



THE CORPORATION OF THE CITY OF ENDERBY

Minutes of a **Regular Meeting** of Council held on Monday, December 3, 2018 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
Councillor Shawn Shishido

Staff: Chief Administrative Officer – Tate Bengtson
Chief Financial Officer – Jennifer Bellamy
Planner and Deputy Corporate Officer – Kurt Inglis
Recording Secretary – Laurel Grimm

Other: The Press and Public

APPROVAL OF AGENDA

Moved by Councillor Case, seconded by Councillor Davyduke
“That the December 3, 2018 Council Meeting agenda be approved as circulated.”

CARRIED

ADOPTION OF MINUTES

Regular Meeting Minutes of November 17, 2018

Moved by Councillor Shishido, seconded by Councillor Baird
“That the November 17, 2018 Council Meeting minutes be adopted as amended.”

CARRIED

PUBLIC AND STATUTORY HEARINGS

None

PETITIONS AND DELEGATIONS

None

DEVELOPMENT MATTERS**Regulatory Landscape for Non-Medical Cannabis Retail**

Moved by Councillor Baird, seconded by Councillor Knust
“That Council receives this memorandum for information.”

CARRIED

Discussion:

Councillor Knust asked if merchandise would be stored in a locked area.

Kurt Inglis stated that it appeared this way, but Staff will be speaking with the Inspector to clarify.

Councillor Shishido requested clarity on Page 10: Non-Medical Cannabis Retail License Application fees.

Kurt Inglis stated that by requiring applicants to receive approval through local government first, we can mitigate potential costs to the applicant. If a local government were to reject an application after getting Provincial consent, the applicant could lose the \$7,500 Provincial Application fee.

Tate Bengtson gave an overview of the Zoning Text Amendment bylaws and the public hearing process. He indicated that, if Council moved the bylaws for two readings and a public hearing, Council could decide after the public hearing whether it wished to proceed with any, all, or none of the bylaw amendments as well as whether they wished to support the applications as part of the Provincial approval process.

Councillor Shishido stated the following reasons for being in opposition to the proposed bylaws:

- Have built the Community up in the past four years. Wants to see Council look at the “Image” of the Community
- Create a family friendly, safe, community, which is not consistent with cannabis retail
- Believes these are good people submitting the applications but is not consistent with what we would like to see for Enderby
- One outlet in a small community makes a huge impact versus an outlet in a larger community
- Costs to taxpayers will be high. Increased staff time and resources.
- Would like to see the community spend this enforcement money on a pool or band shell that everyone could enjoy instead of regulatory enforcement.
- Does not believe that every community needs a retail outlet
- 6% of the population signed the petition in favor of a retail outlet at the Mary Jane Resource Centre.
- Does not believe that smoking marijuana is healthy

Councillor Schreiner stated the following:

- We should not be the “moral police”
- Cannabis is has been legalized and now it falls to government to regulate it appropriately
- Would like to see marijuana treated as we would treat liquor and have regulations in place to reflect this
- Would like to hear what the community has to say at a Public Hearing

Councillor Knust stated the following:

- Would like to see Staff look at the costs. The fees should cover increases in regulatory enforcement.
- Asked if the RCMP have noticed any increase in cannabis related complaints. A Constable in attendance stated that they are lower than anticipated so far.

The Chief Administrative Officer stated we will not know what the true costs of enforcement will be until enforcement begins, and it is understood how much capacity the Province will have to enforce at its level. All we can do is estimate at this time, and adjust our fees after the fact to lessen the consequences for the taxpayer.

Mayor McCune stated the following:

- This is a federal initiative
- We should vote our conscience if we feel it is representative of all or part of our community. A community is made up of diverse opinions.
- Councillor Shishido made some good points

[Non-Medical Cannabis Retail License Referral Applications for #4-802 George Street, 900 George Street and 601A Cliff Avenue and associated Zoning Amendment Bylaws 1665, 1666 and 1667, 2018](#)

Moved by Councillor Shishido, not seconded

“THAT Council does not give First and Second Reading to one or more of Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1665, 2018 (#4-802 George Street), Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1666, 2018 (900 George Street), or Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1667, 2018 (601A Cliff Avenue) and does not approve one or more of the associated Non-Medical Cannabis Retail License Referral Applications. “

FAILED

Moved by Councillor Schreiner, seconded by Councillor Baird

“THAT Council gives First and Second Readings to Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1665, 2018 (#4-802 George Street), Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1666, 2018 (900 George Street), and Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1667, 2018 (601A Cliff Avenue) and forwards them to a Public Hearing on December 17, 2018.

AND THAT Council forwards the Non-Medical Cannabis Retail License Referral Applications for #4-802 George Street, 900 George Street, and 601A Cliff Avenue to a Public Hearing on December 17, 2018, and considers the applications for approval following the conclusion of the Public Hearing.

