

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

Tuesday, April 16, 2019
at 1:00 p.m.

Present: Mayor Vassilaki
Councillor Bloomfield
Councillor Kimberley
Councillor Regehr
Councillor Robinson
Councillor Sentes
Councillor Watt

Staff: Donny van Dyk, Chief Administrative Officer
Angie Collison, Corporate Officer
Jim Bauer, Chief Financial Officer (left the meeting at 5:08 p.m.)
Anthony Haddad, Director of Development Services
Mitch Moroziuk, General Manager of Infrastructure (left at 5:08 p.m.)
Bregje Kozak, Director Recreation & Facilities (left the meeting at 5:08 p.m.)
Caitlyn Anderson, Deputy Corporate Officer

1. Call to Order

The Mayor called the Regular Council Meeting to order at 1:02 p.m.

2. Introduction of Late Items

3. Adoption of Agenda

It was MOVED and SECONDED

209/2019 THAT Council adopt the agenda for the Regular Council Meeting held on April 2, 2019 as presented.

CARRIED UNANIMOUSLY

4. Recess to Committee of the Whole

Council recessed to a Committee of the Whole Meeting at 1:02 p.m.

5. Reconvene the Regular Council Meeting

Council reconvened the Regular Council Meeting at 3:37 p.m.

6. Adoption of Minutes:

6.1 Minutes of the April 2, 2019 Regular Meeting of Council

210/2019

It was MOVED and SECONDED

THAT Council adopt the minutes of the April 2, 2019 Regular Meeting of Council as presented.

CARRIED UNANIMOUSLY

7. Consent Agenda:

211/2019

It was MOVED and SECONDED

THAT Council approve the Consent Agenda.

CARRIED UNANIMOUSLY

8. Committee and Board Reports:

9. Correspondence:

9.1 City of Maple Ridge – Request for Resolution and Letter to Premier Horgan

212/2019

It was MOVED and SECONDED

THAT Council pass the following resolution and send a letter to Premier Horgan and the Union of BC Municipalities (UBCM):

WHEREAS the Community Charter acknowledges that municipalities and their Councils are “democratically elected, autonomous, responsible and accountable”; require the authority to determine the public interest of their communities; and the Local Government Act grants local governments the powers and flexibility required to fulfill their purpose and respond to the needs of their communities;

AND WHEREAS the Ministry of Municipal Affairs & Housing has taken unilateral action in Maple Ridge that undermines the jurisdiction of the Council of the City of Maple Ridge to determine and represent the public interest of this community, setting a dangerous precedent that jeopardizes the autonomy of all local governments in British Columbia in representing the interests of their communities through fair and accountable public process; *THEREFORE BE IT RESOLVED* that the City of Penticton urges the Province of British Columbia to commit to work in collaboration with local governments within the bounds of their respective jurisdictions on all current and future projects of mutual concern to local governments and the Provincial Government.

CARRIED UNANIMOUSLY

10. Staff Reports:

10.1 Tax Rate Bylaw No. 2019-11

213/2019

It was MOVED and SECONDED

THAT Council give first, second and third reading to “Tax Rates Bylaw No. 2019-11”, a bylaw that establishes property taxation rates for the 2019 tax year.

CARRIED UNANIMOUSLY

10.2 Billing Policy Update – Electric, Water and Sewer Utilities

214/2019

It was MOVED and SECONDED

THAT Council approve the amended Billing Policy, a policy that provides direction on billing practices for the electric, water, and sewer utility services.

CARRIED UNANIMOUSLY

10.3 RCMP Report - Gang Activity, Drug Enforcement and the *Community Safety Act*

215/2019

It was MOVED and SECONDED

THAT Council receive into the record the report titled "Gang Activity, Drug Enforcement and the Community Safety Act";

AND THAT Council send a letter of support for Bill 13-2019 Community Safety Amendment Act, 2019 to Honourable Mike Farnworth, Minister of Public Safety and Solicitor General.

CARRIED UNANIMOUSLY

10.4 Signing officers and banker for 2019 and subsequent years

216/2019

It was MOVED and SECONDED

THAT Council approve signing authorities at VALLEY FIRST CREDIT UNION as follows:

A Signers

- Donny van Dyk, Chief Administrative Officer
- Jim Bauer, Chief Financial Officer
- Angela Campbell, Controller
- Wes Renaud, Budget Analyst

B Signers

- John Vassilaki, Mayor
- Julius Bloomfield, Councillor
- Jake Kimberley, Councillor
- Frank Regehr, Councillor
- Katie Robinson, Councillor
- Judith Sentes, Councillor
- Campbell Watt, Councillor

Signing officers for memberships 727214 and 1319244 (City of Penticton) will be for the calendar year ended December 31, 2019 and subsequent years until changed.

