

Special Meeting of Council
held in City of Penticton, Council Chambers
171 Main Street, Penticton, B.C.

Monday, June 29, 2015
at 6:00 p.m.

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

Staff: Mitch Moroziuk, Acting City Manager
Dana Schmidt, Corporate Officer
Jules Hall, Director of Development Services
Colin Fisher, Chief Financial Officer
Simone Blais, Communications Officer
Lori Mullin, Acting General Manager Recreation Services
Angie Collison, Deputy Corporate Officer

1. Call to Order

Mayor Jakubeit called the Special Meeting of Council to order at 6:02 p.m.

2. Adoption of Agenda

346/2015

It was MOVED and SECONDED

THAT Council adopt the agenda for the June 29, 2015 Special Meeting of Council as presented.

CARRIED UNANIMOUSLY

3. Skaha Marina and Waterpark Development:

3.1 Update from Acting City Manager/Director of Operations

Mr. Moroziuk provided Council with an overview of the project and the public consultation undertaken by Trio Marine Group to date.

3.2 Update from Trio Marine Group

Tom Dyas, on behalf of Trio Marine Group, provided Council with an update on the favorable responses they have received via social media, online, Seniors Centre, Dragon Boat groups and Farmer's Market.

3.3 Public Comments (3 minutes maximum)

- Susan and Brian Gayle, concerned with exclusivity clause; have a paddle boarding business at Skaha beach.
- Phil Cove, South Main Street, opposed to use of park land for private profit, waterslide does not have to be in beautiful park.
- Lila Parsons, Edgewood Drive, opposed, don't have enough parks already, suggested PIB land for waterslides.
- Stan Petrov, Kaleden, concerned about water quality.
- Dorothy Tinning, Wiltse Place, Skaha Lake park always welcoming, high use and issue of sustainability and free public park use for all, we need to reduce parking lot in park boundaries, not increase, need social gathering places, remain environmentally responsible, public opinion needs to be sought through survey of all residents.
- Harvey Quamme, Russet Drive, well used space, premier park of Penticton, worried about loss of 26% of green space, 86 signatures on hard copy, online petition 428.
- Gordon Neish, Stuart Crescent, oppose park land lease to private for profit, opposition to phase 1 is minimal.
- Jake Kimberly, Lakeshore Drive, intent was to expand Skaha park, has Council checked experience of the group investors, asked for legal opinion.
- Mr. Denton, oppose development, Water slide and water park great idea, something the community needs, this is the wrong location, water slides is a standalone operation, short sighted move, support marina enhancement.
- Barry Salaberry, Sandbridge, use park every day, document is extensive, not capable of understanding legal jargon, what experience do they (Trio) have. Lease fees, doesn't seem like a lot of money for what they are getting.
- Darryl Asheman, Lakeside Road, support all comments made, Council bought those properties for park, 8ft fences around water park not a pretty picture.
- Doreen Olsen, Kaleden, opposed to proposal, public parks meant to be free to everyone, no to commercial venture, little time for public to be informed, will more boats affect success of sockeye? Water quality, suggest city wide survey.
- Judy Brock, didn't know it (June 29th Meeting) included a vote, park part of regional growth strategy that was done, came through and put into bylaw by every city council and community, to ensure the health of eco systems.
- Rick Zubly, Sandstone Drive, elected new council for positive change, new floating water park was packed, more parks than taxpayers can take care of, this is great.
- Dennis O'Gorman, Farrell Street, voted for sustainable change, deal done with no meaningful input, why remove green space for boat parking? Beer and wine element possible? There are alternative waterslide locations.
- Gary Zavonaveck, West Kelowna, research demographic of area, purpose of this park is for kids, giving teens something to do, what is the future of the city, what will attract, positive, bring in tourist, revenue for city, give kids somewhere to go.
- Jennifer Taylor, Vice President, Chamber Commerce, spoke in support on behalf of the Chamber of Commerce.

