



CITY OF MERRITT

MINUTES

REGULAR COUNCIL MEETING

COUNCIL CHAMBER

TUESDAY, JULY 22, 2014

AT 7:00 PM

1. PRESENT:

Mayor Susan Roline
Councillor D. Baker
Councillor K. Christopherson
Councillor M. Goetz
Councillor H. Kroeker
Councillor N. Menard
Councillor C. Norgaard

IN ATTENDANCE

Mr. A. Chabot, Chief Administrative Officer/Corporate Officer
Mr. D. Finnigan, Public Works Superintendent
Ms. C. Fraser, Deputy Clerk/Human Resources Manager
Mr. S. O'Flaherty, Planning & Development Services Manager
Mr. K. Ostraat, Financial Services Manager
Mr. L. Plotnikoff, Leisure Services Manager
Mr. J. Sucharyna, Business & Economic Development Manager
Mr. D. Tomkinson, Fire Chief

Merritt Herald
Q101.1

15 Members of the Public

2. CALL TO ORDER

Mayor Roline called the meeting to order at 7:42 p.m.

3. PUBLIC INPUT (10 Minutes)

Nil

4. ADOPTION OF MINUTES

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MINUTES

133/14

4.1 Moved, Seconded and CARRIED

THAT the Minutes for the Regular Council Meeting held on Tuesday, July 08, 2014 be adopted

5. GENERAL MATTERS – Delegations and Recognitions

Nil

6. UNFINISHED BUSINESS

SHAW GO WIFI

6.1 Shaw Go Wi-Fi; Jeff Bray, Manager, Government and Regulatory Affairs – BC, Shaw Communications Inc. to make a presentation to Council
File: 0250

Mr. J. Bray, Manager, Government and Regulatory Affairs – BC, Shaw Communications Inc. made a presentation to Council on Shaw Go Wi-Fi outlining:

- *Internet usage growth in Canada*
- *Canadian internet economy*
- *Shaw Go Wi-Fi*
- *Supporting a tech-savvy “connected community”*
- *Shaw Go Wi-Fi*

Mr. Bray requested the City of Merritt enter into a partnership agreement with Shaw to extend its Shaw Go Wi-Fi network through the use of municipal infrastructure

Staff Report will be available for August Regular Council Meeting

ANNUAL REPORT

- 6.2 Annual Report for 2013; Financial Services Manager`s July 03, 2014 Memorandum
File: 1820-2013

Moved, Seconded and CARRIED

126/14

THAT Council approves setting the date for the consideration of the 2013 Annual Report as July 22, 2014;

AND THAT Council directs staff to advertise the meeting twice in the local newspaper

Request for any submissions or comments from the public regarding the 2013 Annual Report

Moved, Seconded and CARRIED

134/14

THAT Council accept the 2013 Annual Report

Councillor Norgaard declared a perceived conflict of interest for Zoning Amendment Bylaw No. 2177, 2014, Official Community Plan Bylaw Amendment No. 2172, 2014 and Zoning Bylaw Amendment Bylaw No. 2173, 204 and left the Council meeting at 7:47 p.m.

7. BYLAWS

ZONING

- 7.1 City of Merritt Zoning Bylaw Amendment Bylaw No. 2177, 2014
File: 3900.1874

Moved, Seconded and DEFEATED

THAT City of Merritt Zoning Bylaw Amendment Bylaw No. 2177, 2014 be given third reading and forwarded to the Ministry of Transportation and Infrastructure for approval pursuant to the Transportation Act

Voting Opposed: Councillors Baker, Christopherson, Kroeker and Menard

Councillor Baker declared a perceived conflict of interest as the company he works for is zoned M2 and if the Zoning Amendment is successful, it could mean a reduction in property taxes for the company and he left the Council meeting at 8:16 p.m.

LAND USE - MIDDAY VALLEY ROAD

7.2 Land Use Amendment on Midday Valley Road; Planning & Development Services Manager's July 11, 2014 Memorandum File: 3360 RZ2014-01; 3356 OCP2014-01; 3900.2116 & 3900.1894

Moved, Seconded and **DEFEATED**

THAT the Land Use Amendment application on Midday Valley Road be accepted by Council and staff be directed to process the application

Voting Opposed: Councillors Christopherson, Goetz and Menard

Councillors Baker and Norgaard returned to the Council meeting at 8:31 p.m.

