

**CITY OF IQALUIT
CITY COUNCIL MEETING #10
April 10, 2018 at 6:00 p.m.
CITY COUNCIL CHAMBERS**

PRESENT FROM COUNCIL

Mayor Madeleine Redfern
Deputy Mayor Romeyn Stevenson
Councillor Kuthula Matshazi
Councillor Jason Rochon
Councillor Terry Dobbin
Councillor Joanasi Akumalik
Councillor Noah Papatsie
Councillor Kyle Sheppard

ABSENT

Councillor Simon Nattaq

PRESENT FROM ADMINISTRATION

Amy Elgersma, Acting Chief Administrative Officer
Sherri Rowe, Finance
Jeanie Eeseemailee, Senior Interpreter/Translator
Tammy Ernst-Doiron, Executive Assistant
Michelle Armstrong, Planning and Development

PRAYER

Councilor Akumalik opened the meeting with a prayer at 6:00 pm.

SWEARING IN

None

ADOPTION OF AGENDA

Motion # 18-129

Moved by: Councillor Rochon
Seconded by: Deputy Mayor Stevenson

Adoption of the agenda as amended: add 2 In Camera Items (Labour).

Unanimously Carried

1. **MINUTES**

None

2. **DECLARATION OF INTEREST**

Councillor Sheppard declares on 9(a).

3. **DELEGATIONS**

None

4. **AWARDS AND RECOGNITIONS**

None

5. **STATEMENTS**

Deputy Mayor Stevenson gave Notice of Intention to rescind motions 17-285 and 17-286 at the next Council meeting on April 24, 2018. The motions are in reference to the Big Racks Development that passed First Reading of the General Plan Amendment and the Zoning Bylaw Amendment. Deputy Mayor Stevenson is proposing to rescind the motions due to the fact that the proponent made significant changes to the Development Plan.

Councillor Dobbin wanted to remind citizens of Iqaluit there is a Responsible Pet Owner's Bylaw. He noted that on recent social media posts, there are complaints regarding people not picking up after their pets and leaving pet droppings all around the city. He pointed out that in the by-law there is a section dealing with pet waste.

Councillor Akumalik advised that he has requested a member of the RCMP to attend Council Meetings to provide information on the statistics on their calls for service. He wanted to know if he could be informed after the meeting regarding this matter, as he understood the RCMP is to attend monthly Council Meetings to provide updates on calls for service.

Councillor Akumalik noted that it is good to hear updates from the RCMP on the community of Iqaluit. Council was supposed to receive an update on the impact of the opening of the beer and wine store. As well, there has been considerable talk about suicide and individuals committing suicide in the community.

Councillor Akumalik commented that he had an incident where an RCMP Officer was to refer an individual to Mental Health which has not happened and there also has been no follow-up. There are a number of agencies with contact information, but he does not know which agency to contact for assistance.

Councillor Akumalik expressed concern that the mental health issue in the community must be addressed because the suicide rate is too high and people are not receiving the help they need.

Councillor Akumalik would like to invite a member of the RCMP to attend the next Council Meeting on April 24, 2018, so that he may address his concerns regarding mental health to the RCMP publicly.

Councillor Papatsie agreed with Councillor Akumalik that individuals with mental health issues in the community should be helped. He felt individuals with mental health issues are a disability, and perhaps Council should be working with the Disability Board to determine if they can provide some help. In the beginning the Disability Board addressed many issues, and Councillor Papatsie suggested that the momentum of the Disability Board continue. He noted that it is good to hear what kinds of issues are facing the community. It is only by working together that we will go forward. Let us fight for the rights of individuals with disabilities in our community.

Mayor Redfern pointed out that the Nunavut Mining Symposium is currently underway and despite the loss of some hotel space, there are 400 people that are registered which is tremendous. The organizers wanted to thank the business community for finding space for people to stay. Just to remind everyone that Wednesday afternoon the Trade Show is open to the public.

Mayor Redfern reminded everyone that the Toonik Tyme Opening Ceremony is this week on Thursday night. And a reminder that on Friday is the full day Civic Holiday for Toonik Tyme which was approved by Council a few years ago. Mayor Redfern hoped people enjoy the activities and encouraged individuals to partake in the festivities.

