

## CITY OF MERRITT

MINUTES OF THE REGULAR MEETING OF THE CITY OF MERRITT COUNCIL, TUESDAY, SEPTEMBER 28TH, 1993, CIVIC CENTRE CITY HALL, COUNCIL CHAMBERS, 2185 VOGHT STREET, MERRITT, B.C.

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1. PRESENT:

COUNCIL:

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

ADMINISTRATION:

Administrator - T. Day  
Clerk - Y. Porada  
Treasurer - S. Gill  
Planner - F. Sinclair  
Director of Parks  
& Recreation - D. Osborne  
Aquatic Centre Manager - J. Norburn  
Aquatic Centre  
Assistant Manager - D. Mackey

MEDIA: Merritt News, Merritt Herald, Radio CJNL, Shaw Cable

DELEGATIONS: Messrs. Helmuth Kanduth and Robert Hack  
Mr. Clay Campbell, Coldwater Road  
Mrs. Jill van Rossum, First Avenue  
Mrs. Rosemary Gorcak, Sunnyview Mobile Home Park

Approximately 50 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., Sept. 28/93.

962/93 Moved by Councillor Laird, seconded by Councillor Henderson that Council ADOPT the Agenda for the Regular Meeting of Tues., Sept. 28/93, including the Extra Agenda of Sept. 24/93 and Nicola Valley Aquatic Centre Statistics Sept. 12-25/93.

CARRIED

4. PUBLIC HEARING:

Mayor Norgaard called the Public Hearing to order at 7:31 p.m. and read out her statement regarding presentations.

a) City of Merritt Zoning Amendment Bylaw No. 1407, 1993.

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**4. PUBLIC HEARING: a) Cont'd.**

The City Planner explained that Bylaw No. 1407 amended Zoning Bylaw No. 1157, 1987 by adding to the C3 Service Commercial Zone "single family dwelling unit accessory to a motel only", and and by amending the C4 Highway Commercial Zone to read "Single family dwelling unit accessory to uses set out in subsection (a) to (r)".

The Mayor called three times for anyone wishing to speak for or against Bylaw No. 1407. No one made any presentations and it was noted no written submissions were received.

Mayor Norgaard declared the Public Hearing closed at 7:34 p.m.

**5. PETITIONS/DELEGATIONS:**

- a) Messrs. H. Kanduth and R. Hack - Presentation - 1993 Canada Games.

Mayor Norgaard presented Messrs. Helmuth Kanduth and Robert Hack with gifts to show the City's appreciation for the service they provided on behalf of the community, in order to ensure that the 1993 Canada Summer Games was a success.

Messrs. Kanduth and Hack left the meeting at 7:35 p.m.

- b) Mr. C. Campbell, Residents of Coldwater Road - Petition to Ministry of Municipal Affairs Opposing Boundary Restructure.

Mr. Campbell made his presentation as follows:

- noted the residents of Coldwater Road, south of Pooley Avenue do not wish to be included in the City's boundaries;
- stated these residents enjoy their lifestyle, privacy, land uses, etc. and therefore do not wish to alter this;
- concerned with the potential tax increases;
- advised the residents do not wish to have their land uses curtailed, nor to become involved in non-conforming issues;
- advised substantial funds had been spent on their water and sewer systems, so noted obtaining City services was not a necessity for these residents; and
- requested to remain status quo and not be included in the upcoming referendum for boundary restructure.

- c) Mrs. J. van Rossum, Residents of First Avenue, Sept. 20/93 - Petition Requesting Street Upgrading.

Mrs. van Rossum made her presentation as follows:

- requested that First Avenue be slated in the 1994 budget as a paving project;
- advised that snowplowing, water pooling and street sweeping has been causing additional damage to the pavement;

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**5. PETITIONS/DELEGATIONS: c) Cont'd.**

- c) - noted the total 1993 property taxes of these residents are approximately \$10,000; and  
- stated the continuous problems being encountered with weeds should also be addressed by the City.
- d) Tumbleweed Playschool - Petition Opposing Nicola Valley Aquatic Centre Family Rates.
- e) Mrs. R. Gorcak, Sunnyview Mobile Home Park - Petition - Boundary Extension.

Mrs. Gorcak presented Council with a petition requesting that the Sunnyview Mobile Home Park be included in the City of Merritt boundaries immediately, due to the Ministry of Health declaring that the mobile home park's sewer disposal system has become a health hazard and therefore City sewer services are required.

