

CITY OF MERRITT

MINUTES OF THE REGULAR MEETING OF THE CITY OF MERRITT COUNCIL, TUESDAY,
JULY 13TH, 1993, CIVIC CENTRE CITY HALL, COUNCIL CHAMBERS, 2185 VOGHT
STREET, MERRITT, B.C.

1. PRESENT:

COUNCIL:

Mayor - C. Norgaard
Councillors - R. Brown, J. Hilton, G. Henderson,
T. Fox, D. Laird, R. Typusiak

ADMINISTRATION:

Clerk - Y. Porada
Treasurer - S. Gill
Planner - F. Sinclair
Fire Chief/Bylaw
Enforcement Officer - R. Finley

MEDIA: Merritt Herald, Merritt News, Shaw Cable

DELEGATION: Jack Whittaker, MP Okanagan-Similkameen-Merritt
Dorothy Molnar, Lescarbot Award Recipient

Four members of the general public.

2. CALL TO ORDER:

Mayor Norgaard called the meeting to order at 7:30 p.m.

3. ADOPTION OF THE AGENDA:

a) Regular Council Meeting, Tues., July 13/93.

716/93 Moved by Councillor Brown, seconded by Councillor Henderson
that Council ADOPT the Agenda for the Regular Council
Meeting of Tues., July 13/93. CARRIED

4. PUBLIC HEARING: Nil

5. PETITIONS/DELEGATIONS:

a) Mr. Jack Whittaker, MP, Okanagan-Similkameen-Merritt -
Lescarbot Award.

Mr. Whittaker made his presentation as follows:

- acknowledged Mrs. Dorothy Molnar as recipient of the
Lescarbot Award, which recognizes the volunteer efforts
individuals provide to their community in terms of
increasing cultural awareness;

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5. PETITIONS/DELEGATIONS: a) Cont'd.

- a) - read out a portion of the City's application supporting Mrs. Molnar's efforts, as well as a letter of endorsement from Mr. J. Smith;
- provided a brief history on the award; and
- presented Mrs. Molnar with the Lescarbot Award and Pin.

Mrs. Molnar thanked Council for recognizing her efforts.

- b) Petition Regarding Building Permit for 1563 Coldwater Avenue, June/93.

717/93 Moved by Councillor Henderson, seconded by Councillor Brown that Council RECEIVE the Petition Regarding Building Permit for 1563 Coldwater Avenue, June/93. CARRIED

Mrs. Molnar and the four members of the general public, left the meeting at 7:40 p.m.

6. ADOPTION OF THE MINUTES:

- a) Regular Council Meeting, Tues., June 22/93.

718/93 Moved by Councillor Laird, seconded by Councillor Henderson that Council ADOPT the Minutes of the Regular Council Meeting, Tues., June 22/93. CARRIED

7. BUSINESS ARISING FROM THE MINUTES:

8. UNFINISHED BUSINESS:

- a) Mr. Jack Whittaker, MP, Okanagan-Similkameen-Merritt - Lescarbot Award.

719/93 Moved by Councillor Brown, seconded by Councillor Fox that Council SEND a letter to Mrs. Dorothy Molnar, congratulating her for receipt of the Lescarbot Award. CARRIED

- b) Petition Regarding Building Permit for 1563 Coldwater Avenue, June/93.

720/93 Moved by Councillor Laird, seconded by Councillor Brown that Council INSTRUCT the Planner to send a letter of reply to the petitioners, advising them of the applicable zoning and building bylaw sections which regulate construction of single family dwellings, and further NOTE that if the owner of 1563 Coldwater Avenue meets all of the requirements of said bylaw sections, he will be issued a building permit. CARRIED

Mr. Whittaker left the meeting at 7:47 p.m.

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9. REPORTS:

a) Mayor's Reports:

Mayor Norgaard presented her report as follows:

- proclaimed the Merritt Mountain Music a success;
- noted an Emergency Services meeting on July 14/93;
- advised there would be a Canada Games Society inspection of the Central Park ballfield on July 17/93;
- the N.V. Committee for Water Resource Management is making application to the Fraser Basin Management Board for a Demonstration Watershed Proposal;
- reminded Council of its U.B.C.M. Convention registrations;
- advised that Dalyce Mackey has been hired as the Assistant Manager for the Nicola Valley Aquatic Centre; and
- noted that she would be opposing an amendment to the City of Merritt/T.N.R.D. Refuse Disposal Contract which will be introduced at the Board Meeting, July 15/93.

