

**THE CORPORATION OF THE CITY OF VERNON
MINUTES OF THE REGULAR MEETING OF COUNCIL**

**September 26, 2022, 1:30 p.m.
CITY HALL COUNCIL CHAMBER
3400 30 Street
Vernon B.C.**

Mayor and Council
Members Present:

Mayor V. Cumming

S. Anderson
T. Durning
K. Fehr
K. Gares
A. Mund
B. Quiring

Administration
Present:

W. Pearce, Chief Administrative Officer

P. Bridal, Deputy Chief Administrative Officer
K. Poole, Director, Community Safety, Lands and Administration
J. Bruns, Manager, Legislative Services
J. Nicol, Deputy Corporate Officer
K. Flick, Director, Community Infrastructure and Development
Services
D. Law, Director, Financial Services
J. Rice, Director, Operation Services
D. Ross, Director, Recreation Services
D. Lind, Director, Vernon Fire Rescue Services
C. Poirier, Manager, Communication and Grants
D. Lees, Manager, Protective Services
S. Melenko, Information Tech.

1. CALL REGULAR MEETING TO ORDER

Mayor Cumming called the meeting to order at 8:41 am.

1.a Land Acknowledgement

As Mayor of the City of Vernon, and in the spirit of this gathering, I recognize the City of Vernon is located in the traditional territory of the Syilx People of the Okanagan Nation.

1.b Move to Committee of the Whole

Moved by: Councillor Quiring

Seconded by: Councillor Durning

THAT Council move to the Committee of the Whole meeting.

CARRIED

2. RECONVENE REGULAR MEETING AND RESOLUTION TO CLOSE MEETING

Mayor Cumming reconvened the Regular Open Meeting at 9:13 am and requested a motion to move to In Camera.

2.a Resolution to Close Meeting

Moved by: Councillor Fehr

Seconded by: Councillor Quiring

THAT the meeting be closed to the public in accordance with Section 90 (1) of the *Community Charter* as follows:

(c) labour relations or other employee relations;

(f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;

(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the municipality if they were held in public;

AND FURTHER, that the meeting be closed to the public in accordance with Section 90 (2) of the *Community Charter* as follows:

(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

CARRIED

Mayor and Council
Members Present:

Mayor V. Cumming

S. Anderson
T. Durning
K. Fehr
K. Gares
A. Mund
B. Quiring

Administration
Present:

W. Pearce, Chief Administrative Officer

P. Bridal, Deputy Chief Administrative Officer
K. Poole, Director, Community Safety, Lands and Administration
J. Bruns, Manager, Legislative Services
J. Nicol, Deputy Corporate Officer
K. Flick, Director, Community Infrastructure and Development
Services
D. Law, Director, Financial Services
J. Rice, Director, Operation Services
D. Ross, Director, Recreation Services
D. Lind, Director, Vernon Fire Rescue Services
C. Poirier, Manager, Communication and Grants
M. Austin, Current Planner
M. Faucher, Current Planner
E. Croy, Manager, Transportation
D. Lees, Manager, Protective Services
S. Wright, Manager, Community Recreation
M. Keast, Water Resource Engineer

3. RECONVENE TO OPEN COUNCIL AT 1:30 PM

Mayor Cumming called the Regular Open meeting back to order at 1:31 pm.

3.a Land Acknowledgement

As Mayor of the City of Vernon, and in the spirit of this gathering, I recognize the City of Vernon is located in the traditional territory of the Syilx People of the Okanagan Nation.

3.b Agenda

Moved by: Councillor Fehr

Seconded by: Councillor Durning

THAT the Agenda for the September 26, 2022, Regular Open Meeting of Council be adopted as circulated.

CARRIED

3.c Adoption of Minutes and Receipt of Committee of the Whole

Moved by: Councillor Mund

Seconded by: Councillor Durning

THAT the minutes of the Regular meeting of Council held September 6, 2022 be adopted;

AND FURTHER, that the minutes of the Committee of the Whole Meeting of Council held September 6, 2022 be received.

CARRIED

4. BUSINESS ARISING FROM THE MINUTES

5. GENERAL MATTERS

5.a Delegation - Neuron Mobility (8300-10-01)

Christopher Carroll, Vernon Operations Manager for Neuron Mobility provided Council with an overview of Neuron's operations over the past year.

The following points were noted:

- Vernon snapshot by the numbers
- Neuron local Impact for 2022
- 2022 program highlights
- Riding area expansion
- Safety update.

Councillor Anderson entered the meeting at 1:47 pm.