963/93 Moved by Councillor Typusiak, seconded by Councillor Laird that Council RECEIVE petitions from the residents of Coldwater Road (C. Campbell), residents of First Avenue (J. van Rossum), Tumbleweed Playschool and residents of Sunnyview Mobile Home Park (R. Gorcak). CARRIED

**6. ADOPTIONS OF THE MINUTES:**

- a) Regular Council Meeting, Tues., Sept. 14/93.

964/93 Moved by Councillor Henderson, seconded by Councillor Typusiak that Council ADOPT the Minutes of the Regular Council Meeting, Tues., Sept. 14/93 with the following amendments ADDED: Motion No. 928/93 to read "...at 7:45 a.m.", in place of "...at 12:00 noon"; Motion 955/93 to read "...Council REQUEST an executive summary letter.", in place of "...Council RESPOND with an executive summary letter."; and include "...Councillor Brown left the Council Chambers following Motion No. 940/93, returning for Item 10. BYLAWS. CARRIED

**7. BUSINESS ARISING FROM THE MINUTES:**

**8. UNFINISHED BUSINESS:**

- a) Mr. C. Campbell - Residents of Coldwater Road - Boundary Restructure Petition and Delegation.

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8. UNFINISHED BUSINESS: a) Cont'd.

965/93 Moved by Councillor Laird, seconded by Councillor Brown that Council AGREE with the T.N.R.D. and the Boundary Restructure Study Committee, that the residents of Coldwater Road, south of Pooley Avenue be DELETED from the Boundary Restructure Study boundaries, and further ADVISE the Minister of Municipal Affairs.

CARRIED

COUNCILLOR HILTON OPPOSED

MAYOR NORGAARD, COUNCILLORS LAIRD, BROWN, HENDERSON & TYPUSIAK  
IN FAVOUR

966/93 Moved by Councillor Brown, seconded by Councillor Laird that Council ADVISE the property owners adjacent and south of Pooley Avenue, that they can make application to the City for inclusion in its boundaries, separately from the current Boundary Restructure Study being undertaken.

CARRIED

c) Mrs. J. van Rossum Residents of First Avenue - Street Upgrading - Petition and Delegation.

967/93 Moved by Councillor Typusiak, seconded by Councillor Henderson that Council INCLUDE the project of paving First Avenue in its 1994 Budget discussions.

CARRIED

d) Tumbleweed Playschool - Nicola Valley Aquatic Centre Family Rates - Petition.

968/93 Moved by Councillor Typusiak, seconded by Councillor Henderson that Council MOVE this Petition to Item 9. c) 7) of the Sept. 28/93 Agenda.

CARRIED

e) Boundary Restructure -

1) Sussex Consultants, Sept. 28/93.

969/93 Moved by Councillor Typusiak, seconded by Councillor Laird that Council RECEIVE information from Sussex Consultants, Sept. 28/93 - Boundary Restructure.

CARRIED

2) Mrs. R. Gorcak, Petition and Delegation.

970/93 Moved by Councillor Hilton, seconded by Councillor Brown that Council PROCEED with including the Sunnyview Mobile Home Park in the City of Merritt boundaries, as soon as possible, and ADVISE the Minister of Municipal Affairs.

CARRIED

971/93 Moved by Councillor Hilton, seconded by Councillor Laird that Council INSTRUCT the Public Works Superintendent to conduct a cost analysis study on providing sewer and water to the Sunnyview Mobile Home Park.

CARRIED

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**8. UNFINISHED BUSINESS: e) Cont'd.**

972/93 Moved by Councillor Typusiak, seconded by Councillor Laird that Council DEFER Motion No. 971/93 instructing the Public Works Superintendent to conduct a cost analysis study, pending receipt of a report from the Administrator. DEFEATED  
MAYOR NORGAARD, COUNCILLORS HENDERSON, HILTON & BROWN OPPOSED  
COUNCILLORS TYPUSIAK & LAIRD IN FAVOUR

Councillor Hilton left the meeting at 8:23 p.m. and a majority of the general public left the meeting at 8:25 p.m.

**9. REPORTS:**

**a) Mayor's Reports:**

Mayor Norgaard noted a report would be forthcoming on the 1993 U.B.C.M. Convention.

**b) Liaisons' and Commissions'/Committees' Reports:**

**South Central Union Board of Health - Councillor Laird -**  
- meeting scheduled for Sept. 29/93.

1) Minutes of Economic Development/Tourism Promotion Commission, Sept. 7/93.

973/93 Moved by Councillor Laird, seconded by Councillor Brown that Council RECEIVE Minutes of the Economic Development/Tourism Promotion Commission, Sept. 7/93 meeting. CARRIED

974/93 Moved by Councillor Brown, seconded by Councillor Typusiak that Council APPROVE accepting Ms. Ingrid Bergen's proposal for the City of Merritt Folder for \$2,300.00. CARRIED

**c) Administration Reports:**

1) Memo, Sept. 16/93 - Merritt Information Centre - Winter Schedule.