721/93 Moved by Councillor Typusiak, seconded by Councillor Brown that Council RECEIVE Mayor Norgaard's Report of July 13/93.
CARRIED

722/93 Moved by Councillor Brown, seconded by Councillor Henderson that Council SEND a letter of appreciation to Merritt & District Chamber of Commerce for all of its efforts on the Merritt Mountain Music Festival.
CARRIED

b) Liaison's and Commission's/Committee's Reports:

South Central Health Unit - Aug./93 meeting to be arranged.
Boundary Restructure Study - Council Committee Meeting to be scheduled as soon as possible.
OCP Review - Public information meetings to be scheduled in Sept./93.

- 1) Minutes of Nicola Valley Aquatic Centre Fundraising Committee Meeting, June 22/93.

723/93 Moved by Councillor Brown, seconded by Councillor Laird that Council RECEIVE the Minutes of the Nicola Valley Aquatic Centre Fundraising Committee Meeting, June 22/93.
CARRIED

724/93 Moved by Councillor Henderson, seconded by Councillor Fox that Council SEND a letter to the Nicola Valley Aquatic Centre Fundraising Committee thanking it for its outstanding fundraising efforts on behalf of the Nicola Valley Aquatic Centre construction.
CARRIED

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9. REPORTS: c) 5) Cont'd.

732/93 Moved by Councillor Hilton, seconded by Councillor Henderson that Council RECEIVE Memo, June 23/93 - Purchase of Composting Units and PURCHASE the Vermicomposting System units at an estimated program cost of \$14,500.00. DEFEATED
MAYOR NORGAARD, COUNCILLORS LAIRD, FOX & TYPUSIAK OPPOSED
COUNCILLORS HILTON, BROWN & HENDERSON IN FAVOUR

733/93 Moved by Councillor Laird, seconded by Councillor Typusiak that Council RECEIVE Memo, June 23/93 - Purchase of Composting Units and PURCHASE two hundred (200) units using the "Green Genie" Composting System and fifty (50) units using the Vermicomposting System at an estimated program cost of \$14,500.00. CARRIED
COUNCILLORS HILTON, HENDERSON & BROWN OPPOSED
MAYOR NORGAARD, COUNCILLORS LAIRD, FOX & TYPUSIAK IN FAVOUR

6) Urban Systems Ltd., June 28/93 - North-east Sector Sewer Specified Area Assessment.

734/93 Moved by Councillor Hilton, seconded by Councillor Henderson that Council INSTRUCT Administration to prepare a draft Northeast Sector Sewer Specified Area Bylaw based on the information received in Urban Systems Limited's letter dated June 28/93. CARRIED

735/93 Moved by Councillor Brown, seconded by Councillor Hilton that Council APPROVE implementing the option utilizing Parcel Tax (tax varies according to parcel area), to recover the costs of installing sewer services within the Northeast Sector Specified Area, as noted in Item 4. Optional Approaches, Urban Systems Limited's letter dated June 28/93. CARRIED

7) Memo, June 6/93 - Month-End Report for June 1993.

736/93 Moved by Councillor Henderson, seconded by Councillor Laird that Council RECEIVE Memo, June 6/93 - Month-End Report for June 1993. CARRIED

The Fire Chief presented Council with his report, from a fire safety perspective only, on concerns his Department identified regarding the Merritt Mountain Music Festival. The Department was not required to respond to any emergencies on-site, throughout the entire event.

The Fire Chief left the meeting at 8:15 p.m.

8) Memo, July 8/93 - Development Variance Permit No. DVP1993-06 - Sowpal.

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9. REPORTS: c) 8) Cont'd.

