

THE CORPORATION OF THE DISTRICT OF PEACHLAND

**Regular Council Meeting Minutes
Held Tuesday, August 9, 2011 at 7:00 pm
In the Council Chambers – Community Centre**

PRESENT:

Mayor Fielding, Councillors Bell, Broadway, Condon, Fraser and Schierbeck

CAO Elsie Lemke
Corporate Officer Polly Palmer
Director of Operations Doug Allin
Director of Planning and Development Dave Smith
Director of Community Services Cheryl Wiebe

Members of the Public
Members of the Media

ABSENT:

Councillor Moberg

CALL TO ORDER

Mayor Fielding called the meeting to order at 7:00 p.m.

**AMENDMENTS TO
THE AGENDA**

Add item 8H-Church of Jesus Christ Latter Day Saints food drive request

Add item 8I - Request for gratis use of Cousin's Park

Add item 8J - Doug Smith Bylaw Offence reimbursement request

Add item 9F - Rocky J's Seasonal License refund request

**APPROVAL OF THE
AGENDA**

MOVED by Councillor Fraser, SECONDED by Councillor Bell:

THAT the Regular Council Meeting agenda be approved as amended

CARRIED.

PRESENTATIONS & DELEGATIONS

Nil

ADOPTION OF MINUTES

**REGULAR
COUNCIL MEETING
MINUTES**

MOVED by Councillor Bell, SECONDED by Councillor Schierbeck:

THAT the Regular Council Meeting Minutes held Tuesday, July 12, 2011 be adopted as presented

CARRIED.

UNFINISHED BUSINESS

COMMITTEE & STAFF REPORTS

**COTW
RECOMMENDATIONS**

MOVED by Councillor Schierbeck, SECONDED by Councillor Condon:

THAT Council approve an application by the District of Peachland to the Ministry of Transportation and Infrastructure to allow Gellatly Bay Trails and Parks Society to build on their right of way; and

THAT Peachland's portion of Trail 2000 be included in Peachlands's short and long range plans.

CARRIED.

MOVED by Councillor Fraser, SECONDED by Councillor Bell:

THAT Council approve the renaming of PRO-125 "Liquor Approval for Local Social Events" to "Liquor Licenses in Parks and Facilities"; and

FURTHER THAT PRO-125 be adopted as amended

CARRIED.

**COTW MEETING
MINUTES**

MOVED by Councillor Bell, SECONDED by Councillor Broadway:

THAT the COTW Meeting Minutes held Tuesday, July 12, 2011 be received for information.

CARRIED.

DEPARTMENT REPORTS FOR THE MONTH OF JULY

MOVED by Councillor Condon, SECONDED by Councillor Bell:

THAT the following department reports for the month of July be received for information"

- Fire and Rescue Services
- Corporate Services
- Community Services
- Planning and Development
- Building Inspection and Bylaw Enforcement
- Public Works

CARRIED.

ADMINISTRATION & FINANCE

**PEACHLAND
SENIORS SUPPORT
SOCIETY
MEMORANDUM OF
UNDERSTANDING**

CAO Elsie Lemke presented a Council Briefing regarding the Peachland Seniors Support Society Memorandum of Understanding between the District and the Good Samaritan Society.

MOVED by Councillor Bell, SECONDED by Councillor Condon:

That the Council Briefing, dated July 18, 2011 regarding the Memorandum of Understanding - Peachland Senior's Support Society be received for information.

CARRIED.

**PAID LEAVE FOR
VOLUNTARY
ASSIGNMENT**

CAO Elsie Lemke presented a Council Briefing regarding an In Camera Information Release - Paid Leave for Voluntary Assignment, noting that:

**PAID LEAVE FOR
VOLUNTARY
ASSIGNMENT
CONTINUED**

- Director of Planning Dave Smith has accepted an assignment in Honduras to provide guidance and advice and make recommendations for the development of a Tourist Zone within San Pedro Sula

MOVED by Councillor Bell, SECONDED by Councillor Fraser:

THAT the Council Briefing, dated July 18, 2011 regarding an In Camera Information Release - Paid Leave for Volunteer Assignment be received for information.

CARRIED.

