











Town of Fort Smith
Town Council Meeting
Agenda

August 20, 2019, 7:00 p.m. – Council Chambers

A. Call to Order and Confirmation of Quorum	
B. Approval of Agenda	
C. Presentations a. RCMP Police Report July 2019	 RCMP Police Report July 2019
D. Approval of Council Minutes a. Council Minutes 07-19 b. Special Meeting Minutes SP-03-19	  Council Minutes Special Meeting 07-19 July 23, 2019 Minutes SP-03-19 At
E. Business Arising from the Minutes	
F. Declaration of Financial Interest a. Statement of Disclosure of Interest	 Statement of Disclosure of Interest
G. Council Business	
a. Introduction and Consideration of Committee Reports i. Corporate Services ii. Community Services iii. Municipal Services	   Corporate Services Community Services Municipal Services Minutes August 6, 2 Minutes August 13, Minutes August 13,
b. Enactment of Bylaws and Policies i. Bylaw 998 Appoint Bylaw Officer Gavin Burke First & Second Reading	 Bylaw 998 Appoint Bylaw Officer Gavin
c. Appointments	
d. Mayor and Council/Board Representative Updates	
e. Administration	
H. Proclamations	
I. Absence of Council Members	
J. Date of Next Council Meeting	
K. Adjournment	
L. Question Period	



**COUNCIL OF THE TOWN OF FORT SMITH
MEETING 08-19
THE FIRST REGULAR MEETING OF COUNCIL FOR
THE MONTH OF AUGUST AND THE
EIGHTH FOR THE YEAR 2019**

PRESENT: D/M K. Smith Cr. A. Pischinger
 Cr. K. Campbell Cr. B. McArthur
 Cr. M. Couvrette Cr. C. Westwell

REGRETS: Mayor L. Napier Cr. J. Cox
 Cr. L. Beaulieu

STAFF: K. Morrison, Senior Administrative Officer
 K. Reid, Executive Secretary

GALLERY: RCMP Cpl. Chris MacDonald
 RCMP Cst. Amy Forbes

Meeting 08-19
August 20th, 2019

7:00 PM
Council Chambers

A. CALL TO ORDER & CONFIRMATION OF QUORUM

D/M Smith called the meeting to order at 7:00 p.m. and confirmed a quorum of Council was present.

B. APPROVAL OF AGENDA

Administration advised that correspondence from the Minister of Lands, Louis Sebert, was received and requested the agenda be amended to provide an update. Council agreed to the amendment.

19-155 Moved by: Cr. Westwell Seconded by: Cr. Campbell That the agenda be adopted as amended. CARRIED UNANIMOUSLY

C. PRESENTATIONS

- a. RCMP Delegation
- i. Police Report – The RCMP Police Report for July 2019 was reviewed. Cpl. Chris MacDonald introduced Cst. Amy Forbes who is new to the community from Saskatchewan with eleven years of service. Cpl. MacDonald advised that in July the detachment addressed the issue of substance abuse by sending a member to informant handler training. He indicated that traffic enforcement was also addressed a few times in July. He noted that there was an impaired driving incident at the cemetery and another erratic impaired driving incident on Calder Avenue. He added that charges are pending for both occurrences. Cpl. MacDonald advised that Sgt. Gilbert is spearheading the Citizens on Patrol program and is meeting with Cr. Beaulieu to facilitate the program.



With regard to youth intervention, Cpl. MacDonald advised that the detachment performed ten curfew checks. He indicated that one youth involved with the youth crime spree had returned to Fort Smith and was hiding from the RCMP. The youth had warrants in Edmonton, Fort Chipewyan, Yellowknife and Fort Smith. The youth was arrested, remanded to Yellowknife and returned to Fort Smith.

Cpl. MacDonald advised that the RCMP participated in the Canada Day Parade and that Sgt. Gilbert had attended the Pine Lake Picnic. He added that the detachment had also donated food to Sunset Chalet Seniors Home. Additionally, that the RCMP performed two foot patrols during the month of July.

Cpl. MacDonald indicated that the RCMP responded to five calls for domestic violence and that charges were laid in three of the occurrences.

Cpl. MacDonald advised that there were four reported break and enters in July; one at the Library and three residential that are believed to be related. Night shift members responded to a call of a suspicious male in the area and arrested the young offender who was caught in the process of attempting a break and enter. The youth involved had been arrested for a second time in July and was remanded to Yellowknife where he will be held until October when trial is set.

Cpl. MacDonald advised that in July there were three mental health calls, four calls of missing persons, and three complaints of sexual assault. RCMP members were also busy assisting the Fort Chipewyan detachment with a firearm call in WBNP and a fatal motor vehicle accident on Pine Lake Road.

