



SPECIAL MEETING MINUTES November 20th, 2018

The Special Meeting of Council was held on Tuesday, November 20th, 2018 at 6:51pm in the Council Chambers.

Present: Mayor Jameson, Deputy Mayor Bouchard, Councilors Melanson, Anderson, Chambers, Dohey, Duford, Groenewegen and Willows

Staff: SAO - Judy Goucher, ASAO – Glenn Smith, Director of Public Works – Earle Dumas, Director of Finance and Administration – Ruth Boden, Director of Protective Services – Ross Potter & Council Administrator – Stacey Barnes

This Meeting was called to order at 6:51pm with Mayor Jameson presiding.

2. ADOPTION OF AGENDA

#18-397

MOVED BY: CLLR ANDERSON

SECONDED BY: CLLR CHAMBERS

CARRIED

3. DECLARATION OF INTEREST

There were no declarations of interest for the Special Meeting of Council, Tuesday, November 20th, 2018

4. NEW BUSINESS

a) Election of Deputy Mayor

RECOMMENDATION:

#18-398

MOVED BY: CLLR DOHEY

SECONDED BY: CLLR DUFORD

THAT THE COUNCIL OF THE TOWN OF HAY RIVER appoints Robert Bouchard as Deputy Mayor as per the Council Procedure Bylaw# 2285.

CARRIED

BACKGROUND:

In accordance with the Town of Hay River Council Procedures By-Law and on authority provided by the Cities, Towns and Villages Act, NWT, a Deputy Mayor is appointed by Council on an annual basis. A copy of the relevant legislation is provided below for reference:



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Deputy mayor 39. (1) Council, on the recommendation of the mayor, may, appoint a councillor to be the deputy mayor.

Powers and duties of deputy mayor

- (2) The deputy mayor
 - (a) shall perform the duties and may exercise the powers of the mayor when the mayor is absent or unable to act; and
 - (b) shall perform other duties and may exercise other powers determined by council on the recommendation of the mayor.

Specifically, the current Council Procedures By-Law, No. 2285, Section 6 c) i, states that the Deputy Mayor will be selected from the Members at the first Council Meeting in November of each year. The intention of the Member to stand as Deputy Mayor shall be indicated to the Mayor and Executive Assistant in writing and if two or more Members stand, there will be an election held, voting accomplished by secret ballot.

Members interested in putting their names forward to serve as Deputy Mayor should submit their intent in writing no later than noon on Tuesday November 20th.

COUNCIL POLICY / STRATEGY OR GOAL:

N/A

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

Cities, Towns & Villages Act
Bylaw 2285 – Council Procedure Bylaw

FINANCIAL IMPLICATIONS:

N/A

ALTERNATIVES TO RECOMMENDATIONS:

N/A

ATTACHMENTS:

N/A



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Prepared by:
Stacey Barnes
Council Administrator

Reviewed by:
Judy Goucher
SAO

Date: November 15th, 2018

Date: November 15th, 2018

b) Meeting Change Date

RECOMMENDATION:

#18-399 **MOVED BY: CLLR ANDERSON**
 SECONDED BY: CLLR DOHEY

THAT THE COUNCIL OF THE TOWN OF HAY RIVER approves Monday night at 6:30 pm as the designated time and weekday for meetings to be scheduled during the months of November through April and Tuesday night at 6:30 pm as the designated time and weekday for meetings to be scheduled during the months of May through October.

CARRIED

BACKGROUND:

The time designated for Council meetings is important both in terms of outreach to community Members and to accommodate the schedules of Council Members to create as few conflicts as possible. During the summer months, Mondays have typically been busy nights where organized activities take place making it less likely for residents to observe meetings and more likely for Council Members to have conflicting priorities. As a result, Council passed a motion to move meetings to Tuesday nights at 6:30 pm.

In the winter, Tuesday nights typically have more scheduled events, making Monday a better choice for both Council Members and residents who wish to observe Council meetings.

To accommodate both residents and Council Members it is recommended that the weekday selected for meetings be Tuesday during the summer and Monday during the winter months. A 6:30 pm meeting time is recommended regardless of the day of the meeting to accommodate some sessions that may go later into the evening.

COUNCIL POLICY / STRATEGY OR GOAL:

N/A

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

Council Procedures Bylaw 2285/GEN/12



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FINANCIAL IMPLICATIONS:

N/A

ALTERNATIVES TO RECOMMENDATIONS:

Continue to meet on Tuesday nights or some other weekday during the winter months.

