

THE CORPORATION OF THE CITY OF ENDERBY

Minutes of a **Regular Meeting** of Council held on Tuesday, April 18, 2017 at 4:30 p.m. in the Council Chambers of City Hall

Present: Mayor Greg McCune
Councillor Tundra Baird
Councillor Brad Case
Councillor Roxanne Davyduke
Councillor Raquel Knust
Councillor Brian Schreiner

Chief Administrative Officer – Tate Bengtson
Chief Financial Officer – Jennifer Bellamy
Recording Secretary – Bettyann Kennedy
The Press and Public

APPROVAL OF AGENDA

The following item was added to the agenda under Closed Meeting:

- Pursuant to Section 92 of the *Community Charter*, the regular meeting convene In-Camera to deal with matters deemed closed to the public in accordance with Section 90 (1) (k) of the *Community Charter*.

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

Carried

ADOPTION OF MINUTES

Regular Meeting Minutes of April 3, 2017

Moved by Councillor Knust, seconded by Councillor Case that the minutes of the regular meeting of April 3, 2017 be adopted as circulated.

Carried

PUBLIC HEARING

2017 Budget – Public Input

Members of the public were invited to present questions/comments regarding the 2017 Budget.

There were no speakers and no written submissions.

DEVELOPMENT MATTERS

0001-17-ZTA-END

Lot 1, DL 150, K(formerly O)DYD, Plan 5296, Except Plan 8120 – 603 Cliff Avenue

Applicant: 0702755 BC Ltd C/o Steve Campbell

The Chief Administrative Officer presented the Planner's report, and focused on parking.

Moved by Councillor Schreiner, seconded by Councillor Knust that Zoning Bylaw Amendment Bylaw No. 1634, 2017 which proposes to amend the City of Enderby Zoning Bylaw No. 1550, 2014 to increase the maximum permitted gross density for the property legally described as Lot 1, District Lot 150, Kamloops (formerly Osoyoos) Division Yale District, Plan 5296, Except Plan 8120 and located at 603 Cliff Avenue, from 60 units per hectare (24.7 units per acre) to 75 units per hectare (30.35 units per acre) be given First and Second Reading and forwarded to a Public Hearing;

AND THAT should Council wish to adopt Zoning Bylaw Amendment Bylaw No. 1634, 2017, it not do so until the owners provide a sworn affirmation acknowledging that the Downtown Designated Parking Area is intended primarily for commercial use and that Council's permitting of an increase in the residential density of the subject property in no way affects the City's right to alter how it ensures commercial parking objectives are met in the future, which may include a managed residential parking inventory within the Downtown Designated Parking Area, and further that the owners acknowledge that there are no express or implied covenants, assurances, or representations which may create, or be expected to create, rights in equity with respect to the Downtown Designated Parking Area by virtue of this bylaw or any other action or omission by the City.

Carried

Steve Campbell, on behalf of the applicant, reported to Council that the back portion of the building is being removed and could possibly accommodate 2 parking spaces. Also, an emergency fire door for the store portion of the building is being installed.

BUSINESS ARISING FROM THE MINUTES AND/OR UNFINISHED BUSINESS

Commission Meeting Pay – Memo from Chief Financial Officer dated April 10, 2017

Moved by Councillor Knust, seconded by Councillor Davyduke that Council approve the amended Council Remuneration Policy as circulated.

Carried

BYLAWS – 3 Readings

Budget Bylaws:

Moved by Councillor Case, seconded by Councillor Baird that Council give first, second and third readings of the bylaw cited as "City of Enderby 2017-2021 Financial Plan Bylaw No. 1628, 2017"; and

THAT Council give first, second and third readings of the bylaw cited as "City of Enderby Sewer Frontage Tax Bylaw No. 1629, 2017"; and

THAT Council give first, second and third readings of the bylaw cited as "City of Enderby Water Frontage Tax Bylaw No. 1630, 2017"; and

THAT Council give first, second and third readings of the bylaw cited as "City of Enderby Fees and Charges Bylaw No. 1479, 2010 Amendment Bylaw No. 1631, 2017"; and

FURTHER THAT Council give first, second and third readings of the bylaw cited as “City of Enderby Annual Tax Rate Bylaw No. 1632, 2017”.

Carried

REPORTS

Building Permit Detail Report – March 2017

Moved by Councillor Case, seconded by Councillor Baird that the report be received and filed.

Carried

Councillor Case

Enderby and District Services Commission meeting:

- Compressor 3 at arena is being replaced.
- Ball diamonds will not be open until we have more dry weather.

Councillor Knust

Councillor Knust inquired whether there was a picnic table available to donate to the Splatsin Community Garden. The CAO reported that all have been spoken for, but may have access to some from Sicamous. Also, some are being ordered for Barnes Park, so may be able to order an additional one.

