

CITY OF MERRITT

MINUTES FOR THE REGULAR COUNCIL MEETING OF THE CITY OF MERRITT COUNCIL, TUESDAY, MARCH 10, 1998, AT 7:30 P.M., CITY HALL COUNCIL CHAMBERS, 2185 VOGHT STREET, MERRITT, B.C.

1. PRESENT:

COUNCIL:

Mayor - C. Norgaard
Councillors - L. Barr, D. Laird, D. McLean, R. Sherwood, R. Typusiak

ADMINISTRATION:

Administrator - T. Day
Treasurer - S. Gill
Acting Clerk - B. Harrison
Confidential Secretary - L. Allen
City Planner - J. Johnson
Recreation Manager - D. Brandt
Aquatic Centre Manager - J. Norburn

MEDIA: Merritt Herald, Shaw Cable, Radio NL

Members of the General Public: 16

2. CALL TO ORDER:

Mayor Norgaard called the meeting to order at 7:32 P.M.

3. ADOPTION OF THE AGENDA:

a) Regular Council Meeting, Tuesday, March 10, 1998

174/98 Moved by Councillor Typusiak, seconded by Councillor Laird that Council ADOPT the amended agenda Regular Council Meeting, Tuesday, March 10, 1998. **CARRIED**

4. ADOPTION OF THE MINUTES/BUSINESS ARISING FROM MINUTES:

a) Minutes, Regular Council Meeting, Tuesday, February 24, 1998

175/98 Moved by Councillor Typusiak, seconded by Councillor McLean that Council ADOPT the Minutes, Regular Council Meeting, Tuesday, February 24, 1998. **CARRIED**

5. PUBLIC HEARINGS:

Mayor Norgaard called the Public Hearing to order at 7:32 P.M., and read aloud the statement regarding presentations:

- a) Active Mountain Entertainment Corporation – File #OCP1997-06/RZ1997-11
 - 1) City of Merritt Official Community Plan Amendment Bylaw No 1658, 1998
 - 2) City of Merritt Zoning Amendment Bylaw No. 1659, 1998
- b) Community Futures Development Corporation of the Nicola Valley – File #OCP1997-07/RZ1997
 - 1) City of Merritt Official Community Plan Amendment Bylaw No. 1666, 1998
 - 2) City of Merritt Zoning Amendment Bylaw No. 1667, 1998
- a) The Planning Department read aloud two written submissions; Ardew Wood Products, March 9, 1998 and Mair, Jensen, Blair (on behalf of Weyerhaeuser Canada) March 10, 1998 opposing Amendment Bylaw No 1658 and 1659.

Claude Lelievre, New West Minister, BC – Spoke on behalf of Active Mountain Entertainment Corp. and pointed out to Council that the development would be on the South side of the hill. There would be no development on the hillside, as it is too steep to develop. The hillside would absorb most of the noise associated with the surrounding Mills.

Mayor Norgaard called three times for anyone wishing to speak for or against City of Merritt Official Community Plan Amendment Bylaw No 1658, 1998 and hearing no response, declared the Public Hearing closed at 7:44 P.M.

Mayor Norgaard called three times for anyone wishing to speak for or against City of Merritt Zoning Amendment Bylaw No. 1659, 1998 and hearing no response, declared the Public Hearing closed at 7:48 P.M.

- b) The Planning Department received and read aloud a written submission from Mr. Norman Wade. Mayor Norgaard called three times for anyone wishing to speak for or against City of Merritt Official Community Plan Amendment Bylaw No 1666, 1998 and hearing no response, declared the Public Hearing closed at 7:51 P.M.

Mayor Norgaard called three times for anyone wishing to speak for or against City of Merritt Zoning Amendment Bylaw No. 1667, 1998 and hearing no response, declared the Public Hearing closed at 7:52 P.M.

6. PETITIONS/DELEGATIONS:

- a) Rino Elverhoy, January 30, 1998, Regional Economic Development Strategy

Verbal presentation from Rino Elverhoy, Economic Development Officer for the TNRD. Explained to the Mayor and Council the process of the new Regional Economic Development Strategy. Copies of the report were submitted to the Planner to distribute to Council.

- b) Merritt View Developments – DVP1998-01

Verbal presentation from the City Planner outlining the existing overhead power lines and poles. Read letter submitted from Merritt Plateau Holdings Inc.

Ken Featherstone spoke on behalf of Merritt View Developments explaining the safety issues from BC Hydro and the cost factors of burying the hydro lines.