- Tom Sidon, Area D, RDOS Director, property owner in Penticton, surprise no discussion of potential impact on water quality on Skaha Lake, west and east and southern shore drink water from that lake, salmon back recently because of efforts of ONA and PIB, where is water for waterslide coming from? Discharge? Need environmental impact study, federal government put in money for brake waters, consider public trust, Penticton well endowed with shoreline, recommend option four, would like to discuss this at the RDOS.
- Richard, small business owner, have to look to future, new family will have fun at the park, in Montreal built a water park, eastern township built waterslide, big success, revitalized the surrounding area, will bring small businesses money.
- John Bayer, North Vancouver, represent young families that consider moving to this area, look at this from tourism perspective, don't see anything wrong with trying to drive that from Vancouver.
- Glen Sinclair, Skaha Lake Road, number of my questions have been answered, where ever you build the water park you will have construction jobs, approve pub and restaurant, marina needs upgrading.
- Elaine Vonck, Finerty Road, against phase two of Skaha lake development, 55+ residents, doubtful you will see us slide down slides, now a safe and enjoyable park, proposed water slide use where splash pad use, splash pad in safe spot now, shady trees will be gone, should be more public consultation for drastic change to area, doubtful will be a viable business, negative change for citizens and visitors alike.
- Lorraine Stephanson, Farrell Street, Vancouver sun article reads what families want is simple, disturbed to hear Chamber comments, hope not going to chip away at parks for development, have waterslides on private land, PIB if interested, don't approve the waterslide development.
- Nelson Meikle, Coleman Street, EOI, water park nothing stated, restaurant and marina upgrades, got data from Trio Marina Group, asked where the money coming from? Calgary oil fields? Better make sure big bond posted by this group.
- John Anderson, South Main, hear going to lose 26% of park, we are going to lose 50% or more of park, I voted for this council, trusted you to use wisdom carefully, turning Penticton into small Kelowna, want a peaceful life.
- Lynn Crasweller, Atkinson Street, all pensioners do not want to sit on the bench, a water slide would be something would like to use, but don't want to look at for ten months un-used, we had two waterslides? Are they financially viable? Lots of questions, not against the whole plan.
- Sonia Quamme, provided petition, need relaxation, did you run in this election on Skaha Lake proposal, Trio could buy land adjacent to park for water park and mini golf.
- Gerry Gilligan, Penticton Ave, waterpark, if proves unprofitable, will Trio be given opportunity to repurpose site, tear down and return site to city? Not allowed to repurpose site in current agreement, should not give away public property for private profit.
- Susan Tinning, Skaha Lake Road, not against development in Penticton, thoughtful and sustainable around Skaha Lake in interest of residents, tourist and taxpayers alike, removal of public park land, paid for by taxpayers, shortage of parkland, city can't afford to buy new parkland, transfer to private interest long term lease is not consistent with what the city has recognized.
- Louise Stenberg, support previous speaker, use park everyday year round, fitness area, when look across the lake lovely, worst thing is to destroy the view.
- Kevin Harvey, Finerty Road, thank you to council and mayor for looking after city, everybody agree marina needs upgrades, leave park green, place put aside for public use.

- Jim Beattie, Scott Avenue, not sure marina should be upgraded until neighbourhood consulted, water quality, fish, presumptuous without consulting with RDOS, consultation hasn't been adequate, agreement speaks to revenue sharing formula, not a contribution, city is sharing revenue, compromises position when dependent on resources of this endeavor and public space taken away, put on hold until full consultation with citizens of Penticton.
- Diana Sterling, Riddle Road, chair of Tourism Penticton, owner of Loco Landing park, Skaha plans well received by Tourism Board, we are in favour of supporting master plan. This is something we have been needing in Penticton for years, trying to create experience that wows. Additional things that people can do with their families, will have an impact on our tourism sector, need to do more to attract and retain families in our town, this will do that.
- Mr. Singh, owner of hotel on Skaha Lake, wouldn't want to live anywhere else, this is the best for Penticton, concerned about environment, still going to have splash park, more for families, opportunity in Penticton, businesses rely on tourists.
- Hanna Highland, Elm Ave, save our park, provides us with something we all need, a place of rest and relaxation, deal with stress and raising families, haven of rest, refreshment.
- Patti Quinn, Yorkton Ave, went to waterslide, spent our time on beaches, go to Loco Landing once a year, its not built on the beach, lot of tax payers in this town on lower or fixed income that can't afford on regular basis so they utilize beaches, build waterslide anywhere but on the park, look at lower income families that use beaches.
- Jake Kimberly, Lakeshore Drive, not one person has been opposed to business development in this community, opposed to building on public land, walkway on Okanagan has more draw than waterslide, gas line that runs through property, heard lease issue, if business fails - once courts have decided guess who takes over, owner of land takes over, process flawed because no investigation to see if developer has funds, we never promote that we are one of the two cities of the world that have two lakes on either end of the city.
- Glen Sinclair, Skaha Lake Road, if you have it guaranteed banks will go to the wall for you, why isn't business coming together to put in a slide? Why partnering now?
- Dennis O'Gorman, not in support of putting it in swamp land, memories and experience and fun, don't pick parkland for a location as it's not required.
- Nelson Meikle, what about 20 year lease, what is reasonable, EOI should be revisited, could be two or three parties out there that are interested.
- Jim McMannon, Skaha Estates, have visited for 30 summers, use both lakes, world class is something this city needs, everybody is getting older, pro-business, in favor of doing it right, moved here because coming here for 30 years, not recommending saturate with thousands of boats, we don't look like a world class city without a proper marina, services need to be there, can't get boat serviced in Penticton, hope theses services are coming.
- Lila Parsons, surprised this started in May 2013, water park never in the newspaper, would like marina fixed up with restaurant and other stuff, water slide needs chance for people of Penticton to vote on that.
- Harvey Quamme, Russet Drive, would like to leave website up (petition against), up to 428 people have visited site and left signature, would like to leave up and active as long as issue is ongoing, if haven't signed, do so and we will continue to see how many people support the issue of green space in Skaha park.