Moved by: Councillor Durning

Seconded by: Councillor Fehr

THAT Council receive the September 26, 2022 presentation from Christopher Carroll, Vernon Operations Manager for Neuron Mobility, for information.

CARRIED

6. COUNCIL INQUIRIES

Fire Hydrant not working - Tavistock subdivision

Council inquired regarding a decommissioned fire hydrant in the Tavistock subdivision. An Admin. update will be provided.

Boulevard on Okanagan Landing

Council inquired regarding a concern from a resident on Okanagan Landing Road; the grass on the boulevard has not been trimmed and some of the bushes need to be pruned. An Admin. update will be provided.

Trail adjacent to Parkwood Retirement Resort

Council inquired regarding the fenced trail adjacent to Parkwood Retirement Resort between Pleasant Valley Road and the round-about. The trail is currently impassible due to a large amount of gravel and fallen trees. An Admin. update will be provided.

7. ADMINISTRATION UPDATES

Moved by: Councillor Fehr

Seconded by: Councillor Durning

THAT Council receive the Administration Updates dated September 26, 2022, for information.

CARRIED

8. UNFINISHED BUSINESS

8.a Priest Valley Refrigeration Plant Phase Two (8215-15)

Moved by: Councillor Mund

Seconded by: Councillor Quiring

THAT Council receive for information the memorandum titled "Priest Valley Refrigeration Plant Phase Two", dated September 16, 2022 and respectfully submitted by the Manager, Recreation Facilities.

CARRIED

8.b Aquatics Waterslide Update (8215-16)

Moved by: Councillor Fehr

Seconded by: Councillor Durning

THAT Council receive for information the memorandum titled "Aquatics Waterslide Update", dated September 16, 2022 and respectfully submitted by the Manager, Recreation Facilities.

CARRIED

8.c Strategy for Overflow Parking at Paddlewheel Park Update (8300-09)

Moved by: Mayor Cumming

Seconded by: Councillor Quiring

THAT Council direct Administration to construction Option D for 2023 to increase on-street parking in the 7800 block of Okanagan Landing Road for

an estimated cost of \$5,000 to be funded from the 2023 Transportation Safety budget, as outlined in the report titled "Strategy for Overflow Parking at Paddlewheel Park Update" dated September 1, 2022 and respectfully submitted by the Transportation Technician.

CARRIED

9. MATTERS REFERRED

9.a Committee of the Whole meeting - September 26, 2022

Housing Action Plan (6460-10)

Moved by: Councillor Fehr

Seconded by: Councillor Gares

THAT Council ratifies and confirms the following resolution adopted at the September 26, 2022 Committee of the Whole meeting of Council:

'THAT Council endorse the Housing Action Plan as attached to the memorandum titled "Housing Action Plan" dated September 12, 2022 and respectfully submitted by the Long Range Planner;

AND FURTHER, that Council refer the Housing Action Plan to the Regional District of North Okanagan Board of Directors for information.'

CARRIED

9.b Declassified Motions from the In Camera meeting - September 26, 2022

Truth and Reconciliation Day - Flags (0220-01)

'THAT Council rescind the motion from September 6, 2022 Regular meeting as follows:

'THAT Council direct Administration to fly the Syilx Nation and Okanagan Nation Alliance flags at City Hall from end of day on Thursday, September 29 until Monday, October 3, 2022.'

'THAT Council direct Administration to unveil the Syilx and Okanagan Nation Alliance flags on September 30, 2022 at approximately 12:30 p.m. and remove the flag at dusk on September 30, 2022.'

'THAT Council direct Administration to investigate options for the installation of an individual flag pole, including location and costs, to be considered in conjunction with 2023 budget deliberations;

AND FURTHER, that Council direct Administration to draft a policy for the raising of flags.'

'THAT Council declassify the unanimous vote for the motion regarding the considerations for a flag pole and proposed policy for raising of flags.'

Recreational Vehicle Habitation (File 2022.3094)

'THAT Council direct Administration to delay enforcement of the recreational vehicle habitation at 6530 Eagle Road and advise the inhabitants of the recreational vehicle to end occupancy before April 30, 2023, subject to review by the City's Solicitor;

AND FURTHER, that Administration bring back proposed amendments to the A1 Zone including alignment with the Agricultural Land Commission regulations.'

10. NEW BUSINESS

10.a Child Care Space Creation Projects Progress - September (8215-05)

Moved by: Councillor Gares

Seconded by: Councillor Mund

THAT Council receive for information the memorandum titled "Child Care Space Creation Project Progress - September", dated September 16, 2022 and respectfully submitted by the Manager, Community Recreation.