Council inquired if Merritt View Developments were willing to drop the services underground to the new development from the overhead lines and add lamp standards. Ken Featherstone indicated that Merritt View Developments are in the process of having plans drawn up for the services to be dropped from the hydro pole to their facility underground.

At 8:23 P.M. four (4) members of the General Public left, with 12 remaining

7. BYLAWS:

- a) City of Merritt Business License Bylaw No. 1676, 1998

176/98 Moved by Councillor Laird, seconded by Councillor Barr that Council **GIVE FIRST READING TO CITY OF MERRITT BUSINESS LICENSE BYLAW NO. 1676, 1998.** CARRIED

177/98 Moved by Councillor McLean, seconded by Councillor Laird that Council **GIVE SECOND READING TO CITY OF MERRITT BUSINESS LICENSE BYLAW NO. 1676, 1998.** CARRIED

178/98 Moved by Councillor McLean, seconded by Councillor Sherwood that Council **GIVE THIRD READING TO CITY OF MERRITT BUSINESS LICENSE BYLAW NO. 1676, 1998.** CARRIED

- b) Memo, February 20, 1998, Amendment to the Building Bylaw

179/98 Moved by Councillor Laird, seconded by Councillor Typusiak that Council **RECEIVE Memo, February 20, 1998, Amendment to the Building Bylaw.** CARRIED

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7. BYLAWS (Continued):

- 1) City of Merritt Building Bylaw No. 1572, 1998

180/98 Moved by Councillor Barr, seconded by Councillor Typusiak that Council **GIVE FIRST READING TO CITY OF MERRITT BUILDING BYLAW NO. 1572, 1998.**
CARRIED

Councillor Sherwood had a concern with printing the Building Inspectors hours on the printed form, as these hours change the forms would have to be reprinted.

181/98 Moved by Councillor Sherwood, seconded by Councillor Typusiak that Council REMOVE the Building Inspector Hours from City of Merritt Bylaw No. 1572 Schedule "A" – Page 2. **CARRIED**

182/98 Moved by Councillor Laird, seconded by Councillor McLean that Council **GIVE SECOND READING AS AMENDED TO CITY OF MERRITT BUILDING BYLAW NO. 1572, 1998.**
CARRIED

183/98 Moved by Councillor McLean, seconded by Councillor Sherwood that Council **GIVE THIRD READING TO CITY OF MERRITT BUSINESS LICENSE BYLAW NO. 1676, 1998.**
CARRIED

- c) Memo, March 4, 1998, Active Mountain Entertainment Corporation Official Community Plan Amendment Bylaw No. 1658 and Zoning Amendment Bylaw No. 1659 - File #OCP1997-06/RZ1997-11.

184/98 Moved by Councillor Laird, seconded by Councillor Barr that Council RECEIVE for discussion Memo, March 4, 1998, Active Mountain Entertainment Corporation Official Community Plan Amendment Bylaw No. 1658 and Zoning Amendment Bylaw No. 1659 - File #OCP1997-06/RZ1997-11. **CARRIED**

- 1) City of Merritt Official Community Plan Amendment Bylaw No. 1658, 1998

185/98 Moved by Councillor Laird, seconded by Councillor McLean that Council **GIVE THIRD READING TO THE CITY OF MERRITT OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW NO. 1658, 1998.**
CARRIED

- 2) City of Merritt Zoning Amendment Bylaw No. 1659, 1998

186/98 Moved by Councillor McLean, seconded by Councillor Typusiak that Council **GIVE THIRD READING TO THE CITY OF MERRITT ZONING AMENDMENT BYLAW NO. 1659, 1998.**
CARRIED

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7. BYLAWS (Continued):