ATTACHMENTS:

N/A

Prepared by:

Stacey Barnes

Council Administrator

Date: November 15th, 2018

Reviewed by:

Judy Goucher

SAO

November 16th, 2018

c) Snow Removal Tender Award

RECOMMENDATION:

#18-400

MOVED BY: CLLR DOHEY

SECONDED BY: CLLR CHAMBERS

THAT THE COUNCIL OF THE TOWN OF HAY RIVER approves awarding the tender for Sidewalk Snow and Ice Removal to J.D Contracting at the hourly rates provided for 2018/2019.

CARRIED

BACKGROUND:

2018/2019 Rates

John Deere 3320 Tractor- \$65 per hour

ATV with Blade- \$55 per hour

1 Bidder for 2018/2019

Comparison to 2017/2018 Rates

John Deere 3320 Tractor \$55 per hour

No ATV included in 2017 tender

1 Bidder for 2017/2018

Sidewalk snow removal is part of the overall snow removal expense which experienced higher than anticipated spending in the first part of fiscal 2018 due to higher than average snowfall and extra snow clearing requirements associated with Arctic Winter Games. Additional funds were identified in the second quarter financial forecast to cover the anticipated incremental cost of sidewalk snow clearing through the end of fiscal 2018.



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COUNCIL POLICY / STRATEGY OR GOAL:

To maintain snow and ice-free surface for pedestrians.

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

N/A

FINANCIAL IMPLICATIONS:

Hourly Rates provided. Second quarter forecast identified sources of funding to cover sidewalk snow clearing to the end of fiscal 2018 due to higher expenses during the first part of the year.

ALTERNATIVES TO RECOMMENDATIONS:

N/A

ATTACHMENTS:

N/A

Prepared by:

Earle Dumas
Director, Public Works

November 14, 2018

Reviewed by:

Judy Goucher
Senior Administrative Officer

November 16, 2018

d) Janitorial Contract Award

RECOMMENDATION:

#18-401

MOVED BY: CLLR DOHEY
SECONDED BY: CLLR ANDERSON

THAT THE COUNCIL OF THE TOWN OF HAY RIVER approves the award of the Hay River Recreation Centre Janitorial Services Request for Proposals to Goodwill Cleaning in the amount of \$126,000 / year for two years with a three-year extension option.

CARRIED

BACKGROUND:

On September 25th, 2018 Council passed a motion (#18-357) for Administration to seek Requests for Proposals for janitorial services for the new recreation centre complex for a term of 2-years with an option to renew for 3 years.

One proposal was successfully received through the Request for Proposals in accordance with the Procurement Bylaw No. 1574/GEN/2016.



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COUNCIL POLICY / STRATEGY OR GOAL:

N/A

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

Procurement Bylaw No. 1574/GEN/2016

FINANCIAL IMPLICATIONS:

\$60,000 net increase to O&M for 2019. Reduced lifecycle operating costs of the facility.

ALTERNATIVES TO RECOMMENDATIONS:

N/A

ATTACHMENTS:

N/A

Prepared by:
Glenn Smith
Assistant SAO

Reviewed by:
Judy Goucher
SAO

Date: November 16, 2018

Date: November 16, 2018

e) Zoning of Pavilion

RECOMMENDATION:

#18-402 **MOVED BY: CLLR ANDERSON**
 SECONDED BY: CLLR DOHEY

That the Council of the Town of Hay River approves the Re-Zone of Lot 7, Block F, LTO 39, Hay River subject to the following conditions.

- a) That all requirements of the Zoning and Building Bylaw are met.
- b) An amendment to the General Plan and the Zoning Bylaw are required.
- c) That the Landowners will be responsible for all costs related to the Rezoning of the Land.

CARRIED

BACKGROUND:

The Town has made application requesting authorization to amend the General Plan and the Zoning and Building Bylaw 1812, to re-zone Lot 7, Block F, LTO 39 from the current T - Transportation to P - Parks and Open Space to set up a permanent pavilion to support the annual Pond Hockey



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Tournament, also the facility will be used to expand the Fisherman's Wharf and host other recreational activities and events.

Town Council approved the new pavilion project on the condition that a minimum of seventy-five percent of the project cost was funded by third parties (government or others). As indicated in the original project approval request, the Town-owned lot by fisherman's wharf is an ideal location for the pavilion as it will provide access to the river for river-based events and, as the project includes upgrading of the fisherman's wharf market, the location is ideal for that identified use as well.

The lot is currently undeveloped with no permanent structures. The Pavilion will greatly improve the aesthetic appeal of the area as well as create a marketing draw for the community.

Support for the project was obtained from the West Channel Heritage Society (fisherman's wharf management) and the Harbour Authority as well as the Polar Pond Hockey Association.

Included in this package is the Letter and Application from The Town of Hay River, proposed development sketches from owner, and the Planners comments from David Klippenstein.

