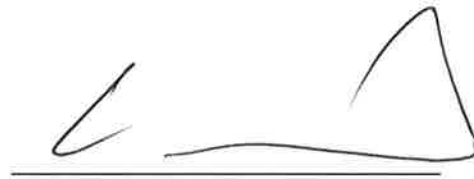
CARRIED UNANIMOUSLY

Certified correct:



Dana Schmidt
Corporate Officer

Confirmed:



Andrew Jakubeit
Mayor