CARRIED

10.b Kin Race Track Diamond Removal (6100-14)

Moved by: Councillor Mund

Seconded by: Councillor Fehr

THAT Council authorize Administration to remove the diamonds, fencing, dugouts and bleachers with the remaining funds from the Kin Race Track Park 2022 maintenance budget and reduce the service level at Kin Race Track Park as outlined in the memorandum titled "Kin Race Track Park Diamond Removal" dated September 8, 2022, respectfully submitted by the Manager, Parks and Public Spaces.

CARRIED

10.c Adaptation, Resilience and Disaster Mitigation Grant Application (5225-20)

Moved by: Councillor Quiring

Seconded by: Councillor Durning

THAT Council receive the memorandum titled “Adaptation, Resilience and Disaster Mitigation Grant Application” dated September 14, 2022 and respectfully submitted by the Water Resources Engineer;

AND FURTHER, that Council support the project to upgrade the Vernon Creek Crossing at 43rd Street at a cost of \$3,500,000;

AND FURTHER, that Council authorize Administration to submit a grant application in the amount of \$2,555,000 to the Provincial “Adaptation, Resilience and Disaster Mitigation” program funding stream;

AND FURTHER, that Council authorizes Administration to fund \$945,000 of the total project cost from the Infrastructure Reserve in 2024 should the grant application be successful.

CARRIED

10.d Fire Dispatch Agreement Extension (7010-03)

Moved by: Councillor Quiring

Seconded by: Councillor Fehr

THAT Council receive for information the memorandum titled “Fire Dispatch Agreement Extension” dated September 12, 2022.

AND FURTHER, that Council endorse the five (5) year extension of the current Fire Dispatch Agreement between the City of Kelowna and the City of Vernon, as provided for in “Clause 4.1 Term” of the original agreement, for the period thru December 31, 2027, and with “Schedule 5.1 Fees” being replaced as presented in the Memorandum titled “Fire Dispatch Agreement Extension” dated September 12, 2022 and respectfully submitted by the Director of Fire Rescue Services.

CARRIED

10.e Extension of the Electric Kick Scooter and Electric Bike Sharing Contract with Neuron Mobility (8300-10-06)

Moved by: Councillor Anderson

Seconded by: Councillor Mund

THAT Council direct Administration to extend the e-scooter and e-bike sharing contract with Neuron Mobility to April 5, 2024 as outlined in the memorandum titled "Extension of the Electric Kick Scooter and Electric Bike Sharing Contract with Neuron Mobility" dated September 14, 2022 and respectfully submitted by the Active Transportation Coordinator.

CARRIED

10.f Zoning and Development Variance Permit Applications for 1608 43 Avenue and 4211 17 Street (3360-20/ZON00386/DVP00571)

Moved by: Councillor Gares

Seconded by: Councillor Mund

THAT Council support Zoning Application 00386 (ZON00386) to rezone Lot A, Sec 2, TP 8, ODYD, Plan 32561 (1608 43rd Avenue/4211 17th Street) from R5 – Four-plex Residential to R4 – Small Lot Residential as outlined in the report titled “Zoning and Development Variance Permit Applications for 1608 43rd Avenue and 4211 17th Street” dated September 15, 2022 and respectfully submitted by the Current Planner;

AND FURTHER, that Council’s support of ZON00386 is subject to the following:

1. That the two existing sheds on proposed Lot 2 (4211 17th Street) shown on the site plan (Attachment 3) be removed prior to final bylaw adoption; and
2. That the existing driveway on proposed Lot 1 (1608 43rd Avenue) be relocated to 17th Street prior to final bylaw adoption;

AND FURTHER, that Council not hold a public hearing, pursuant to 464(2) of the Local Government Act, on a proposed bylaw to rezone Lot A, Sec. 2, TP 8, ODYD, Plan 32561 (1608 43rd Avenue/4211 17th Street) from R5 – Four-plex Residential to R4 – Small Lot Residential;

AND FURTHER, that Council direct Administration to issue a public notice of initial readings and prepare a proposed bylaw to be brought forward for Council’s consideration at the Regular Meeting of November 14, 2022 to rezone Lot A, Sec 2, TP 8, ODYD, Plan 32561 (1608 43rd Avenue/4211 17th Street) from R5 – Four-plex Residential to R4 – Small Lot Residential;

AND FURTHER, that Council be advised that Development Variance Permit Application 00571 (DVP00571) will be brought forward for Council’s consideration and public input at the Regular Meeting of November 14, 2022, to vary Zoning Bylaw 5000 for Lot A, Sec 2, TP 8, ODYD, Plan 32561 (1608 43rd Avenue/4211 17th Street) by:

- a. Varying Section 9.5.5, minimum rear yard, from 6m to 2.54m for the existing house on proposed Lot 1; and
- b. Varying Section 9.5.5, minimum rear yard, from 6m to 4.82m for the existing house on proposed Lot 2.