COUNCIL POLICY / STRATEGY OR GOAL:

Develop infrastructure to attract tourism and support local events to support healthy lifestyles and economic activity for the community.

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

Planning Act R.S.N.W.T. 1988, c.P-7
General Plan Bylaw No. 1811
Zoning & Building Bylaw No. 1812

FINANCIAL IMPLICATIONS:

N/A

ALTERNATIVES TO RECOMMENDATIONS:

N/A

ATTACHMENTS:

- 1) Development Permit Application from Town of Hay for Re-Zone of Lot 7, Block F, LTO 39.
- 2) Sketch showing Lot to be Re-Zoned and proposed pavilion
- 3) Planner's comments, David Klippenstein & Associates Ltd.

Prepared by:
Randy Froese
Development Officer
Date: November 15, 2018

Reviewed by:
Judy Goucher
Senior Administrative Officer
Date: November 16, 2018



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Prepared by:

Earle Dumas
Director of Projects and Planning

November 13, 2018

Reviewed by:

Judy Goucher
Senior Administrative Officer

November 16, 2018

g) Smoking Bylaw Amendment and Cannabis

RECOMMENDATION:

#18-404

**MOVED BY: CLLR DOHEY
SECONDED BY: CLLR ANDERSON**

THAT THE COUNCIL OF THE TOWN OF HAY RIVER accepts the report on the Smoking Bylaw amendments as presented.

CARRIED

BACKGROUND:

On October 23rd, Smoking Bylaw number 2388 received 2 readings by Council, the bylaw then was posted on our website and social media for public feedback. One comment was posted on social media and no comments were received on the Town's website.

The Town's lawyer has recommended some broader legislative language be added to the beginning of the bylaw which will be incorporated prior to bringing it forward for third and final reading.

With the legalization of Cannabis laws are in place at the federal and territorial level that govern many of the legalities for cannabis including minimum age to purchase, possession limits, growing cannabis guidelines, where it can be purchased/sold, where it can be consumed, drug-impaired driving, workplace impairment, enforcement, etc.

This web link <https://www.eia.gov.nt.ca/en/cannabis> provides information that the GNWT has published on cannabis and how it is regulated both federally and territorially.

Municipalities also have the option of introducing bylaws that further restrict the use of cannabis within the Municipality and many have elected to do this through an amendment to their smoking bylaw.

The Municipality of Hay River, through amending its smoking bylaw can further restrict the use of cannabis within the Municipality.



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Administration has worked with legal Counsel to prepare an amended smoking bylaw as a recommended approach to addressing cannabis consumption within Municipal boundaries.

This bylaw has a broader reach than the existing smoking bylaw, and updates sections of the current bylaw that don't reflect the regulation of smoking currently in effect (e.g. smoking prohibited in workplaces, restaurants, etc.).

Currently, enforcement of cannabis consumption resides with the Environmental Health Officers and enforcement of impairment (outside the workplace) resides with the RCMP. Any proposed amendments to Municipal legislation would be enforced by the Municipal Bylaw Officer.

Administration is also drafting a more detailed workplace impairment policy to comply with WSCC requirements which include:

- Clear expectations on workers' responsibility to complete tasks unimpaired;
- Training for supervisors and workers on their responsibilities to recognize and respond to an impaired worker.

Attached are two documents that outline who to contact in the event of cannabis complaints and some information around health effects and use of cannabis.

COUNCIL POLICY / STRATEGY OR GOAL:

N/A

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

FINANCIAL IMPLICATIONS:

N/A

ALTERNATIVES TO RECOMMENDATIONS:

N/A

ATTACHMENTS:

Bylaw 2388 – Smoking Bylaw
Contact Sheet – Cannabis Complaints
Cannabis Fact Sheet – Health and enforcement

Prepared by:
Judy Goucher
Senior Administration Officer
November 16, 2018

Reviewed by:



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5. IN CAMERA

#18-405

MOVED BY: CLLR ANDERSON
SECONDED BY: CLLR DOHEY

That the Council of the Town of Hay River move to In Camera at 7:40pm.

CARRIED

#18-406

MOVED BY: CLLR DUFORD
SECONDED BY: CLLR DOHEY

That the Council of the Town of Hay River move out of In Camera At 7:59PM.

CARRIED

6. ADJOURNMENT

#18-407

MOVED BY: CLLR WILLOWS

CARRIED

That the Special meeting of Council be adjourned at 8:00pm.

Certified Correct as Recorded on the 20th Day of November, 2018

These minutes were accepted by motion # 18-410.

Mayor

Judy Sanchez
Senior Administrative Officer