8. **NEW BUSINESS**

CENTRAL PARK IMPROVEMENTS

8.1 Central Park Improvements - Phase 1 - Acceptance of Proposal; Leisure Services Manager's July 11, 2014 Memorandum File: 2240.115 & 1220

Moved, Seconded and **CARRIED**

135/14

THAT the City accept the proposal from ICE Developments Ltd. for the completion of the Central Park Improvement Project - Phase 1 in the amount of five hundred and eleven thousand seven hundred (\$511,700) dollars;

AND THAT the Mayor and Chief Administrative Officer be authorized to execute the necessary documents

FIRE HALL TRUCK BAY ADDITION

8.2 Fire Hall Truck Bay Addition Tender; Financial Services Manager's July 11, 2014 Memorandum File: 2240.114

Moved, Seconded and **CARRIED**

136/14

THAT Council award the tender to Sawchuk Developments Co. Ltd. for the truck bay addition to the Merritt Fire Hall in the amount of four hundred and twenty-eight thousand (\$428,000) dollars plus GST

DEVELOPMENT
VARIANCE PERMIT -
DEWOLF WAY

8.3 Development Permit Variance Application - Hotel on DeWolf Way; Planning & Development Officer's July 10, 2014 Memorandum
File: 3060 DP2014-H

Moved, Seconded and CARRIED

137/14

THAT Council approve Development Permit amendment application for DP2014-H (Comfort Inn-DeWolf Way) and authorizes issuance of the amended permit subject to the requisite security bond being received for landscaping and receiving final consent from the Ministry of Transportation and Infrastructure

DEVELOPMENT
PERMIT- 2051 VOGHT
STREET

8.4 Development Permit for Façade - Post's Building at 2051 Voght Street; Planning & Development Services Manager's July 11, 2014 Memorandum
File: 3060 DP2014-J

Moved, Seconded and CARRIED

138/14

THAT Council approve Development Permit application DP2014-J (2051 Voght Street) and authorizes issuance of the permit based on Option "B"

2014 CAPITAL WORKS

8.5 2014 Infrastructure Renewal Program - Tender Award; Public Works Manager's July 15, 2014 Memorandum
File: 5205

Moved, Seconded and CARRIED

139/14

THAT Council awards the tender for the 2014 Infrastructure Renewal Program to H&M Excavating Ltd. in the amount of one million, nine hundred and twenty thousand, four hundred and ninety six dollars and twenty cents (\$1,920,496.20) including the GST

AND THAT the Mayor and Corporate Officer be authorized to execute the required documents

**NUISANCE
PROPERTY - 1590
GARCIA STREET**

8.6 Nuisance Property at 1590 Garcia Street; Planning & Development Services Manager's July 08, 2014 Memorandum File: 4035-11 & 1590 Garcia Street

Moved, Seconded

WHEREAS the property at 1590 Garcia Street (Lot 1, Block 2, District Lot 123, Kamloops Division, Yale District, Plan 7816 except such undersurface rights as are registered in AFB Volume 18, Folio 152, No 9837D) was badly damaged by fire on October 02, 2010 and since that time has existed in a dilapidated and uninhabitable condition;

AND WHEREAS the City of Merritt has received, and continues to receive, many complaints since October 2010 from members of the public in regards to the condition of the property;

AND WHEREAS the City of Merritt has tried repeatedly over the last several years to have the Owner(s) of the property remedy the property condition and the Owner(s) have neglected to do so;

AND WHEREAS the City's Fire Chief and Building Inspector have expressed serious concerns in regards to the health and safety arising from the property condition;

NOW THEREFORE BE IT RESOLVED that 1590 Garcia Street (Lot 1, Block 2, District Lot 123, Kamloops Division, Yale District, Plan 7816 except such undersurface rights as are registered in AFB Volume 18, Folio 152, No 9837D), is hereby declared a nuisance pursuant to section 74 of the *Community Charter* (SBC 2003);

AND THAT the Owners, Amaritpal Sidhu and Gurpaul Singh Brar, are hereby directed to either: restore and repair the property, in compliance with the BC Building Code, City of Merritt Building and Nuisance Abatement Bylaws and any other relevant enactment, to a habitable condition; or demolish and remove the fire-damaged building and restore the property condition so that it is no longer a nuisance;

AND FURTHER THAT the deadline for compliance with the remedial action requirement by the Owners October 02, 104

AND FURTHER THAT if the Owners neglect to, or fail to, comply with this remedial action requirement by the deadline the City, or its agents or contractors, may enter on the property and demolish and remove the fire-damaged building and restore the property condition so that it is no longer a nuisance and the City shall be entitled to recover its cost from the Owners as a debt in like manner as taxes against the property

140/14

Moved, Seconded and CARRIED

THAT the deadline for compliance with the remedial action requirement by the Owners is amended to thirty (30) days after notice under Section 77 (1) is sent to the Owner subject to the remedial action requirement pursuant to Section 76 of the *Community Charter*

141/14

Moved, Seconded and CARRIED

WHEREAS the property at 1590 Garcia Street (Lot 1, Block 2, District Lot 123, Kamloops Division, Yale District, Plan 7816 except such undersurface rights as are registered in AFB Volume 18, Folio 152, No 9837D) was badly damaged by fire on October 02, 2010 and since that time has existed in a dilapidated and uninhabitable condition;

AND WHEREAS the City of Merritt has received, and continues to receive, many complaints since October 2010 from members of the public in regards to the condition of the property;

