

**THE CORPORATION OF THE CITY OF ENDERBY**

Minutes of a **Regular Meeting** of Council held on Monday, March 6, 2017 at 4:35 p.m. in the Council Chambers of City Hall

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Present: Mayor Greg McCune  
Councillor Tundra Baird  
Councillor Brad Case  
Councillor Roxanne Davyduke  
Councillor Raquel Knust  
Councillor Brian Schreiner  
Councillor Shawn Shishido  
  
Chief Administrative Officer – Tate Bengtson  
Chief Financial Officer – Jennifer Bellamy  
Planner and Assistant Corporate Officer – Kurt Inglis  
Recording Secretary – Bettyann Kennedy  
The Press and Public

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**APPROVAL OF AGENDA**

Moved by Councillor Schreiner, seconded by Councillor Baird that the agenda be approved as circulated.

Carried

**ADOPTION OF MINUTES**

Regular Meeting Minutes of February 20, 2017

Moved by Councillor Shishido, seconded by Councillor Schreiner that the minutes of the regular meeting of February 20, 2017 be adopted as circulated.

Carried

**BYLAWS – 3 Readings**

Parks, Recreation and Culture Fees Imposition Bylaw No. 1578, 2015 Amendment Bylaw No. 1625, 2017

Memo from Chief Financial Officer dated February 23, 2017

Moved by Councillor Knust, seconded by Councillor Baird that Parks, Recreation and Culture Fees Imposition Bylaw No. 1578, 2015 Amendment Bylaw No. 1625, 2017 be given three readings.

Carried

**BYLAWS – Adoption**

Retail of Marihuana and Medical Marihuana Production:

Memo from Planner and Assistant Corporate Officer dated March 2, 2017

The Planner and Assistant Corporate Officer made a brief review of his report:

- Intent is to provide certainty as to what will be required should legalization occur.
- Bylaw is consistent with other communities and consistent with task force recommendations.
- Some believe that the regulations should be same as those for alcohol. There are existing provincial and federal regulations for alcohol retail, however, while there are no federal or provincial regulations in place yet for marihuana. Until framework is known, municipality needs to get local regulations in place to provide certainty to business investors.
- 100 meter buffer zone to ensure that retail operations are established in appropriate neighbourhoods and sited so as not to create conflict with other uses. A zoning text amendment is an option for property owners wishing to establish a marihuana retail operation within a buffer zone.
- The means of obtaining medical marihuana were explained. Today's bylaw does not impact the means as provided in the federal regulation.

The Mayor invited comments from the public:

*Derrick Smith*

- He has checked out the 14 available sites in the industrial and downtown areas and feels that all are problematic for a retail operation.
- The bylaw does not address the need for medicinal marihuana.
- Process should not be punitive or discriminative. Justification for \$5,000 license fee is warranted.
- Fair access to medical marihuana is a human right.
- This is a \$6 billion industry and Enderby needs to make things workable and see it as an opportunity.

*Bonnie Lundquist – 151 Riverdale Drive*

As a licensed realtor, she shared her experiences with marketing of existing or prior grow-ops:

- Financing and insurance is unavailable regardless of whether the grow-op was legal or illegal, or whether it has been fully remediated.
- Landlords are not fully aware of the implications of having their tenant create a grow-op on their property. Landlords are often left with properties that they can no longer finance after a tenant installs a grow-op.

*Jeff Gaudette – Vernon, BC*

Mr. Gaudette operates a medical marihuana dispensary in Vernon and offered to answer any questions of Council. The following comments were made:

- The differences between recreational and medical cannabis are significant.
- Every person is different and filters the product differently.
- Medicinal cannabis stays in the system working as medicine.
- Detecting impairment is difficult as pills, oils and suppositories are not detected in breath samples. Marketing and education is required. There are much better options available for patients than smoking. The health benefits are obvious and it is important to distinguish between medical and recreational use. Regulations are needed.

Council engaged with Mr. Gaudette with the following points being discussed:

- RCMP presence is not always here in Enderby, so the City wants to control for potential crime implications.

- The bylaw will respond to changes in dispensary regulations by the federal government as they are introduced.
- The medical benefits of cannabis are proven.
- The federal government should be focusing on medical dispensary regulation before even considering recreational marijuana legalization.
- The bottom line is that compassion for patients is needed. There are people out there that genuinely need help that they can only get from medical cannabis products.

Business License and Regulation Bylaw No. 1558, 2014 Amendment Bylaw No. 1626, 2017

Fees and Charges Bylaw No. 1479, 2010 Amendment Bylaw No. 1627, 2017

Moved by Councillor Schreiner, seconded by Councillor Case that Business License and Regulation Bylaw No. 1558, 2014 Amendment Bylaw No. 1626, 2017 be adopted;

AND THAT Fees and Charges Bylaw No. 1479, 2010 Amendment Bylaw No. 1627, 2017 be adopted.

Carried

## **REPORTS**

### Chief Administrative Officer

- Shuswap Well pump motor recently failed. It has been replaced. Crews now dealing with a broken valve on the well's access road.
- Belvedere / Regent sanitary sewer repair appears to be working well.

## **NEW BUSINESS**

Alyson Witts – Correspondence dated February 21, 2017

Re: City Hall Mural

Moved by Councillor Baird, seconded by Councillor Schreiner that the correspondence be received and filed.

Carried

Commission Meeting Pay – Memo from Chief Financial Officer dated February 27, 2017

Moved by Councillor Knust, seconded by Councillor Shishido that Council open the item for discussion:

- There are others that are appointed to various groups that do not get financially compensated. Why just compensate this committee? RDNO representatives should perhaps seek compensation from RDNO.
- The CAO explained that Enderby and District Services Commission used to be an RDNO service and the RDNO pays meeting pay. The Commission is funded on an entirely different basis than Council's committees and this is an attempt to make member remuneration consistent with how it has historically been delivered by RDNO, prior to the service being delivered by Enderby.

- Mayor McCune suggested that rather than providing a 'per meeting' rate, financial compensation for Mayor, Councillors, and EDSC Area F member should be increased.

Moved by Councillor Baird, seconded by Councillor Knust that Council refers the matter of Enderby & District Services Commission compensation back to the Enderby and District Services Commission with a request that it considers a remuneration rather than per meeting basis for its pay.

Carried

Moved by Councillor Knust, seconded by Councillor Baird that the remuneration for City Councillors be increased to \$9,000 with no additional 'per meeting' compensation;

AND THAT the remuneration for Mayor be increased to \$17,000 with no additional 'per meeting' compensation.

Carried

Tolko Forest Stewardship Plan Amendment Referral 2017 – Memo from Chief Administrative Officer dated March 1, 2017

Moved by Councillor Baird, seconded by Councillor Case that Council has no comments with respect to Forest Service Plan Cutblock and Road Development Information Sharing Package 2017-SI-05 for Tolko Southern Interior Woodlands.

Carried

Our Enderby Clean-Up and Volunteer Fair – Memo from Planner and Assistant Corporate Officer dated March 2, 2017

Moved by Councillor Baird, seconded by Councillor Case that Council endorse April 22, 2017 as the date for the 5<sup>th</sup> Annual Our Enderby Clean-Up Challenge;

AND THAT Council endorse integrating the Volunteer Fair into the Our Enderby Clean-Up Challenge's appreciation barbecue.

Carried

### **PUBLIC QUESTION PERIOD**

None

### **ADJOURNMENT**

Moved by Councillor Baird, seconded by Councillor Shishido that the regular meeting adjourn at 6:10 p.m.

Carried

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**MAYOR**

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**CHIEF ADMINISTRATIVE OFFICER**