Cr. Campbell asked how frequently youth curfew checks are performed. Cpl. MacDonald replied that the frequency of curfew checks is dependent on the number of youths in the community and that checks are regularly performed on a random basis.

Administration heard that the RCMP Community Barbeque to welcome new members was a successful event. Council welcomed Cst. Amy Forbes to the community and noted that they were pleased with the level of RCMP engagement with Council this term.

D. APPROVAL OF MINUTES

19-156 Moved by: Cr. Couvrette
Seconded by: Cr. Pischinger

That the minutes of Regular Meeting 07-19 of July 23rd, 2019 be adopted as presented.

CARRIED UNANIMOUSLY

19-157 Moved by: Cr. Westwell
Seconded by: Cr. McArthur

That the minutes of Special Meeting SP-03-19 of August 6th, 2019 be adopted as presented.

CARRIED UNANIMOUSLY



F. **DECLARATION OF FINANCIAL INTEREST**

- a. Statement of Disclosure of Financial Interest – There were no disclosures of financial interest.

G. **COUNCIL BUSINESS**

- a. Introduction and Consideration of Committee Reports

Corporate Services Standing Committee – Administration advised that there was a question asked at the Corporate Services Standing Committee as to why debenture interest in the variance report was different than the budgeted amount. He advised that the difference is due to monthly reconciliations not being complete and the interest not being allocated.

There was another question asked with regard to accounts receivable interest and he advised that review of the accounts receivable file shows that there are no large interest accumulating accounts. The department is reviewing accounts receivables for bad debt to be forgiven and a briefing note would be brought forward to Council on this.

Administration indicated that a subsequent briefing note would be brought to Council on property tax forgiveness, the tax auction date and sale, and potential lobbying efforts to revise the Seniors and Disabled Tax Relief Program to allow Seniors who were in arrears and ineligible for the program when it was implemented to be eligible for the program. Administration thinks there are only two Seniors who were not eligible for the program due to outstanding property taxes and indicated that they continue to pay taxes while interest accumulates and as a result have been unable to pay their entire debt. Once the debt is cleared, they become eligible for taxes.

Administration advised that the only large debt in accounts receivable is a debt from the Department of Health and Social Services and indicated that there was an undocumented commitment made to contribute \$50,000 when the Recreation facility was built for rooms for counselling services. He noted that the deal did not transpire, although the debt was recorded in account receivables. The debt does not accumulate interest and may be requested to be forgiven.

19-158 Moved By: Cr. Couvrette
Seconded By: Cr. McArthur

That the Corporate Services Standing Committee minutes from August 6th, 2019, be adopted as presented.

CARRIED UNANIMOUSLY

Road South Committee – Cr. Pischinger asked if the motion was to appoint the SAO until October then revisit the appointment. D/M Smith suggested that the motion could be amended at any time. Cr. Couvrette thought the motion should read that the SAO be appointed until the scope and terms of reference are defined. Cr. Westwell agreed with D/M Smith, that the motion could be reviewed at a later date.

19-159 Moved By: Cr. McArthur
Seconded By: Cr. Couvrette

That Mayor and Council of the Town of Fort Smith support and advocate for the development of an alternate road through Wood Buffalo National Park that possibly ties into Fort Chipewyan, Alberta; and

That the SAO be appointed to work with the Committee.

CARRIED UNANIMOUSLY



Fort Smith Airport Runway Modification ATIP Request

19-160 Moved By: Cr. Couvrette
Seconded By: Cr. Pischinger

That the Mayor have Administration prepare an ATIP request to the Department of Infrastructure to prepare information regarding the narrowing of the Fort Smith Airport Runway to 100 ft, including all written and electronic means of communication.

CARRIED UNANIMOUSLY

Aurora College Transition to Polytechnic University Ad Hoc Committee – Cr. Westwell advised that he would have to withdraw his name from the Ad Hoc Committee. D/M Smith advised that he would accept being appointed to the Committee.

19-161 Moved By: Cr. Couvrette
Seconded By: Cr. Campbell

That Council form an Ad Hoc Committee to revisit the issue of the transition to a Polytechnic Institute; and

That the Committee consist of Cr. Couvrette, D/M Smith and Mayor Napier-Buckley through the election period and following through to the forming of the following government over the next six-month period.

CARRIED UNANIMOUSLY

2019 Second Quarter Variance Report

19-162 Moved By: Cr. McArthur
Seconded By: Cr. Couvrette

That the 2019 Second Quarter Variance Report be accepted as presented.