Mayor Redfern extended condolences to the families on the loss of their loved ones.

6. DEFERRED BUSINESS AND TABLED ITEMS

None

7. BY-LAWS

a) First Reading of By-law(s)

None

b) Second Reading of By-law(s)

None

- c) **Third and Final Reading By-law(s)**
 - i) 2018 Mill Rate By-law No. 854

Motion #18-130

Moved by: Councillor Sheppard
Seconded by: Councillor Rochon

That Third and Final Reading of 2018 Mill Rate By-law No. 854 is approved.

Unanimously Carried

8. OLD BUSINESS

None

9. NEW BUSINESS

- a) Request for Decision - Reserve and Bank Account Closures

Councillor Sheppard declared a conflict of interest and left the chamber.

Ms. Elgersma advised Council that staff is requesting a decision to close excess bank accounts and reserve bank accounts. Staff's proposal is to close the bank accounts and combine them by fund as well as asset type to reduce the amount of bank accounts the City currently has. This will save money on bank charges and allow the bank accounts to be reconciled monthly, which will also save staff time, and be much more efficient. Costs will also be saved as there are charges for inactive bank accounts. This is a recommendation from the City's auditors and also has been reviewed with the Finance Committee. Ms. Elgersma reviewed the consolidation of bank accounts with Council. There are 92 bank accounts which will be reduced to 13; this will improve overall efficiency and provide cost savings as well.

Councillor Akumalik commented that once the accounts are consolidated he will find it confusing when reviewing financial statements because he will not know where to find the information on the individual accounts.

Ms. Elgersma explained that there will be an associated spreadsheet with the former accounts so Council will be able to see the amount designated for a particular item.

Mayor Redfern noted when there is a Reserve for Vehicles there will be a list of vehicles, i.e.: Recreation vehicles, By-law vehicles, Emergency vehicles, et cetera, which should be less confusing than the current spreadsheet.

Councillor Akumalik noted that he is able to read the present financial statements, but finds it confusing when financial terms are used.

Mayor Redfern advised that staff will ensure the spreadsheets show the information that Council requires.

Motion # 18-131

Moved by: Councillor Rochon

Seconded by: Deputy Mayor Stevenson

That the City close inactive and unnecessary bank and reserve accounts.

Unanimously Carried

Councillor Sheppard returned to the chamber.

- b) Request for Decision - Rescind Motion No. 18-95
Michelle Armstrong, Planning and Development

Ms. Armstrong explained that this request is to give Notice to Rescind the motion that gave Second Reading to the Land Administration By-law on February 27, 2018. Since then, there has been some communication with Community and Government Services Department (CGS) who have indicated that there is something that they call defective in the *Cities, Towns, and Villages Act* about the procedure to adopt the Land Administration Bylaw. CGS is recommending that Council go through the same process which is used to adopt General Planning and Zoning Bylaws under the *Planning Act* and apply that same procedure. Under that process, Council would give Public Notice and hold a Public Hearing prior to Second Reading. Following Second Reading the by-law would be sent to the Minister for review and approval.

Councillor Sheppard inquired that Community and Government Services Department have identified there is a flaw in the *Cities, Towns, and Villages Act*, and not a flaw in the process that Council followed.

Ms. Armstrong advised that the communication she had with the Territorial Lands Administrator indicated that the Act is defective and incorrect in the procedure that the Act outlined. Communities in Nunavut are always updating their Land Administration By-laws, and Community and Government Services Department request that Council follow this procedure.

Motion # 18-132

Moved by: Councillor Akumalik

Seconded by: Councillor Matshazi

That Council approves to rescind the motion that gave Second Reading to Land Administration By-law No. 853 and directs planning staff to give Public Notice and hold a Public Hearing prior to giving Second Reading as recommended by Community and Government Services.

For – Stevenson, Matshazi, Rochon, Dobbin, Akumalik, Papatsie
Against - Sheppard
Carried

c) Appointment of Member at Large - Board of Revision

Motion # 18-133

Moved by: Deputy Mayor Stevenson
Seconded by: Councillor Sheppard

That Stephen Leyden is appointed as a member at large for the Board of Revision.