Mayor McCune

Attended a lengthy Regional District Board meeting. Each community representative was given 15 minutes to report on their community. Mayor McCune spoke of the impact some of the Board's decisions have on our small community due to an office staff of only 5 individuals.

Chief Administrative Officer

- Spring pruning pick-up will take place this Sunday. The Fire Department is once again being used.
- Street sweeping took place last Friday. They brought in several units and completed the job in one day.

NEW BUSINESS

Strategic Wildfire Prevention Initiative – Community Wildfire Protection Plan and Update Program – Memo from Planner and Assistant Corporate Officer dated April 11, 2017

Moved by Councillor Baird, seconded by Councillor Case that Council direct Staff to submit an application under the *Community Wildfire Protection Plan and Update Program* to update the City of Enderby Community Wildfire Protection Plan, with a cash and in-kind local contribution of up to \$7,500 from current year surplus realized from the Emergency Management budget line item, with the balance to be funded through prior year's surplus.

Carried

Mobile Vendor Request – Nikki Schalin – Memo from Planner and Assistant Corporate Officer dated April 12, 2017

Moved by Councillor Schreiner, seconded by Councillor Baird that Council grant permission for Nikki Schalin to operate as a mobile vendor on the corner of King Avenue and George Street from August 4 – September 4, 2017, subject to the applicant obtaining a Business License and paying the annual rental fee of \$100.

Carried

Mobile Vendor Request – The Side Wok – Memo from Planner and Assistant Corporate Officer dated April 12, 2017

Moved by Councillor Case, seconded by Councillor Knust that Council grant permission for The Side Wok (Brian Broomfield) to operate as a mobile vendor on the City-owned parcel west of the CP Rail property from May 12 – September 15, 2017, subject to the applicant obtaining a Business License and paying the annual rental fee of \$100;

AND THAT correspondence be sent to the applicant advising that if the City receives and validates further nuisance or health complaints, it may result in the City suspending or revoking the operator's business license or withdrawing its permission to occupy the public space.

Carried

Opposed: Councillor Knust

Discussions:

- Maud Street parking lot not necessarily the best location.
- CP Rail property would require permission from CP Rail.
- Applicant was invited to comment:
 - Is happy to change location as it was initially his first choice.
 - New menu was circulated.
 - Venting is being improved.
 - Generator is being boxed in to reduce noise.
 - Interior Health and Fire Department inspect. Contraventions from last year have been reportedly rectified.
- Concerns expressed about lack of washroom facilities available to customers and the operator.
- Complaints from last year regarding noise and health issues.

Mobile Vendor Request – Enderby Tube Taxi – Memo from Planner and Assistant Corporate Officer dated April 13, 2017

There were discussions regarding the staging area, booth location, and parking issues:

- Parking will get very congested on busy weekends and there is concern for public safety with the bus having to navigate through the parking area. The applicant responded that he uses professional drivers with spotters.
- Proposed booth area is where people load and unload their kayaks and paddleboards etc. Perhaps it should be moved slightly south to open up grass area.
- Applicant is willing to use secondary staging area on really busy days, but prefers the visibility that the primary staging area provides.
- Removal of the parking spaces on the south side and creating a "Loading and Unloading" zone for river users would make access easier and prevent vehicles from

being parked there all day. They would be encouraged to park along rail right of way instead.

Moved by Councillor Schreiner, seconded by Councillor Case that Council grant permission for Enderby Tube Taxi to operate as a mobile vendor in the Belvidere Park area for the 2017 season, in general accordance with the circulated Schedule 'A' Site Plan but with booth area being set back slightly to expose grass area, subject to the following conditions:

- The applicant must obtain a Business License and pay an annual rental fee of \$300;
- The applicant is responsible for the daily opening and closing of the gate to the service road;
- The applicant is required to always have an operator on-site when the Tube Taxi bus is parked in the service road, such that the bus can be relocated in the event the City of Enderby or emergency responders need access to the service road; and
- The applicant is responsible for providing their own form of traffic management to prevent vehicles from blocking access to the service road. In the event that there are reports of conflicts which the applicant cannot or otherwise refuses to manage, permission to use the primary staging area in the access road may be withdrawn without notice.

AND THAT Council limits the Enderby Tube Taxi's sales to beverages, sunscreen, and bug spray products;

AND FURTHER THAT staff be directed to create a drop off zone on the south side of the parking area by removing parking stalls and posting "no parking" signs in this area.

Carried

PUBLIC QUESTION PERIOD

None.

Late Item: **CLOSED MEETING RESOLUTION**

Moved by Councillor Davyduke, seconded by Councillor Case that, pursuant to Section 92 of the *Community Charter*, the regular meeting convene In-Camera to deal with matters deemed closed to the public in accordance with Section 90 (1) (k) of the *Community Charter*.

ADJOURNMENT

The regular meeting reconvened at 6:10 p.m.

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

MAYOR

CHIEF ADMINISTRATIVE OFFICER