- Tom Dyas, on behalf of Trio, addressed excessive boat traffic, province follows formula, met with province and met that formula, will not allow us to step outside that area. Water quality, part of world water park association, watch how treat water, filtration system like pool, trapped and reused again, extremely efficient. Not requesting zoning change, area is zoned for amusement and recreational use. All beaches remain open to public and full public use. Working with family that owned previous water park. Evasive mussel species, worked on federal and provincial policy that took it forward. Boat repairs at marina, interim lease allows us to operate marina until structure longer lease, have done a lot down there, fixing restaurant, existing building, wasn't in the best shape, operational this week, along with marine rentals, will look at repairs if something that the city wants in that area. How we would surround park, make park as easy to view (attractive) inside and out. Environment as green as possible, cannot build on gas line, marina forecasts were looked at for number of slips, rentals, one calculation, straight forward.
- Gary Denton, Kendall Crescent, water parks are good just not there.
- John Anderson, Caldwell Estates, predict five councillors will be in favor and two against.
- Gerry Gilligan, Penticton Ave, traffic on highway, build it there and lease land from PIB.
- Brian Baldwin, Winnipeg Street, will the developer build somewhere else?
- Lynn Crassweller, Atkinson Street, check with Vernon waterslide, might be more indicative to our area.

The meeting recessed at 8:59 p.m. and reconvened at 9:08 p.m.

4. Staff Reports:

4.1 Skaha Marina Area Development Agreements

347/2015

It was MOVED and SECONDED

THAT Council receive this report for information;

AND THAT Council after:

- Reviewing the Amended Skaha Marina – Marina Development Agreement, contained in Attachment "A" to this Council Report;
- Reviewing the Amended Skaha Marina – Waterpark Development Agreement, contained in Attachment "B" to this Council Report;
- Listening to citizen comment regarding the proposed marina and waterpark development.

Select the following alternative:

THAT Council authorize the Mayor and Corporate Officer to execute the Amended Skaha Marina – Marina Development Agreement and the Amended Skaha Marina – Waterpark Development Agreement as contained in Attachment "A" and "B".

CARRIED

Mayor Jakubeit and Councillor Sayeed, Opposed

348/2015

It was MOVED and SECONDED

THAT Council direct that 100% of the revenue share from the Skaha Marina Development be reserved for future park acquisition.

CARRIED UNANIMOUSLY

4.2 Fees and Charges Amendment Bylaw No. 2015-34

349/2015

It was MOVED and SECONDED

THAT Council give first, second and third reading to "Fees and Charges Amendment Bylaw No. 2015-34", a bylaw to amend Appendix 7 of Fees and Charges Bylaw No. 2014-07 to address a housekeeping issue related to the Credit Score Requirements for the Electrical Service Payment Plan to set a separate credit score for individuals and businesses;

AND THAT Council amend the Electrical Service Payment Plan by removing Section 2 and replacing it with the following:

2. The Participant must meet the following eligibility requirements:
 - Must be for a new or an upgrade to an Electrical Service;
 - Minimum amount eligible for Payment Plan is \$5,000;
 - Maximum amount eligible for Payment Plan is \$50,000
 - Must be a City of Penticton Electric Utility customer;
 - Must have a credit score of: 650 or greater for an individual, or less than 25 for a business;
 - Must have a maximum of 19 City of Penticton Utility Credit Point;
 - The customer must own both the land and building where the service is required.

CARRIED UNANIMOUSLY

4.3 Street Naming Bylaw No. 2015-36

Re: Road being created by the subdivision of 2750 Cedar Road

350/2015

It was MOVED and SECONDED

THAT Council give first reading to "Street Naming Bylaw 2015-36", a bylaw to name the new road created by the subdivision of 2750 Cedar Road "Avery Place".

CARRIED
Councillor Sayeed, Opposed

4. Media and Public Question Period

5. Adjournment

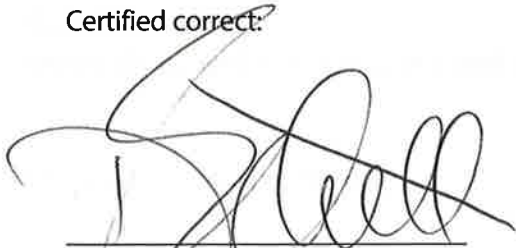
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It was MOVED and SECONDED

THAT Council adjourn the Special Meeting of Council held on Monday, June 29, 2015 at 10:20 p.m.

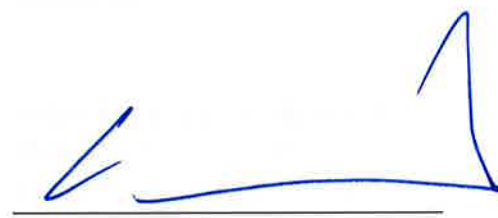
CARRIED UNANIMOUSLY

Certified correct:



Dana Schmidt
Corporate Officer

Confirmed:



Andrew Jakubeit
Mayor