975/93 Moved by Councillor Laird, seconded by Councillor Henderson that Council RECEIVE Memo, Sept. 16/93 and ENDORSE that the Merritt Information Centre - Winter Schedule operate Thursday through Monday, 10:00 a.m. to 4:00 p.m., closed Tuesday and Wednesday, effective immediately. Washrooms to remain open 7 days a week, 24 hours per day. CARRIED

2) Memo, Sept. 16/93 - Proposed Specified Area for Servicing Northeast Sector.

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9. REPORTS: c) 2) Cont'd.

976/93 Moved by Councillor Typusiak, seconded by Councillor Brown that Council RECEIVE Memo, Sept. 16/93 and APPROVE holding a Public Information Meeting on the Proposed Specified Area for Servicing Northeast Sector project. CARRIED

3) Memo, Sept. 20/93 - Month-End Report for Aug./93.

977/93 Moved by Councillor Henderson, seconded by Councillor Typusiak that Council RECEIVE Memo, Sept. 20/93 - Month-End Report for Aug./93. CARRIED

4) Memo, Sept. 21/93 - T.N.R.D. 1994 Payments.

978/93 Moved by Councillor Typusiak, seconded by Councillor Henderson that Council RECEIVE Memo, Sept. 21/93 - T.N.R.D. 1994 Payments and REFER said Memo to a Special Council Meeting for further discussion. CARRIED

Councillor Hilton returned to the Council Chambers at 8:35 p.m.

5) Memo, Sept. 23/93 - Lot Purchase/King.

979/93 Moved by Councillor Henderson, seconded by Councillor Brown that Council RECEIVE Memo, Sept. 23/93 - Lot Purchase/King. CARRIED

980/93 Moved by Councillor Laird, seconded by Councillor Brown that Council REFER Memo, Sept. 23/93 - Lot Purchase/King to the next In-Camera Meeting. CARRIED

6) Memo, Sept. 22/93 - Merritt Gymnastics Club - Civic Centre Use Agreement.

981/93 Moved by Councillor Typusiak, seconded by Councillor Henderson that Council RECEIVE Memo, Sept. 22/93 and AUTHORIZE the Mayor and Clerk to execute the Civic Centre Rental Agreement with the Merritt Gymnastics Club commencing Sept. 1/93 and terminating on Aug. 31/94, with a rental rate of \$6.80 per hour for the east 1/2 of the Civic Centre auditorium and with all other conditions remaining as per the 1992/93 agreement. CARRIED

7) Memo, Sept. 23/93 - Facility Admission Rates.

982/93 Moved by Councillor Henderson, seconded by Councillor Brown that Council RECEIVE Memo, Sept. 23/93 - Facility Admission Rates, inclusive of the correspondence attached. CARRIED

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**9. REPORTS: c) 7) Cont'd.**

983/93 Moved by Councillor Typusiak, seconded by Councillor Henderson that Council ENDORSE recommendations as presented in Memo, Sept. 23/93 - Facility Admission Rates and summarized as follows: 1. current family single admissions and pass rates remain unchanged; 2. Bylaw No. 1402 be amended to re-define a "family" with the rates amended as applicable; 3. that post-dated cheques not be accepted for the sale of annual memberships; and 4. that a discounted swim be considered for service clubs of other organizations, and further that all other aquatic centre issues will be revisited in six months time. CARRIED

984/93 Moved by Councillor Typusiak, seconded by Councillor Hilton that Council SEND letters to NV Healthy Communities Group, Kerry Clark, Lynn Krausert and Tumbleweed Playschool, advising that Council will be amending Bylaw. No. 1387 to reflect the recommended changes to "family" rates charged for the Nicola Valley Aquatic Centre. CARRIED

**10. BYLAWS:**

a) City of Merritt Zoning Amendment Bylaw No. 1407, 1993 - Submitted for Third Reading.

985/93 Moved by Councillor Typusiak, seconded by Councillor Laird that Council GIVE THIRD READING to "CITY OF MERRITT ZONING AMENDMENT BYLAW NO. 1407, 1993". CARRIED

**11. CORRESPONDENCE:**

**a) Potential Council Responses:**

- 1) Worrall Scott and Page, Aug. 11/93 Lower Nicola Indian Band - Independent Assessment & Taxation Bylaw.
- 2) Lidstone, Young, Anderson, Sept. 16/93 - Assessment and Taxation Bylaw.