AND THAT Council approve:

- Agnieszka Artymowicz, Director of Finance, South Okanagan Events Centre
- Dean Clarke, General Manager, South Okanagan Events Centre
- Kevin Webb, SOEC Director of Events, South Okanagan Events Centre
- Mary Richards, PTCC Director of Sales, Penticton Trade and Convention Centre
- Donny van Dyk, Chief Administrative Officer
- Jim Bauer, Chief Financial Officer, City of Penticton
- Angela Campbell, Controller, City of Penticton

Signing officers for membership 727313 (South Okanagan Events Centre) for the calendar year ended December 31, 2019 and subsequent years until changed.

CARRIED UNANIMOUSLY

10.5 Mid-Year Grant Requests

217/2019

It was MOVED and SECONDED

THAT Council approve the \$5000 in-kind request from Rotary Club of Penticton (Ribfest) for Park Rental.

DEFEATED

Councillors Watt, Bloomfield, Robinson and Regehr, Opposed

218/2019

It was MOVED and SECONDED

THAT Council approves a \$3,290 cash grant and \$1,950 in-kind grant to the Penticton Senior's Drop in Centre for the BC Senior's Week event;
THAT Council approves a \$9,684 cash grant to the Penticton Recovery Resource Society;
THAT Council approves a \$2,100 in-kind grant to The Penti-Con Association;
AND THAT Council approves a \$500 cash grant to the Penticton Concert Band.

CARRIED UNANIMOUSLY

10.6 Transit 2020 – 2022

Main Motion:

It was MOVED and SECONDED

THAT Council support and advise BC Transit of the following Transit service expansions for BC transit planning purposes:

	Implementation Date	Estimated Municipal Share
Matching Service Levels Custom Transit	April 2020	\$12,324
Regional Transit Route 70 Midday Service	September 2020	\$38,641
Upper Wiltse Service	September 2020	\$18,608
Sendero Canyon Service	September 2020	\$15,676
Increase Frequency Route 5	September 2022	\$193,361

AND THAT BC Transit be asked to undertake an update to the Penticton Transit Plan prior to implementing the Increase Frequency on Route 5.

Amendment:

219/2019

It was MOVED and SECONDED

THAT Council remove Increase Frequency on Route 5.

CARRIED

Councillor Robinson, Opposed

220/2019

Main Motion as Amended:

It was MOVED and SECONDED

THAT Council support and advise BC Transit of the following Transit service expansions for BC transit planning purposes:

	Implementation Date	Estimated Municipal Share
Matching Service Levels Custom Transit	April 2020	\$12,324
Regional Transit Route 70 Midday Service	September 2020	\$38,641
Upper Wiltse Service	September 2020	\$18,608
Sendero Canyon Service	September 2020	\$15,676

AND THAT BC Transit be asked to undertake an update to the Penticton Transit Plan.

CARRIED UNANIMOUSLY

10.7 Transit Route 70 Penticton to Kelowna

221/2019

It was MOVED and SECONDED

THAT Council authorize staff to create 15 park and ride spots in the South Okanagan Event Centre (SOEC) Parking Lot located at the northwest corner of Alberni Street and Eckhardt Avenue;

AND THAT Council authorize staff to install two bus stops on the east and west side of Alberni Street just north of Eckhardt Avenue for Transit Route 70 Penticton to Kelowna.

CARRIED UNANIMOUSLY

10.8 Location of Regular Council Meeting May 7 – Penticton Secondary School Library

222/2019

It was MOVED and SECONDED

THAT Council hold the Regular Council Meeting scheduled for Tuesday, May 7, 2019 at the Penticton Secondary School Library, 158 Eckhardt Avenue East.

CARRIED UNANIMOUSLY

10.9 Update from Superintendent Ted De Jager

223/2019

It was MOVED and SECONDED

THAT Council amend the agenda to include an update from Supt. De Jager regarding April 15, 2019 incident.

CARRIED UNANIMOUSLY

Superintendent Ted De Jager provided Council with an update on the incident that happened in the City on Monday, April 15, 2019.

11. Public Question Period

12. Recess Regular Council Meeting

The Regular Council Meeting recessed at 5:08 p.m.

13. Reconvene the Regular Council Meeting following the Public Hearing at 6:00 p.m.

Council reconvened the Regular Council Meeting at 6:04 p.m.

14. Bylaws and Permits

14.1 300 Block – Main Street Local Area Service Parcel Tax Bylaw No.2019-09

224/2019

It was MOVED and SECONDED

THAT Council adopt "300 Block – Main Street Local Area Service Parcel Tax Bylaw No.2019-09".

CARRIED UNANIMOUSLY

14.2 Fees and Charges Amendment Bylaw No. 2019-13

Re: AMR Opt Out Fee Reduction

225/2019

It was MOVED and SECONDED

THAT Council adopt "Fees and Charges Amendment Bylaw No. 2019-13".