**PRIMARY SCHOOL
FUNDING REQUEST**

Mayor Fielding presented a report regarding a funding opportunity for the Primary School, noting that:

- JCP is an employment program that works with community organizations to deliver job specific projects that create workplace based work experience and skills enhancement for eligible individuals

MOVED by Councillor Condon, SECONDED by Councillor Bell:

THAT Council approves the release of \$10,000.00 from the Primary School Reserve Fund to the Chamber of Commerce to support the Job Creation Partnership Program.

CARRIED.

**PARKS AND
RECREATION FEES
AND CHARGES
BYLAW NO. 1732
AMENDMENT
BYLAW NO. 2005,
2011**

Director of Community Services Cheryl Wiebe presented Parks and Recreation Fees and Charges Bylaw No. 1732 Amendment Bylaw No. 2005, 2011 for final reconsideration and adoption.

MOVED by Councillor Condon, SECONDED by Councillor Broadway:

THAT Parks and Recreation Fees and Charges Bylaw Number 1732, 2004 Amendment Bylaw Number 2005, 2011 be given final reconsideration and adoption.

CARRIED.

**PLAYGROUNDS ON
HILLSIDE
COMMUNITIES**

Director of Community Services Cheryl Wiebe presented a report regarding playgrounds in the hillside communities.

MOVED by Councillor Bell, SECONDED by Councillor Fraser:

THAT Council approves the installation of playgrounds at Morrison Park and Knoblach Park.

CARRIED.

**TRANSIT FUTURE
PLAN - CENTRAL
OKANAGAN
REGION**

CAO Elsie Lemke presented the Transit Future Plan - Central Okanagan Region

Discussion:

- Consideration will have to be given to Peachland's growth in the next 25 years
- Mayor reported that the future is to improve service between peachalnd and West Kelowna
- Peachland will be having a park and ride arrangement
- The current Dial a Ride routes will determine future routes and ridership

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**TRANSIT FUTURE
PLAN - CENTRAL
OKANAGAN
REGION
CONTINUED**

needs

- It was stated that in the future Peachland would like to be linked into the Regional Rapid Transit System

MOVED by Councillor Schierbeck, SECONDED by Councillor Condon:

THAT Council approve the Future Transit Plan - Central Okanagan Region as a guiding document for expansion of public transit service within the District of Peachland over the next 25 years

CARRIED.

**TRANSIT FARE
INCREASE &
RECOVERY**

CAO Elsie Lemke presented a report from the City of Kelowna regarding Transit Fare Increase and Recovery, noting that:

- User fare increase is \$0.25
- The last change to transit fares was September 1, 2007
- Target goal for cost recovery is 30%

Discussion:

- Lack of reliability of bus schedules
- Large Busses with very few riders

MOVED by Councillor Condon, SECONDED by Councillor Bell:

THAT Council supports a fare increase as detailed in Appendix 1 attached to the report of the Director of Financial Services dated July 29, 2011 for Conventional and Custom Transit effective January 1, 2012 and a UPass increase effective September 1, 2012; and

THAT Council supports a minimum recovery policy of 30% for Conventional Transit and 10% for custom Transit; and

FURTHER THAT a route review be completed to determine the effectiveness of each route.

CARRIED.

Councillor Schierbeck OPPOSED.

**CHURCH OF JESUS
CHRIST LATTER
DAY SAINTS FOOD
DRIVE REQUEST**

MOVED by Councillor Bell, SECONDED by Councillor Condon:

THAT Council approves the Church of Jesus Christ Latter Day Saints' food drive in Peachland on September 17, 2011

CARRIED.

**REQUEST FOR
GRATIS USE OF
COUSIN'S PARK**

MOVED by Councillor Condon, SECONDED by Councillor Bell:

THAT Council waives the rental fees for Cousin's Park on August 13th, 2011 for a memorial slo-pitch game

CARRIED.