Unanimously Carried

d) Re-appointments of Members at Large - Board of Revision

Motion # 18-134

Moved by: Deputy Mayor Stevenson
Seconded by: Councillor Matshazi

That Lorne Levy, Melissa Alexander and Mithula Venugopan are re-appointed as members at large for the Board of Revision.

Unanimously Carried

e) Discussion Item - By-law for Smoking Ban on all City Occupied Lands

Councillor Sheppard noted that with legalization of marijuana this fall, municipalities across the country are developing by-laws and legislation to deal with consumption of marijuana on city properties. At this time, Council has not dealt with this matter, and questioned if Council's existing by-laws will address this matter. Councillor Sheppard felt that Council should discuss this and provide direction to administration to develop a by-law to deal directly with marijuana on City occupied lands, particularly recreation facilities, garages, and any other lands that the City owns and occupies. Councillor Sheppard felt this is an important issue that should have priority so a plan is in place before fall when marijuana is legalized. He also suggested that tobacco be considered simultaneously so that smoking in all forms is banned on municipal owned and occupied properties. Councillor Sheppard inquired if staff could explore if Council can empower landlords to restrict smoking and growing marijuana in rental properties.

Councillor Akumalik expressed concern about Inuit lands.

Councillor Sheppard pointed out that Council has no jurisdiction over Inuit Owned Lands, and noted that it would require communication with NTI and QIA as land owners in that situation.

Mayor Redfern clarified that municipal land by-laws do actually apply to Inuit Owned Lands.

Councillor Sheppard clarified that he would propose the by-law on Municipal Lands currently occupied by City facilities for day-to-day operations.

Mayor Redfern pointed out that Council had requested City staff to look at the potential types and kinds of by-laws that the *Cannabis Act* is going to impact. Council should suggest a timeline for staff to provide a report to Council at which time Council can discuss the matter. She noted that whatever model the Government of Nunavut chooses there will be impact on where people smoke whether tobacco or cannabis.

Councillor Sheppard noted that it will take at least two months to have staff develop and pass a bylaw, and requested that staff report their findings to Council within the next month.

Deputy Mayor Stevenson commented that in theory he supports a ban on smoking on City properties. He expressed concern about employees who smoke and where they would go to smoke if they wanted to, if Council makes City properties smoke free.

Councillor Sheppard agreed this is a hard decision, but a discussion must be held. He suggested that perhaps a defined area could be allocated

Deputy Mayor Stevenson expressed concern that individuals smoke outside recreation facilities which are used to promote healthy living and it also makes an impression on young athletes that smoking is acceptable. He reiterated that in theory he supports a smoking ban, but is cognizant that individuals of legal age must have an area to smoke.

Mayor Redfern noted that some municipalities have passed laws that smoking is only permitted within a certain distance from a public entrance. Mayor Redfern pointed out that smoking is not permitted inside public facilities based on Workers' Safety & Compensation Commission (WSCC) Legislation that provides protection from second hand smoke. So there are some pre-existing guidelines, and other municipalities are talking about buffer zones for such things as schools and proximity of smoking to ensure the health and safety of children.

Councillor Rochon felt Council needs to discuss marijuana smoking bans. But in the interim staff could ensure that the by-law for non-smoking within three metres of an

entrance way is enforced, as this is not currently being done. He felt that children should be able to walk into public buildings in a smoke free environment.

Councillor Akumalik also agreed that Council needs to have additional discussion on a marijuana smoking ban. He inquired if City occupied land would include the dump, water booster station, and sewage lagoon.

Mayor Redfern noted that Councillors have indicated yes by nodding their heads.

Councillor Matshazi believed the *Nunavut Tobacco Control Act* says there is no smoking within three metres of an entrance or exit of a public building and within 50 metres of an entrance or exit of public schools. Councillor Matshazi inquired how this will impact a by-law to ban smoking of marijuana.

Mayor Redfern pointed out that in discussion with national municipalities at the Federation of Canadian Municipalities, By-laws would be extended to include cannabis consumption or use of cannabis and not be limited to just tobacco products. So Council would have to ensure that the City's by-laws are amended accordingly.

Councillor Papatsie advised that he is in agreement with smoking bans. He noted that he is a smoker and makes sure that he is not smoking within the area that is designated for non-smoking. He suggested that benches or huts could be placed outside the designated non-smoking area so individuals would know where they can smoke. Councillor Papatsie noted that everyone is going to have a different idea, but we should include residents of the City so a solution can be achieved.