- d) Memo, March 4, 1998, Community Futures Development Corporation of the Nicola Valley – Official Community Plan Amendment Bylaw No. 1666 and Zoning Amendment Bylaw No. 1667 – File #OCP1997-07/RZ1997-13.
- 187/98 Moved by Councillor Typusiak, seconded by Councillor Barr that Council RECEIVE Memo, March 4, 1998, Community Futures Development Corporation of the Nicola Valley – Official Community Plan Amendment Bylaw No. 1666 and Zoning Amendment Bylaw No. 1667 – File #OCP1997-07/RZ1997-13. **CARRIED**
- 1) City of Merritt Official Community Plan Amendment Bylaw No. 1666, 1998
- 188/98 Moved by Councillor Barr, seconded by Councillor Laird that Council **GIVE THIRD READING TO THE CITY OF MERRITT OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW NO. 1666, 1998.** **CARRIED**
- 2) City of Merritt Zoning Amendment Bylaw No. 1667, 1998
- 189/98 Moved by Councillor Laird, seconded by Councillor McLean that Council **GIVE THIRD READING TO THE CITY OF MERRITT ZONING AMENDMENT BYLAW NO. 1667, 1998.** **CARRIED**
- e) Memo, March 5, 1998, Affordable Housing Project Area C DCC's.
- 190/98 Moved by Councillor Laird, seconded by Councillor Sherwood that Council RECEIVE for discussion Memo, March 5, 1998, Affordable Housing Project Area C DCC's. **CARRIED**
- 1) City of Merritt Bylaw No. 1573, 1998, to Authorize the expenditure of Monies in the Development Cost Charge Storm Drainage Reserve Fund
- 191/98 Moved by Councillor Laird, seconded by Councillor Barr that Council **GIVE FIRST READING TO THE CITY OF MERRITT BYLAW NO. 1573, 1998, TO AUTHORIZE THE EXPENDITURE OF MONIES IN THE DEVELOPMENT COST CHARGE STORM DRAINAGE RESERVE FUND.** **CARRIED**
- 192/98 Moved by Councillor Barr, seconded by Councillor Laird that Council **GIVE SECOND READING TO THE CITY OF MERRITT BYLAW NO. 1573, 1998, TO AUTHORIZE THE EXPENDITURE OF MONIES IN THE DEVELOPMENT COST CHARGE STORM DRAINAGE RESERVE FUND.** **CARRIED**
- 193/98 Moved by Councillor McLean, seconded by Councillor Laird that Council **GIVE THIRD READING TO THE CITY OF MERRITT BYLAW NO. 1573, 1998, TO AUTHORIZE THE EXPENDITURE OF MONIES IN THE DEVELOPMENT COST CHARGE STORM DRAINAGE RESERVE FUND.** **CARRIED**

8. UNFINISHED BUSINESS:

194/98 Moved by Councillor Laird, seconded by Councillor Barr that Council CONSIDER Item 9. Reports ii) Memo, March 4, 1998, Development Variance Permit 1998-01-Merritt View Developments and iv) Memo, March 5, 1998, Development Permit Application DP1998-C as 8. UNFINISHED BUSINESS. **CARRIED**

195/98 Moved by Councillor Laird, seconded by Councillor Barr that Council RECEIVE for information Memo, March 4, 1998, Development Variance Permit 1998-01-Merritt View Developments. **CARRIED**

196/98 Moved by Councillor Typusiak, seconded by Councillor McLean that Council RECONSIDER Development Variance Permit 1998-01-Merritt View Developments and that Development Variance Permit Application 1998-01 be approved by resolution. **CARRIED**

197/98 Moved by Councillor Barr, seconded by Councillor Laird that Council RECEIVE for discussion Memo, March 5, 1998, Development Permit Application DP1998-C. **CARRIED**

Council was concerned that there were very few handicapped parking spaces allotted. The City Planner will look into the Handicapped Parking Bylaw and make suggestions to the Developers to address this issue.

198/98 Moved by Councillor Barr, seconded by Councillor Laird that Council ACCEPT the recommendation that Development Permit DP1998-C be approved subject to:

1. That the garbage bin pad and enclosure be relocated to the Northwest corner of the parking lot, as indicated by the Public Works Superintendent.
2. That the applicants sign design be approved by the Planning Department in conjunction with the guidelines setout in the development permit designation when the Developer's apply for a sign permit application.
3. That the Developer place the required restrictive covenant on title prior to submitting a sign permit application. **CARRIED**

At 8:37 P.M. nine (9) members of the general public left the meeting with three (3) remaining.

9. **REPORTS:**

a) **Mayor's Reports:**

Mayor Norgaard reported that a package from the Interior Lumber Manufacturers' Association was received regarding the 1998 Annual General Meeting and Conference April 23-24, 1998 in Kelowna, and is asking Council to approve mileage and expenses for April 24, 1998 so that the Mayor may attend.

- 199/98 Moved by Councillor Typusiak, seconded by Councillor Laird that Council APPROVE the expenses for two (2) Members of Council, including the Mayor to attend the 1998 Annual General Meeting and Conference April 23-24, 1998 in Kelowna, BC.

CARRIED

Mayor Norgaard announced to the public that the City of Merritt hired an Engineer, Rosa Telegus, and she will be starting on March 30, 1998.

b) **Liaison and Commission/Committee Reports:**

Councillor McLean – Reported that he attended the regular TNRD meeting on the Mayor's behalf. A letter was put forward to the TNRD regarding the Air Quality Study, Councillor McLean made a motion to table this until the regular TNRD Board Members were present, as at that particular meeting there were eight (8) alternates.