CARRIED

10.g Library Sunday Openings Request for Funding (1700-02)

Moved by: Councillor Gares

Seconded by: Councillor Mund

THAT Council direct Administration to forward the September 15, 2022 request from Jeremy Feddersen, Chief Financial Officer, Okanagan Regional Library to the Regional District of North Okanagan (Electoral Areas B & C) and District of Coldstream Council for consideration of funding this request utilizing the typical cost ratio for Greater Vernon Advisory Committee services;

AND FURTHER, that Council direct Administration to include \$18,728 as a grant to the Okanagan Regional Library, for library Sunday openings, in the 2023 financial plan, for Council approval in December, 2022.

CARRIED

10.h 2023 Grant Request from O'Keefe Ranch (1700-02-001)

Moved by: Councillor Anderson

Seconded by: Councillor Quiring

THAT Council receive for information the memorandum titled "2023 Grant Request from O'Keefe Ranch" dated September 13, 2022 and respectfully submitted by the Manager, Financial Planning & Reporting;

AND FURTHER, that Council direct Administration to include in the 2023 Financial Plan, as a Service Level Adjustment, an operating grant of \$150,000 for O'Keefe Ranch & Interior Heritage Society to be funded \$50,000 from taxation and \$100,000 from the Casino Grant Reserve as outlined in the memorandum titled '2023 Grant Request from O'Keefe Ranch' dated September 13, 2022 and respectfully submitted by the Manager, Financial Planning & Reporting;

AND FURTHER, that the Service Level Adjustment be included in the 2023 proposed budget for Council's consideration.

CARRIED

10.i 2023 Vernon Winter Carnival Society - Request for Funding (1850-01)

Moved by: Councillor Gares

Seconded by: Councillor Mund

THAT Council receive for information the funding request letter from the Vernon Winter Carnival Society dated September 6, 2022;

AND FURTHER, that Council approve a \$10,000 grant to the Vernon Winter Carnival Society in the City of Vernon's 2023 - 2027 Financial Plan, funded from taxation.

CARRIED

11. LEGISLATIVE MATTERS

11.a Bylaws for Adoption

11.a.1 Bylaw 5915

Moved by: Councillor Mund

Seconded by: Councillor Fehr

THAT Bylaw 5915, "Parks and Public Places (Civic Memorial Park and Kin Park) Amendment Bylaw 5915, 2022", a bylaw to add Civic Memorial Park and Kin Park to the 'No Temporary Shelter' Schedules, be adopted.

CARRIED

11.a.2 Bylaw 5920

Moved by: Councillor Mund

Seconded by: Councillor Anderson

THAT Bylaw 5920, "Municipal Ticketing Information (Building Bylaw Number Update) Amendment Bylaw 5920, 2022", a bylaw to update Municipal Ticketing Information Bylaw 5300, 2011, be adopted.

CARRIED

11.a.3 Bylaw 5921

Moved by: Councillor Mund

Seconded by: Councillor Gares

THAT Bylaw 5921, "Bylaw Notice Enforcement (Building Bylaw Number Update) Amendment Bylaw 5921, 2022", a bylaw to update Bylaw Notice Enforcement Bylaw 5250, 2011, be adopted.

CARRIED

11.a.4 Bylaw 5922

Moved by: Councillor Mund

Seconded by: Councillor Durning

THAT Bylaw 5922, "Animal Regulation and Animal Pound (Prohibitions Against Feeding Wildlife) Amendment Bylaw 5922, 2022", a bylaw to add regulations prohibiting feeding of wildlife, be adopted.

CARRIED

11.a.5 Bylaw 5923

Moved by: Councillor Anderson

Seconded by: Councillor Mund

THAT Bylaw 5923, "Bylaw Notice Enforcement (Prohibitions Against Feeding Wildlife) Amendment Bylaw 5923, 2022", a bylaw to add penalties for the feeding of wildlife, be adopted.