AND WHEREAS the City of Merritt has tried repeatedly over the last several years to have the Owner(s) of the property remedy the property condition and the Owner(s) have neglected to do so;

AND WHEREAS the City's Fire Chief and Building Inspector have expressed serious concerns in regards to the health and safety arising from the property condition;

NOW THEREFORE BE IT RESOLVED that 1590 Garcia Street (Lot 1, Block 2, District Lot 123, Kamloops Division, Yale District, Plan 7816 except such undersurface rights as are registered in AFB Volume 18, Folio 152, No 9837D), is hereby declared a nuisance pursuant to section 74 of the *Community Charter* (SBC 2003);

AND THAT the Owners, Amaritpal Sidhu and Gurbal Singh Brar, are hereby directed to either: restore and repair the property, in compliance with the BC Building Code, City of Merritt Building and Nuisance Abatement Bylaws and any other relevant enactment, to a habitable condition; or demolish and remove the fire-damaged building and restore the property condition so that it is no longer a nuisance;

AND FURTHER THAT the deadline for compliance with the remedial action requirement by the Owners is amended to thirty (30) days after notice under Section 77 (1) is sent to the Owner subject to the remedial action requirement pursuant to Section 76 of the *Community Charter*;

AND FURTHER THAT if the Owners neglect to, or fail to, comply with this remedial action requirement by the deadline the City, or its agents or contractors, may enter on the property and demolish and remove the fire-damaged building and restore the property condition so that it is no longer a nuisance and the City shall be entitled to recover its cost from the Owners as a debt in like manner as taxes against the property

**REVITALIZATION
TAX EXEMPTION**

8.7 Revitalization Tax Exemption Application – 2490 Priest Avenue;
Business & Economic Development Manager’s July 10, 2014
Memorandum
File: 3900.2128 & 2490 Priest Avenue

Moved, Seconded and **CARRIED**

142/14

THAT Council accepts the application and awards a Revitalization Tax Exemption Certificate subject to final inspection to 0964698 BC Ltd. (2490 Priest Avenue)

**MERRITT VISITOR
INFORMATION**

8.8 April-June 2014 Quarterly Report; Merritt Visitor Information at
the Baillie House
File: 2240.48

Moved, Seconded and **CARRIED**

143/14

THAT Council accept the second quarter report for the Merritt Visitor Information at the Baillie House as presented

9. NOTICES OF MOTION

Nil

10. REPORTS FROM COUNCIL

- 10.1 Councillor Goetz thanked the Public Works Department for the bar-b-q and tour of the newly renovated public works building and congratulated Ty Pozzobon on his second place finish at the Calgary Stampede
- 10.2 Councillor Baker also thanked the Public Works Department for the tour and bar-b-q and thanked MLA Jackie Tegart for bringing the Liberal Caucus meeting to Merritt
- 10.3 Councillor Norgaard suggested the bottom of the teepee signs have banners put on the bottom reading: "Home of Ty Pozzobon - professional bull rider" and "Home of Roger Sloan - professional golfer"
- 10.4 Mayor Roline attended the Liberal Caucus bar-b-q and Chamber of Commerce luncheon for the Liberal Caucus as well as the "friends of the 50's, 60's and 70's" school reunion
- 10.5 Councillor Menard assisted Sku-lu-la with transporting clients to camp

11. INFORMATION ITEMS

CAMPFIRE BAN

- 11.1 Campfires to be Banned within the Kamloops Fire Centre; Ministry of Forests, Lands and Natural Resource Operations, Kamloops Fire Centre July 14, 2014 Information Bulletin
File: 0135

OMBUDSPERSON

- 11.2 Files Closed from April 01 to June 30, 2014; Kim S. Carter, Ombudsperson, Province of British Columbia July 08, 2014 Letter
File: 0411

BCAA "WORST ROADS" SURVEY RESULTS

- 11.3 British Columbia Automobile Association's "Worst Roads" Survey Results; Mark Donnelly, Director, Communication and Community's July 07, 2014 Letter
File: 0250

**DIACARBON ENERGY
INC.**

11.4 Application Pursuant to the Environmental Management Act on behalf of Diacarbon Energy Inc., a Wood Pellet and Torrefaction Facility; Levelton Consultants Ltd. June 30, 2014 Letter
File: 2490 Priest Avenue

**MEDICAL
MARIHUANA
PRODUCTION IN BC**

11.5 Medical Marihuana Production in British Columbia; Coralee Oakes, Minister of Community, Sport and Cultural Development's June 26, 2014 Letter
File: 0135

12. TERMINATION OF MEETING

The Mayor declared the meeting closed at 9:25 p.m.

**Certified correct in accordance with Section 124(2) (c) of the
Community Charter.**

**Original signed by
Deputy Clerk**

Confirmed on the 12th Day of August, 2014

**Original signed by
Mayor**