- 200/98 Moved by Councillor McLean, seconded by Councillor Typusiak that Council SEND all information regarding the air quality in the City of Merritt to the TNRD to be put forward on the next TNRD agenda.

CARRIED

Councillor Barr – Reported on the UBCM Symposium that she and the City Administrator attended on February 25 and 26, 1998 in Vancouver. The Symposium was very informative and dealt with issues such as Municipalities being recognized as a order of Government and putting a dispute resolution process between Municipal and Regional District into Legislation.

- 201/98 Moved by Councillor Typusiak, seconded by Councillor Barr that Council DRAFT a dispute resolution to be presented at OMMA.

CARRIED

Councillor Sherwood – Announced the retirement of City employee Ronald Wheeler and wish him, on behalf of the City of Merritt, the best of luck in his retirement. The Public Works will be starting on a few drainage projects. There have been complaints received regarding the mud left behind from the logging trucks turning onto Nicola Avenue and Houston Street from the mills.

9. **REPORTS:**

b) **Liaison and Commission/Committee Reports (Continued):**

Councillor Sherwood (Continued):

202/98 Moved by Councillor Sherwood, seconded by Councillor Laird that Council SEND letters to the District Highways Manager, Aspen Planners and Weyerhaeuser, explaining that the mud left behind from the logging trucks on the City streets contributes to the City's air quality problem. That the City will be available to meet and discuss Council's concerns and that the letter also mention to Aspen Planners that the "No Left Turn" sign coming out of the mill onto Nicola Avenue is down and should be put back up. **CARRIED**

Councillor Sherwood volunteered to contact mills from other communities to find out what they do to control the problem of the logging trucks tracking dirt onto the local streets.

c) **Administration Reports:**

1. **Requires Council Action:**

i) Memo, February 24, 1998, Business License Fees for Childcare Facilities.

203/98 Moved by Councillor Barr, seconded by Councillor McLean that Council RECEIVE for discussion Memo, February 24, 1998, Business License Fees for Childcare Facilities. **CARRIED**

204/98 Moved by Councillor Sherwood, seconded by Councillor Laird that Council SUPPORT the recommendations that Council maintain its policy of recovering Business License processing costs and therefore retain the flat fee of \$125.00 for Childcare facilities; and that Council INITIATE an amendment to the Zoning Bylaw authorizing two home based businesses where one is a Childcare Facility. **CARRIED**

ii) Memo, March 4, 1998, Development Variance Permit 1998-01-Merritt View Developments

This item was dealt with out of order after 8. UNFINISHED BUSINESS, see Motion 194/98

9. **REPORTS:**

c) **Administration Reports:**

1. **Requires Council Action (Continued):**

iii) Memo, March 5, 1998, Development Permit Application DP1998-B

205/98 Moved by Councillor Barr, seconded by Councillor Laird that Council RECEIVE for discussion Memo, March 5, 1998, Development Permit Application DP1998-B. **CARRIED**

206/98 Moved by Councillor Laird, seconded by Councillor Sherwood that Council ENDORSE the recommendation from the Planning Department that Development Permit Application DP1998-B be approved subject to the applicant providing handicapped parking space to replace the one removed to facilitate the addition. **CARRIED**

iv) Memo, March 5, 1998, Development Permit Application DP1998-C

This item was dealt with under 8. UNFINISHED BUSINESS. See motion 197/98.

v) Memo, March 9, 1998, Tourist Information Centre Food Concession Agreement

207/98 Moved by Councillor Typusiak, seconded by Councillor Barr that Council RECEIVE Memo, March 9, 1998, Tourist Information Centre Food Concession Agreement and that Council APPROVES the signing of the operating agreement between the City of Merritt and Manjit Ahuja of Superior Pizza and Bakery as presented. **CARRIED**

At 8:48 P.M. Councillor Sherwood excused himself from the meeting and returned at 8:52 P.M..

2. **Receive for Information:**

i) City of Merritt – Building Permits – February 1998

208/98 Moved by Councillor Laird, seconded by Councillor Sherwood that Council RECEIVE for information City of Merritt – Building Permits – February 1998. **CARRIED**

10. CORRESPONDENCE:

a) Potential Responses:

1. Association of Professional Biologists of BC, January 15, 1998, Environmental Matters.

209/98 Moved by Councillor Typusiak, seconded by Councillor Laird that Council RECEIVE Association of Professional Biologists of BC, January 15, 1998, Environmental Matters and SEND a letter of support to the Provincial Government with a copy to the Association of Professional Biologist of BC.