CARRIED

11.a.6 Bylaw 5924

Moved by: Councillor Mund

Seconded by: Councillor Gares

THAT Bylaw 5924, "Municipal Ticketing Information (Prohibitions Against Feeding Wildlife) Amendment Bylaw 5924, 2022", a bylaw to add penalties for the feeding of wildlife, be adopted.

CARRIED

11.b Bylaws for First, Second and Third Readings

11.b.1 Bylaw 5917

Moved by: Councillor Mund

Seconded by: Councillor Gares

THAT Bylaw 5917 "9233 Kokanee Road Land Use Contract LTO Registration Number P2461, Discharge Bylaw Number 5917, 2022", a bylaw to authorize the discharge of "Rezoning Bylaw No. 292, 1978" and "Land Use Contract Agreement Bylaw No. 291, 1978", LTO #P2461, be read a first, second and third time.

CARRIED

11.b.2 Bylaw 5918

Moved by: Councillor Mund

Seconded by: Councillor Gares

THAT Bylaw 5918, "Tax Exemption Amendment Bylaw Number 5918, 2022", a bylaw to amend the City of Vernon Tax Exemption Bylaw Number 5713, 2018, be read a first, second and third time.

12. COUNCIL INFORMATION UPDATES

12.a Mayor and Councillors Reports

12.a.1 Councillor Quiring

Attended:

- Union of BC Municipalities
- Regional District of North Okanagan meeting
- Downtown Vernon Association meeting
- Candidate Forum

12.a.2 Councillor Durning

Attended:

- Union of BC Municipalities
- BC Cultural Days
- Tourism Commission meeting
- Candidates Forum

12.a.3 Councillor Fehr

Attended:

- Interview with CBC Daybreak
- Ribbon cutting for Daycare Facilities opening
- Greater Vernon Advisory Committee
- Affordable Housing Advisory Committee
- World Suicide Prevention Day event
- Greater Vernon of Commerce Annual General Meeting
- Garage sale at the People Place
- Seniors Fare
- Arts and Cultural Festival kick-off
- Candidate forum
- Salvation Army Picnic

12.a.4 Councillor Gares

Attended:

- Union of BC Municipalities
- Ribbon cutting for Daycare Facilities opening
- Affordable Housing Advisory Committee

- Greater Vernon Advisory Committee
- Library Board meetings
- Regional Growth Management
- Candidate Forum

12.a.5 Councillor Mund

Attended:

- Union of BC Municipalities

12.a.6 Councillor Anderson

Attended:

- Union of BC Municipalities

12.a.7 Mayor Cumming

Attended:

- Union of BC Municipalities
- Ribbon cutting at the Daycare facilities
- Greater Vernon Advisory Committee
- Met with Greater Vernon Water staff
- Okanagan Indian Band Working Group
- Announcement for Seniors Curling Club Championship in 2023
- Okanagan Basin Water Board meeting
- Supper for Truck Loggers
- Met with Minister Heyman
- RCMP meeting
- Presentation by Minister Dix
- Resource breakfast
- Met with Minister Cullen and Fleming
- Breakfast with Minister Conroy
- Discussion with Lake Country
- Seniors Fare
- Tourism Commission
- Regional District of North Okanagan
- Cultural Days kick-off
- Okanagan Indian Band Golfing Tournament
- Candidate Forum
- Deepest thoughts with Atlantic communities and eastern Quebec

12.b Notice of Motion

Councillor Anderson withdrew Item 12.b.1

13. INFORMATION ITEMS

13.a Correspondence

1. Letter dated September 13, 2022 from Tayler Delannoy, Club Manager, North Valley Gymnastics re: Thank You.
2. Letter dated September 21, 2022 From Roger Green, Partner, MQN Architects re: Brooks Landing Dock License and Foreshore Lease

Councillor Quiring declared a conflict of interest as he is a managing partner in MQN Architects. Councillor Quiring left the meeting at 2:37 pm.

Moved by: Councillor Gares

Seconded by: Councillor Mund

THAT Council authorize the Corporation of the City of Vernon on behalf of the Mayor, to write a letter to the Ministry of Land, Water and Resource Stewardship encouraging the Ministry to consider the application for a dock license and foreshore lease for Brooks Landing at 7501 Brooks Lane, Vernon B.C. in a timely manner.

CARRIED

Councillor Quiring returned to the meeting at 2:39 pm.

13.b Minutes from Council Committees

1. Tourism Commission, July 20, 2022
2. Affordable Housing Advisory, August 10, 2022
3. Advisory Planning, August 16, 2022

14. CLOSE OF MEETING

Mayor Cumming closed the meeting at 2:39 pm.

Mayor

Corporate Officer