- 737/93 Moved by Councillor Fox, seconded by Councillor Brown that Council RECEIVE Memo, July 8/93 - Development Variance Permit No. DVP1993-06 - Sowpal. CARRIED
- 738/93 Moved by Councillor Fox, seconded by Councillor Hilton that Council APPROVE authorization of Development Variance Permit No. DVP1993-06 - Sowpal. DEFEATED
MAYOR NORGAARD, COUNCILLORS HILTON, HENDERSON, TYPUSIAK, LAIRD & BROWN OPPOSED
COUNCILLOR FOX IN FAVOUR
- 739/93 Moved by Councillor Hilton, seconded by Councillor Henderson that Council DENY Development Variance Permit No. DVP1993-06 - Sowpal. CARRIED
COUNCILLOR FOX OPPOSED
MAYOR NORGAARD, COUNCILLORS HILTON, HENDERSON, LAIRD, BROWN & TYPUSIAK IN FAVOUR
- 740/93 Moved by Councillor Brown, seconded by Councillor Hilton that Council INSTRUCT the Planner to notify Mr. Sowpal that DVP1993-06 has been denied and ADVISE he has the opportunity to attend the next Regular Meeting, July 27/93 regarding his DVP application. CARRIED
- 9) Memo, July 7/93 - Development Variance Permit No. DVP1993-07 - Emmons/Kinloch.
- 741/93 Moved by Councillor Hilton, seconded by Councillor Brown that Council RECEIVE Memo, July 7/93 - Development Variance Permit No. DVP1993-07 - Emmons/Kinloch and APPROVE authorization of DVP1993-07 - Emmons/Kinloch. CARRIED
- 10) Memo, June 21/93 - Public Works Inspection and Flushing Policy.
- 742/93 Moved by Councillor Typusiak, seconded by Councillor Henderson that Council RECEIVE Memo, June 21/93 - Public Works Inspection and Flushing Policy and ADOPT the following "POLICIES":
- Sector Checks - That the City of Merritt Public Works Department perform Sector Checks on roads, City owned parking lots and sidewalks within the City of Merritt. Based on the City's ability to pay, these sector checks shall occur once every three (3) months throughout the year. City parks shall also be inspected and shall be checked monthly from offseason. In general, sectors checks will involve checks as listed in the Policy Manual and presented to Council on July 13/93. CARRIED

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9. REPORTS: c) 10) 742/93 Cont'd.

0435/05
RESCINDED
742/93 Utility Main Flushing - That in consideration of the City's ability to pay and past performance of individual utility lines within the City, the flushing schedule for utility lines within the City of Merritt will be as listed in the Policy Manual and presented to Council on July 13/93.

CARRIED

10. BYLAWS:

- a) Exempt Property Bylaw -
i) Memo, June 29/93.

743/93 Moved by Councillor Typusiak, seconded by Councillor Laird that Council RECEIVE Memo, June 29/93 - Exempt Property Bylaw and ENDORSE inviting representatives of the Merritt Golf and Country Club to a meeting to discuss the Club's exemption from taxation.

CARRIED

COUNCILLORS HILTON & BROWN OPPOSED
MAYOR NORGAARD, COUNCILLORS LAIRD, FOX, TYPUSIAK & HENDERSON
IN FAVOUR

- ii) City of Merritt Tax Exemption Bylaw No. 1401, 1993 -
Submitted for First and Second Readings.

744/93 Moved by Councillor Brown, seconded by Councillor Laird that Council GIVE FIRST READING to "CITY OF MERRITT TAX EXEMPTION BYLAW NO. 1401, 1993".

CARRIED

745/93 Moved by Councillor Laird, seconded by Councillor Brown that Council GIVE SECOND READING to "CITY OF MERRITT TAX EXEMPTION BYLAW NO. 1401, 1993".

CARRIED

- b) City of Merritt Official Community Plan Amendment -
i) Memo, July 8/93 - Major Highway Designations.

746/93 Moved by Councillor Typusiak, seconded by Councillor Brown that Council RECEIVE Memo, July 8/93 - Major Highway Designations and SEND a letter to the Ministry of Transportation & Highways stating that the City's legal advice indicates that the principle of law arising from the Maple Ridge court case applies to all municipalities. Thus, any Official Community Plan which includes public projects that are not included in the municipality's capital expenditure plan or in a senior government budget is liable to be set aside, in whole or in part. Further, that the City of Merritt will be following said legal advice and therefore, is unable to abide by the Ministry's position.

CARRIED

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10. BYLAWS: b) Cont'd.

- b) ii) City of Merritt Official Community Plan Bylaw No. 1403, 1993 - Submitted for First and Second Readings.

747/93 Moved by Councillor Brown, seconded by Councillor Laird that Council GIVE FIRST READING to "CITY OF MERRITT OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW NO. 1403, 1993". CARRIED

748/93 Moved by Councillor Typusiak, seconded by Councillor Brown that Council GIVE SECOND READING to "CITY OF MERRITT OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW NO. 1403, 1993". CARRIED

749/93 Moved by Councillor Typusiak, seconded by Councillor Hilton that Council PROCEED to Public Hearing, Tues., Aug. 10/93 on City of Merritt Official Community Plan Amendment Bylaw No. 1403, 1993. CARRIED

11. CORRESPONDENCE:

a) **Potential Council Responses:**

- 1) Minister of Transportation & Highways, June 24/93 - U.B.C.M. Convention.