CARRIED

2. Federation of Canadian Municipalities, February 12, 1998, Terms of Reference.

210/98 Moved by Councillor Laird, seconded by Councillor McLean that Council RECEIVE for discussion Federation of Canadian Municipalities, February 12, 1998, Terms of Reference.

CARRIED

211/98 Moved by Councillor Barr, seconded by Councillor Laird that Council SEND a letter to the Federation of Canadian Municipalities in support of the principal regarding the new "Terms of Reference", however, Council would like to see further clarification to Item 6. Have access to alternative dispute resolution mechanisms to resolve harmoniously disputes with other orders of government through out of court facilities.

CARRIED

3. The Arts Council, February 19, 1998, Civic Centre

212/98 Moved by Councillor McLean, seconded by Councillor Sherwood that Council RECEIVE for discussion The Arts Council, February 19, 1998, Civic Centre.

CARRIED

Council agreed that some of the concerns regarding alternate booking arrangements for the Arts Council should be addressed. Councillor Barr volunteered to meet with the Arts Council to come up with a solution for 1999.

4. Active Mountain Entertainment Corp., February 21, 1998, Merritt Mountain Music Festival Site.

213/98 Moved by Councillor Laird, seconded by Councillor McLean that Council RECEIVE for information Active Mountain Entertainment Corp., February 21, 1998, Merritt Mountain Music Festival Site.

CARRIED

10. CORRESPONDENCE:

a) Potential Responses (Continued):

5. Millennium Vancouver 2000, February 23, 1998, Millennium 2000

214/98 Moved by Councillor Laird, seconded by Councillor Barr that Council RECEIVE Millennium Vancouver 2000, February 23, 1998, Millennium 2000 and refer this information to the Civic Properties and Recreation Commission for review.

CARRIED

6. Rebecca Simnor, February 23, 1998, Merritt Centennials vs. Quesnel Millionaires Junior A Game.

215/98 Moved by Councillor Typusiak, seconded by Councillor Sherwood that Council RECEIVE Rebecca Simnor, February 23, 1998, Merritt Centennials vs. Quesnel Millionaires Junior A Game and SEND a letter to Rebecca Simnor with a copy to the Management of the Merritt Centennials, explaining that this is not indicative behavior at the Merritt Centennial Hockey games and welcoming her back to Merritt.

CARRIED

7. UBCM, February 27, 1998, UBCM Conference

216/98 Moved by Councillor Typusiak, seconded by Councillor Laird that Council RECEIVE for discussion correspondence from UBCM, February 27, 1998, UBCM Conference, and for Council to SEND a member of Council to the UBCM Conference, if no member of Council can attend Council requests an information package to be sent after the Conference.

CARRIED

Councillor Laird indicated it may be possible to attend.

8. Getty Copper Corp., March 2, 1998, Support for Power for Jobs Proposal.

217/98 Moved by Councillor Barr, seconded by Councillor Sherwood that Council RECEIVE for discussion Getty Copper Corp., March 2, 1998, Support for Power for Jobs Proposal.

CARRIED

Mayor Norgaard agreed to meet with Mayor Kemp at the next TNRD Meeting to further clarify exactly what the Support for Power for Jobs Proposal is and will report back to Council.

10. CORRESPONDENCE:

b) Receive for Information:

1. UBCM, February 17, 1998, Multilateral Agreement on Investment.
2. Legislative Assembly, February 25, 1998, BC Liberal Critic for Municipal Affairs.
3. Conayt Friendship Society, February 26, 1998, Through our Eyes 1998.
4. TNRD, February 26, 1998, Solid Waste Management Plan
5. UBCM, February 27, 1998, Province, UBCM Agree on Municipal Act Reform.

218/98 Moved by Councillor Barr, seconded by Councillor Laird that Council RECEIVE for information the following correspondence:

1. UBCM, February 17, 1998, Multilateral Agreement on Investment.
2. Legislative Assembly, February 25, 1998, BC Liberal Critic for Municipal Affairs.
3. Conayt Friendship Society, February 26, 1998, Through our Eyes 1998.
4. TNRD, February 26, 1998, Solid Waste Management Plan
5. UBCM, February 27, 1998, Province, UBCM Agree on Municipal Act Reform.

CARRIED

11. NEW BUSINESS: NIL.

12. ADJOURNMENT:

219/98 Moved by Councillor Barr, seconded by Councillor Laird that Council TERMINATE the meeting at 9:46 P.M. and RECONVENE the Special In-Cameral Council Meeting excluding the media and the public. **CARRIED**

CERTIFIED CORRECT:


Clara R. Norgaard, Mayor


Roberta M. Harrison, Acting-Clerk