**DOUG SMITH
BYLAW OFFENCE
REIMBURSEMENT
REQUEST**

Mayor Fielding presented a request for reimbursement of towing and storage charges resulting from a Bylaw Offence

**DOUG SMITH
BYLAW OFFENCE
REIMBURSEMENT
REQUEST
CONTINUED**

Discussion:

- Bylaw Officer phoned the cell phone number on the for sale sign rather than the home phone number
- The truck that was attached to the boat was also towed
- Only the boat had a for sale sign on it

MOVED by Councillor Broadway, SECONDED by Councilor Schierbeck:

THAT Council approves the reimbursement for the truck towing and storage costs incurred by Doug Smith in the amount of \$228.14

**CARRIED.
Councillor Bell OPPOSED.**

**ROCKY J'S
SEASONAL
SIDEWALK
LICENSE REFUND
REQUEST**

Mayor Fielding presented a Seasonal Sidewalk License refund request from Rocky J's

Discussion:

- Current Bylaw doesn't provide for one day seasonal sidewalk license permits
- A 2011 season review on seasonal sidewalk café permits will come forward in late fall
- Request to incorporate a per day rate in the proposed procedures that come forward after the review

MOVED by Councillor Condon:

THAT Council approves a refund of \$250. for Rocky J's Beach Hut one day Seasonal Sidewalk Café Permit

CARRIED.

PLANNING & DEVELOPMENT

**ECONOMIC IMPACT
STUDY
PROPOSALS -
AWARDING OF
CONTRACT**

Director of Planning and Development Dave Smith presented a report regarding the Economic Impact Study Proposals. It was noted that:

- \$5,000 is provided by Regional Economic Development Office

Discussion:

- Southern Interior Development Initiative Trust doesn't fund economic impact studies
- An application is underway to the Real Estate Foundation of BC
- Completion date of study is December 31, 2011

MOVED by Councilor Schierbeck, SECONDED by Councilor Fraser:

THAT Council awards the Economic Impact Analysis contract to the Van Struth & Consulting Group for a total upset fee of \$49,997; and

THAT Council authorize the Mayor and Corporate Officer to execute the contract between the District of Peachland and Van Struth Consulting Group; and

THAT the 2011 Financial Plan be amended to allow \$45,000 to be taken from the surplus to pay for the cost of the study.

CARRIED.

**ZONING
AMENDMENT
BYLAW NO. 2008,
2011 - 6245
HEIGHWAY LANE**

Director of Planning and Development Dave Smith presented a report regarding Zoning Amendment Bylaw No. 2008, 2011 for 6245 Heighway Lane

MOVED by Councillor Bell, SECONDED by Councillor Broadway:

THAT Council give First and Second Reading to Zoning Amendment Bylaw No. 2008, 2011 to rezone Lot 3, DL 1184, ODYD, Plan 37269 from RR-2 (Rural Residential 0.2 ha) to R-1 (Single Family Residential) Zone; and

THAT Council authorize staff to set up a Public Hearing subject to the applicant providing the following information prior to the Public Hearing Date:
a) A geotechnical report addressing the slope stability and the safe use of the site

CARRIED.

**OFFICIAL
COMMUNITY PLAN
AMENDMENT
BYLAW NO. 1969,
2011 - VOLUNTARY
AMENITY
CONTRIBUTIONS**

Director of Planning and Development Dave Smith presented a report on Official Community Plan Amendment No. 1969, 2011, noting that:

- Amenity reserve fund will allow a fund to be used to develop needed amenities and recreation facilities in Peachland to support a growing community

MOVED by Councillor Schierbeck, SECONDED by Councillor Bell:

THAT Official Community Plan Bylaw No. 1600, 2000 Amendment Bylaw No. 1969, 2011 be given Third reading.

CARRIED.

**ROYAL CANADIAN
LEGION SEASONAL
SIDEWALK CAFE
PERMIT - 4407 2ND
STREET**

Director of Planning and Development Dave Smith presented a report regarding an application for a Seasonal Sidewalk Cafe Permit for the Royal Canadian Legion

Discussion:

- District Parking Lot
- Dust Control

MOVED by Councillor Condon, SECONDED by Councillor Schierbeck:

THAT Council approves the use of five parking stalls in front of the Royal Canadian Legion located at 4407 2nd Street for outdoor patio use; and

THAT the Legion encourages staff parking the back of their building; and

FURTHER THAT this approval is given with the understanding that no additional measures will be taken by the District for dust control on the District's parking lot

CARRIED.