986/93 Moved by Councillor Laird, seconded by Councillor Henderson that Council RECEIVE letters from Worrall Scott and Page, Aug. 11/93 and Lidstone, Young, Anderson, Sept. 16/93 - Lower Nicola Indian Band, Independent Assessment and Taxation Bylaw, and ENDORSE Mr. Anderson's advice that the City write to Lower Nicola Indian Band or to the Band's solicitors, confirming the City's understanding that there are not Indian lands which are currently subject to City taxation. CARRIED

- 3) Diana Norgaard, Betty McDonnell, Del Lawrence, July 27 & Sept. 16/93 - Emergency Response.

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

987/93 Moved by Councillor Brown, seconded by Councillor Laird that Council RECEIVE letters from Diana Norgaard, Betty McDonnell, Del Lawrence, July 27 & Sept. 16/93 - Emergency Response.  
CARRIED

4) Merritt Herald, Sept. 13/93 - Aquatic Centre & Election Advertising.

988/93 Moved by Councillor Laird, seconded by Councillor Brown that Council RECEIVE letter from Merritt Herald, Sept. 13/93 - Aquatic Centre & Election Advertising, and ADVERTISE in both the Merritt Herald and Merritt News, for the Nicola Valley Aquatic Centre and Election advertising only. DEFEATED  
MAYOR NORGAARD, COUNCILLORS HILTON, HENDERSON & TYPUSIAK OPPOSED  
COUNCILLORS LAIRD & BROWN IN FAVOUR

989/93 Moved by Councillor Brown, seconded by Councillor Henderson that Council ADVERTISE in both the Merritt Herald and Merritt News, for the Election advertising only. DEFEATED  
MAYOR NORGAARD, COUNCILLORS TYPUSIAK, HILTON & HENDERSON OPPOSED  
COUNCILLORS LAIRD & BROWN IN FAVOUR

4) National Access Awareness Week, Sept./93 - Community Development Program.

990/93 Moved by Councillor Laird, seconded by Councillor Henderson that Council RECEIVE letter from National Access Awareness Week, Sept./93 - Community Development Program and REFER said letter to the Local Access Awareness Committee.  
CARRIED

b) **Receive:**

1) Agricultural Land Commission, Sept. 17/93 - Act Amendments in "Reader File".

2) District of Squamish, Sept. 16/93 - Survey on Manufactured Housing.

3) Multiculturalism & Citizenship Canada - Sept. 7/93 - Multiculturalism & Race Relations Survey.

4) U.B.C.M. -

i) Sept. 8/93 - 1993 Surveys.

ii) Sept. 15/93 - Group Insurance for Elected Officials.

5) Village of Ucluelet, Sept. 14/93 - Clayoquot Sound.



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**11. CORRESPONDENCE:    b) Cont'd.**


- b)            6)    Victim Assistance Program - April, May, June & July/93 - Report.
- 7)    B.C. Round Table - Publications.
- 8)    Shaw Cable, Sept. 23/93 - Council Meeting Broadcasts.
- 9)    B.C. Hydro, Sept. 21/93 - Building Improvements Program.
- 991/93        Moved by Councillor Typusiak, seconded by Councillor Hilton that Council RECEIVE Item 11. CORRESPONDENCE b) 1)-9) for information. CARRIED

**12. NEW BUSINESS:**

- a)    Memo, Sept. 28/93 - Proposed Boundary Extension.
- 992/93        Moved by Councillor Typusiak, seconded by Councillor Laird that Council RECEIVE Memo, Sept. 28/93 - Proposed Boundary Extension, and ENDORSE recommendations in said Memo, summarized as follows: 1. requesting further information from the Ministry of Municipal Affairs; 2. requesting the T.N.R.D. to undertake a Collettville Water Study; and 3. proceed with the Boundary Restructure Study, without the results from said Water Study. CARRIED
- b)    Nicola Valley Aquatic Centre Statistics, Sept. 12-25/93.
- 993/93        Moved by Councillor Typusiak, seconded by Councillor Laird that Council RECEIVE Nicola Valley Aquatic Centre Statistics, Sept. 12-25/93 report. CARRIED
- c)    Dalyce Mackey - Mayor Norgaard introduced Ms. Mackey as the new Nicola Valley Aquatic Centre Assistant Manager.
13.    ADJOURNMENT:    Moved by Councillor Brown, seconded by Councillor Typusiak that the meeting TERMINATE at 9:12 p.m.

CERTIFIED CORRECT:

  
C.R. Norgaard, MAYOR

  
Y.J. Borada, CLERK