CARRIED

OPPOSED Shishido/McCune

BUSINESS ARISING FROM THE MINUTES AND/OR UNFINISHED BUSINESS

None

BYLAWS

City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1664, 2018 – adoption
Moved by Councillor Baird, seconded by Councillor Knust
“That Council adopt the City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1664, 2018.”

CARRIED

REPORTS

Councillor Knust

- Santa and Mrs. Clause will be reading stories at the Okanagan Regional Library on December 19, 2018 at 3:00 p.m.

Mayor McCune

- The Chamber of Commerce Annual General Meeting is being held this evening. Unfortunately, this is on a Council Meeting night, so we will not be able to attend.
- Attended the Regional District of North Okanagan Regional Growth Strategy meeting.
- Attended the Regional District of North Okanagan Agricultural Advisory Committee meeting.
- Childcare grant application deadlines are approaching.
- Legion is holding a Meat Draw on December 15, 2018 at 2:00 p.m.
- A.L. Fortune concert on December 18, 2018.

[Economic Profile and “Doing Business in Enderby” Flyer](#)
Moved by Councillor Baird, seconded by Councillor Knust
“That Council receives this memorandum for information.”

CARRIED

[Building Permit Report – October Summary](#)
Moved by Councillor Knust, seconded by Councillor Davyduke
“That Council receives this memorandum for information.”

CARRIED

NEW BUSINESS

Office of the Premier
Moved by Councillor Baird, seconded by Councillor Davyduke
“That Council receives this memorandum for information.”

CARRIED

Feed Enderby and District Food Bank Society (FED)
Moved by Councillor Knust, seconded by Councillor Baird
“That Council receives this memorandum for information.”

CARRIED

PUBLIC QUESTION PERIOD

Jackie, *Okanagan Advertiser*, asked what the fee was for a Non-Medical Cannabis Retail application.

Kurt Inglis, Planner and Deputy Corporate Officer, replied that the application fee was \$1,000.00.

Jackie, *Okanagan Advertiser*, asked how many applications have been received so far. Tate Bengtson said that we have formally received three and one more is in the process.

Jackie, *Okanagan Advertiser*, inquired into whether the signs are allowed to display cannabis plants and other matter in their signs, and whether the regulations for security seem to be redundant with Provincial regulations.

Kurt Inglis, Planner and Deputy Corporate Officer, said that no pictures of cannabis are permitted at this time under Provincial or local government regulations. Our regulations on sign displays and security are similar to Provincial regulations.

Lori Heinz, speaking on behalf of concerned community members came forward. Lori Heinz is the Administrator behind a Facebook community group.

- Several comments about theft have been posted recently and some community members are very concerned
- Would like some clarification around responsibility for policing

Q. Who is responsible for the number of Officers allotted to this area and the RCMP presence that is available?

A. Mayor McCune gave a breakdown of the following:

- 100 Officers in our Region, including 33 Officers for rural areas
- There is separate highway patrol.
- For small communities, the Province contracts with the RCMP. For larger communities, they contract directly with the RCMP.
- Every call is ranked in order of emergency, and then separated by priority. There will be different response times for different levels of emergencies.
- Community members need to contact the RCMP if they view something suspicious. Advised to keep car doors locked.
- The City of Enderby has a Citizens on Patrol program that was implemented five years ago with the assistance of the RCMP. The program did not last very long, and the City has started it directly so that there was something in place.

Q. Explain why people do not see a police presence in the evening?

A. Corporal Kovachs, RCMP, responded with the following:

- RCMP officers are here every day
- Statistics do not show a significant increase
- Has seen trends like this in similar small communities. Crimes need to be reported when they are seen.
- Keep note of people or vehicles that look like they do not belong in the area and contact the RCMP
- Calls response is on a priority level
- Would like to see everyone working together and building our relationship to ensure a safe and vibrant community

Q. Many residents have made comments about policing the area themselves. What are we legally allowed to do?

A. Mayor McCune stated that safety is our number one concern. Do not put yourself into a position where you can be hurt. Gather as much information as you can and report it to the RCMP.

Q. We have heard talk about a community group to interact with the RCMP?

A. Tate Bengtson, Chief Administrative Officer, stated that the City of Enderby used to have a Community Consultative Group that bridged the gap between community members and the RCMP. We can look at renewing this within the community if there is RCMP support.

Mayor McCune left the room (5:52 p.m.)

Councillor Knust left the room (5:52 p.m.)

Councillor Knust entered the room (5:55 p.m.)

Mayor McCune entered the room (6:00 p.m.)

CLOSED MEETING RESOLUTION

Moved by Councillor Shishido, seconded by Councillor Davyduke (6:05 p.m.)

“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) (c) and (k) of the Community Charter.”

CARRIED

ADJOURNMENT

The regular meeting reconvened at 6:46 p.m.

Moved by Councillor Case, seconded by Councillor Baird

“That the regular meeting of December 3, 2018 adjourn at 6:47 p.m.”

CARRIED

MAYOR

CORPORATE OFFICER