**DEVELOPMENT
VARIANCE PERMIT
APPLICATION -
4170 LAKE AVENUE**

Director of Planning and Development Dave Smith presented a report regarding a Development Variance Permit for 4170 Lake Avenue

MOVED by Councillor Bell, SECONDED by Councillor Broadway:

THAT Council approves Development Variance Permit 11/10.003 pertaining to Lot 44, Plan 10665, DL 220 located at 4170 Lake Avenue for the provision of:

- a) Increasing the height of the fence on the property from 4 feet to 5 feet 4

**DEVELOPMENT
VARIANCE PERMIT
APPLICATION -
4170 LAKE AVENUE
CONTINUED**

inches along the side of the front yard setback and along the majority of the front property line; and
b) to allow a variance to increase the fence height from 4 feet to a maximum of 9 feet 2 inches for entry arches as shown on the plans attached to the August 9, 2011 Regular Council agenda

CARRIED.

PUBLIC WORKS

**SANITARY SEWER
USER BYLAW NO.
2001, 2011**

Director of Operations Doug Allin presented Sanitary Sewer User Bylaw No. 2001, 2011 for First, Second and Third Readings

Discussion:

- The flexibility of the bylaw
- Clarification of section 8.10 of the bylaw
- Bylaw allows Council to have a policy
- Mandatory hook up after 1 year of installation

MOVED by Councillor Bell, SECONDED by Councillor Broadway

THAT District of Peachland Sanitary Sewer user Bylaw No. 2001, 2011 be given First, Second and Third Readings; and

THAT staff develop a supplementary policy

CARRIED.

Councillor Schierbeck OPPOSED.

**WINERY PUMP
REPLACEMENT**

Director of Operations Doug Allin presented a report regarding a replacement for the winery pump, noting that:

MOVED by Councillor Schierbeck, SECONDED by Councillor Condon:

THAT Council approves amending the 2011 Financial Plan to include the replacement of the winery pump and electrical panel for a total value of \$14,900.00,

CARRIED.

MAYOR & COUNCILLORS' REPORTS

**COUNCILLOR
SCHIERBECK**

Councillor Schierbeck reported that he attended the Peachland Ambassador Pageant

**COUNCILLOR
BROADOWAY**

Councillor Broadway reported that she attended the Seniors Housing Society Meeting

MAYOR FIELDING

Mayor Fielding reported that he attended:

- the Peachland Ambassador Pageant,
- the Seniors Housing Society Meeting
- Primary School Review Committee

MAYOR FIELDING

Mayor Fielding reported that he spoke to MP Dan Albas regarding accessing funding from the Western Diversification Program. The Mayor also reported that an injunction on the McDougald Gravel Pit has been granted by the courts

NOTICE OF MOTION

CORRESPONDENCE

FOR ACTION:

**REGIONAL
DISTRICT OF
CENTRAL
OKANAGAN**

MOVED by Councillor Condon, SECONDED by Councillor Broadway:

THAT Council adopts the Regional Relations and Internal Relations Code of Conduct, as presented at the August 9, 2011 Regular Council agenda.

CARRIED.

FOR INFORMATION:

**MAYOR DAN
ASHTON, CITY OF
PENTICTON**

MOVED by Councillor Condon, SECONDED by Councillor Bell:

THAT the correspondence from the Mayor of Penticton, dated July 19, 2011 regarding Beach Water Quality Monitoring be received for information.

CARRIED.

**OKANAGAN BASIN
WATER BOARD**

MOVED by Councillor Bell, SECONDED by Councillor Condon:

THAT the Okanagan Basin Board Report, dated July 8, 2011 be received for information.

CARRIED.

**PEACHLAND LIONS
CLUB**

MOVED by Councillor Schierbeck, SECONDED by Councillor Bell:

THAT the Peachland Lions Club Letter, dated July 11, 2011 regarding the Canada Day Parade be received for information.

CARRIED.

OTHER BUSINESS

**IN CAMERA
MEETING**

MOVED by Councillor Bell, SECONDED by Councillor Fraser:

THAT an In Camera Meeting be held Tuesday, September 6th, 2011 at 1:00 p.m. pursuant to Sec. 90(1)(c) [labour] of the *Community Charter*

CARRIED.

QUESTION PERIOD

ADJOURNMENT

MOVED by Councillor Schierbeck:

THAT the Regular Council Meeting adjourn at 8:04 p.m.

CARRIED.

(Original signed by Mayor and Corporate Officer)

Certified Correct.

Mayor

Corporate Officer

Dated at Peachland, B.C.

This 6th day of September , 2011