Mayor Redfern noted that the May Meeting Calendar includes a Planning and Development COW, and asked if there is a possibility of staff preparing a report back to Council on that date. Mayor Redfern advised that Council was in agreement of this by way of nodding their head, and asked that the matter be placed on the agenda.

Councillor Akumalik expressed concern regarding signage as it pertains to a blind person and asked if there are Braille signs that can be erected. As well, there are individuals who use wheelchairs. Council must be cognizant of people with disabilities when discussing areas to be designated for smoking.

Councillor Matshazi requested staff to determine if the *Nunavut Tobacco Control Act* will be reviewed to ensure that there is consistency with the new marijuana legislation. He also asked if the City's by-laws supersede the *Nunavut Tobacco Control Act*.

Mayor Redfern advised that there is a hierarchy in laws so territorial legislation trumps city by-laws. The City's by-laws must be in compliance with legislation. The Territorial government is currently amending a number of their legislations to be compliant with the Federal Act. The Department of Finance has met with City staff and will continue communication to ensure that Council has the correct information.

Councillor Sheppard asked if the territorial legislation limits the City from tighter restrictions, or is the City not permitted to allow something that the territorial legislates.

Mayor Redfern advised that providing the City has authority, the City can have further limitation, as long as it falls within the territorial designation of power.

Councillor Akumalik asked if Mayor Redfern has been included on the discussions as well.

Mayor Redfern advised that she is included in the discussions, and noted that the Northern Association of Municipalities (NAM) is also looking into what the Government of Nunavut model is going to look like. In order to be efficient with the use of our municipal resources, one lawyer is working with the Government of Nunavut, Community of Government Services Department, and Finance to develop different options that municipalities can choose from.

Councillor Akumalik asked if the territorial legislation includes enforcement and policing.

Mayor Redfern advised that there are traffic laws both at the territorial and municipal level that have to be considered with respect to enforcement. As well as training for RCMP Officers, Municipal Enforcement Officers, and types of equipment.

Mayor Redfern advised that the matter will be placed on the May 8, 2018, Planning and Development COW for staff to prepare a report for Council.

10. COMMITTEE REPORTS

None

11. CORRESPONDENCE

- a) Nunavut Research Institute application - "Returning an Inuk Gaze: The 1950s Photographs of Joseph Idlout and their Legacy."

Motion # 18-135

Moved by: Councillor Sheppard

Seconded by: Councillor Rochon

That the NRI application "Returning an Inuk Gaze: The 1950s Photographs of Joseph Idlout and their Legacy" is approved.

For – Stevenson, Matshazi, Rochon, Dobbin, Sheppard, Papatsie
Against – Akumalik

Carried

12. IN CAMERA SESSION

Per Section 22 (2) (a) CTV Act and By-law 526 Section 67

- Two (2) Labour Items

Motion # 18-136

Moved by: Councillor Rochon

Seconded by: Councillor Akumalik

Council goes In Camera at 6:50 p.m.

Unanimously Carried

Motion #18-137

Moved by: Councillor Rochon

Seconded by: Councillor Sheppard

Council returns to Regular Session at 7:30 p.m.

Unanimously Carried

Motion # 18-138

Moved by: Councillor Sheppard

Seconded by: Councillor Matshazi

That Council approves a 1.5% increase to base salary for non-unionized employees in 2018 and a 2.5% increase to base salary for non-unionized employees in 2019.

Unanimously Carried

Motion # 18-139

Moved by: Councillor Matshazi

Seconded by: Councillor Sheppard

That Council issue an RFP to engage a headhunter to assist Council in recruiting appropriate CAO candidates.

Unanimously Carried

Motion # 18-140

Moved by: Councillor Akumalik

Seconded by: Councillor Matshazi

That Council increase the Acting CAO pay by 10%.

Unanimously Carried

13. ADJOURNMENT

Motion # 18-141

Moved by: Councillor Sheppard

Seconded by: Councillor Akumalik

Council adjourns at 7:40 pm.

Unanimously Carried

Madeleine Redfern
Mayor

Amy Elgersma
Acting Chief Administrative Officer

Approved by City Council on the **8** day of **May**, 2018.