CARRIED UNANIMOUSLY

14.3 Zoning Amendment Bylaw No. 2019-14
Re: Funeral Services

226/2019

It was MOVED and SECONDED

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2019-14".

CARRIED UNANIMOUSLY

15. Land Matters

15.1 Liquor Primary Licence (Transfer of location) – Royal Canadian Legion Branch 40
Re: 257 Brunswick Street

Delegations/Submissions:

- No one spoke.

227/2019

It was MOVED and SECONDED

THAT Council recommend to the Liquor and Cannabis Regulation Branch (LCRB) that it support the Liquor Primary License (Transfer of Location) request for the Royal Canadian Legion Branch 40, relocating to 257 Brunswick Street.

CARRIED UNANIMOUSLY

15.2 Development Variance Permit PL2019-8506
Re: 110 Ellis Street

Delegations/Submissions:

- Jim Morrison, developer, in attendance to answer any questions.

228/2019

It was MOVED and SECONDED

THAT Council, with properly posted speed reductions to 20 km/h, support the Development Variance Permit PL2019-8506 to vary the minimum road vertical curve in the lane at the back of 110 Ellis Street to be reduced from a K Value of 12 to 1 as allowed in the Transportation Association of Canada Guidelines;
AND THAT Council require the Developer to enter into a Maintenance Agreement for snow clearing of the entire lane to Westminster until a suitable turnaround can be constructed.

CARRIED UNANIMOUSLY

15.3 Local Government Support for Cannabis Retail Stores

Delegations/Submissions:

- Zen Canna Corp, spoke in support of application.
- Green Essence, spoke in support of application.
- Greenery Cannabis Boutique, spoke in support of application.
- Bluewater Cannabis, spoke in support of application.

229/2019

It was MOVED and SECONDED

THAT Council direct staff to send recommendations of support to the British Columbia Liquor and Cannabis Regulation Branch (LCRB) for non-medical cannabis retail store licenses for the following properties:

- 210 Main Street (Green Gaia)
- 385 Martin Street (Cannabis Cottage)

- 2695 Skaha Lake Road (Spiritleaf)
- 106 – 2210 Main Street (BC Cannabis Store)
- 103 – 2050 Main Street (Zen Canna)

DEFEATED

Mayor Vassilaki, Councillors Regehr, Robinson, Kimberley, Watt and Bloomfield, Opposed

230/2019

It was MOVED and SECONDED

THAT Council direct staff to send recommendations of support to the British Columbia Liquor and Cannabis Regulation Branch (LCRB) for non-medical cannabis retail store licenses for the following properties:

- 210 Main Street (Green Gaia)
- 385 Martin Street (Cannabis Cottage)
- 2695 Skaha Lake Road (Spiritleaf)
- 103 – 2050 Main Street (Zen Canna)

DEFEATED

Mayor Vassilaki, Councillors Robinson, Kimberley, Sentes and Bloomfield, Opposed

231/2019

It was MOVED and SECONDED

THAT Council direct staff to send recommendations of support to the British Columbia Liquor and Cannabis Regulation Branch (LCRB) for non-medical cannabis retail store licenses for the following properties:

- 210 Main Street (Green Gaia)
- 385 Martin Street (Cannabis Cottage)
- 2695 Skaha Lake Road (Spiritleaf)
- 106 – 2210 Main Street (BC Cannabis Store)
- 103 – 2050 Main Street (Zen Canna)
- 101 – 437 Martin Street (Green Essence)
- 465 Main Street (Greenery Cannabis Boutique)
- 101-130 Nanaimo Avenue W (Bluewater Cannabis)

DEFEATED

Councillors Regehr, Robinson, Kimberley, Sentes and Watt, Opposed

232/2019

It was MOVED and SECONDED

THAT Council direct staff to send recommendations of support to the British Columbia Liquor and Cannabis Regulation Branch (LCRB) for non-medical cannabis retail store licenses for the following properties:

- 210 Main Street (Green Gaia)
- 385 Martin Street (Cannabis Cottage)
- 2695 Skaha Lake Road (Spiritleaf)
- 106 – 2210 Main Street (BC Cannabis Store)

CARRIED

Councillors Kimberley, Watt and Bloomfield, Opposed

233/2019

It was MOVED and SECONDED

THAT Council defer consideration of Zen Canna, Green Essence, Greenery Cannabis Boutique and Bluewater Cannabis to future meeting when Council considers the other pending cannabis applications.

CARRIED UNANIMOUSLY

16. Notice of Motion

17. Business Arising

18. Council Round Table

19. Public Question Period

20. Adjournment

234/2019

It was MOVED and SECONDED

THAT Council adjourn the Regular Council meeting held on Tuesday, April 16, 2019 at 8:02 p.m.


CARRIED UNANIMOUSLY

Certified correct:



Angie Collison
Corporate Officer

Confirmed:



John Vassilaki
Mayor