750/93 Moved by Councillor Typusiak, seconded by Councillor Laird that Council RECEIVE letter from Minister of Transportation & Highways, June 24/93 - U.B.C.M. Convention and INSTRUCT Administration to make U.B.C.M. Convention appointments with various Ministries, based on receipt of a list of issues being submitted by Council members prior to Aug. 15/93. CARRIED

- 2) N.V. Chapter of the Registered Nurses' Association of B.C., June 25/93 - Request to Support a Nursing Centre in the Nicola Valley.

751/93 Moved by Councillor Brown, seconded by Councillor Laird that Council RECEIVE letter from N.V. Chapter of the Registered Nurses' Association of B.C., June 25/93 and SEND a letter supporting the establishment of a Nursing Centre in the Nicola Valley. CARRIED

- 3) C.M.H.C., June 18/93 - Termination of RRAP Funding.

752/93 Moved by Councillor Brown, seconded by Councillor Laird that Council RECEIVE letter from C.M.H.C., June 18/93 - Termination of RRAP Funding and ENDORSE that the current agreement termination remain status quo. DEFERRED

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11. CORRESPONDENCE: a) 3) Cont'd.

753/93 Moved by Councillor Hilton, seconded by Council Brown that Council DEFER Motion 752/93 which receives letter from C.M.H.C., June 18/93 and endorses continuation of the current agreement, until such time as Administration can determine if said agreement is still in effect. CARRIED

- 4) Minister of Municipal Affairs, Recreation & Housing, June 17/93 - Boundary Restructure Study.

754/93 Moved by Councillor Laird, seconded by Councillor Brown that Council RECEIVE letter from Minister of Municipal Affairs, Recreation & Housing, June 17/93 - Boundary Restructure Study and REFER it to a Committee of the Whole Meeting as soon as it can be arranged, inviting Mr. Tom Reid, Sussex Consultants, to attend. CARRIED

- 5) Cariboo-Thompson Nicola Library System, June 29/93 - Merritt Library Lease.

755/93 Moved by Councillor Typusiak, seconded by Councillor Laird that Council RECEIVE letter from Cariboo-Thompson Nicola Library System, June 29/93 - Merritt Library Lease, ACCEPT the proposed rental terms: 1) rental of property on a month-to-month basis at \$5.00 per sq. ft., retroactive to Jan. 1/93 and 2) library system to pay for utilities only, City of Merritt agrees not to charge for property taxes, provided, that said rental fee be charged for a one-year period only, with an increase being re-negotiated by Dec. 31/93. CARRIED

b) Receive:

- 1) B.C. Energy Council, June 17/93 - B.C. Energy Plan Discussion Paper.
- 2) Town of Smithers, June 16/93 - Mining - Development of a Multi-Use Plan.
- 3) Mr. Harry Lali, MLA, Yale-Lillooet -
 - i) June 15/93 - 911 Emergency System - Addressed to T.N.R.D.
 - ii) June 21/93 - Update on Local Issues.
- 4) Minister of Environment, Lands & Parks, June 10/93 - Protected Areas Strategy - Package in "Reader File".
- 5) Ministry of Municipal Affairs, Recreation & Housing -
 - i) 1993 Planning & Regional Strategic Planning Grant Programs.

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11. CORRESPONDENCE: b) 5) Cont'd.

- b) 5) ii) June 14/93 - Local Government Elections Legislation Reformed.
- iii) June 25/93 - Public Library Legislation.
- 6) U.B.C.M. -
 - i) Convention Bulletin #1, June 18/93.
 - ii) June 18/93 - Health Authorities Act.
 - iii) June 18/93 - In The House - Emergency Program, Health Regionalization & More New Legislation.
 - iv) Convention Bulletin #2 - June 25/93.
 - v) June 28/93 - In The House - Cabinet Appeals, Municipal Act Amendments & Information & Privacy.
 - vi) June 30/93 - Elections Legislation.
- 7) B.C. Fisheries Survival Coalition, June 17/93 - Aboriginal Fishing Strategy.
- 8) Village of Ashcroft, June 18/93 - Mining Industry.
- 9) I.C.B.C., June 25/93 - "Road Sense".
- 10) Environment Canada - Fraser River Action Plan - Report placed in "Reader File".


756/93 Moved by Councillor Typusiak, seconded by Councillor Henderson that Council RECEIVE Item 11. CORRESPONDENCE b) 1) to 10) for information. CARRIED

12. NEW BUSINESS:

13. ADJOURNMENT: Moved by Councillor Typusiak, seconded by Councillor Fox that the meeting ADJOURN at 9:30 p.m.

CERTIFIED CORRECT:


C.R. Norgaard, MAYOR


Y.J. Porada, CLERK