CARRIED UNANIMOUSLY

Appoint Standing Acting Senior Administrative Officer Cynthia White

19-163 Moved By: Cr. Couvrette
Seconded By: Cr. McArthur

That Cynthia White, Director of Community Services, be appointed Standing Acting Senior Administrative Officer on an as and when required basis when the Senior Administrative Officer is away from the office effective August 6th, 2019.

CARRIED UNANIMOUSLY

Appoint Development Officer Obrian Kydd

19-164 Moved By: Cr. Westwell
Seconded By: Cr. Campbell

That Obrian Kydd, Director of Corporate Services, be appointed as a Development Officer for the Town of Fort Smith.

CARRIED UNANIMOUSLY



Breathing Apparatus Purchase – Cr. McArthur asked if the Capital Plan is a public document for vendors to see before submitting pricing. D/M Smith confirmed that the document is public and that the budget process determines reflective amounts for projects. Administration advised that a representative Capital Plan is prepared by collecting information from different vendors to set budget amounts. He added that it is clear when collecting information that it is not a guaranteed sale or tender and when soliciting, proper procurement methods are used. Administration advised that the breathing apparatus purchase was a sole source and that sole source procurements are required to be justified.

19-165 Moved By: Cr. Campbell
Seconded By: Cr. Westwell

That the sole-source purchase of Fire Department breathing apparatus be awarded to Rocky Mountain Phoenix in the amount of \$137,393.00 plus GST.

CARRIED UNANIMOUSLY

Community Services Standing Committee

19-166 Moved By: Cr. McArthur
Seconded By: Cr. Pischinger

That the Community Services Standing Committee minutes from August 13th, 2019, be adopted as presented.

CARRIED UNANIMOUSLY

Municipal Services Standing Committee

19-167 Moved By: Cr. Westwell
Seconded By: Cr. Couvrette

That the Municipal Services Standing Committee minutes from August 13th, 2019 be adopted as presented.

CARRIED UNANIMOUSLY

Bylaw 998 Appoint Bylaw Officer Gavin Burke

19-168 Moved By: Cr. Pischinger
Seconded By: Cr. McArthur

That Bylaw 998 Appoint Bylaw Officer Gavin Burke be brought forward to the Council Meeting of August 20th, 2019 for First and Second Reading.

CARRIED UNANIMOUSLY

Territorial Elections All-Candidates Forum

19-169 Moved By: Cr. Couvrette
Seconded By: Cr. Pischinger

That the Town of Fort Smith partner with the Union of Northern Workers on an all-candidates forum for the Territorial Elections in September 2019.

CARRIED UNANIMOUSLY



b. Enactment of Bylaws and Policies

Bylaw 998 Appoint Bylaw Officer Gavin Burke First Reading

19-170 Moved By: Cr. Westwell
Seconded By: Cr. McArthur

That Bylaw 998 Appoint Bylaw Officer Gavin Burke be introduced and given First Reading;

WHEREAS, the Council of the Municipal Corporation of the Town of Fort Smith, in the Northwest Territories, deems it necessary to appoint Bylaw Enforcement Officers to enforce the bylaws of the Municipality;

NOW THEREFORE, the Council of the Municipal Corporation of the Town of Fort Smith, at a duly assembled meeting enacts as follows:

1. That Gavin Burke be appointed Bylaw Enforcement Officer for the Town of Fort Smith.
2. That this appointment shall come into effect upon this bylaw receiving third reading.
3. That Bylaws 712 and 990 be hereby repealed.

CARRIED UNANIMOUSLY

Bylaw 998 Appoint Bylaw Officer Gavin Burke Second Reading

19-171 Moved By: Cr. Pischinger
Seconded By: Cr. Campbell

That Bylaw 998 Appoint Bylaw Officer Gavin Burke be given Second Reading by title only.

CARRIED UNANIMOUSLY

c. Mayor and Council/Board Representative Updates

- i. Cr. Campbell – Cr. Campbell gave his condolences to the family of Floyd Daniels.
- ii. Cr. McArthur – Cr. McArthur gave his condolences to the family of Floyd Daniels. He advised that he would be away from the community until September 4th, 2019.
- iii. Cr. Pischinger – Cr. Pischinger gave her condolences to the families of Floyd Daniels, Edward Nadary and Margaret Plamondon. Cr. Pischinger requested updates on the Landslide Slope Stabilization Project and the angled parking at the McDougal Centre. She also requested an update on the timeline of the Water and Sewer Infrastructure Replacement Project.

Administration replied that the Slope Stabilization Project has been awarded and the contractor has begun tabletop design. Administration indicated that angled parking at the McDougal Centre was approved by Council as per engineering drawings as part of their development permit. He noted that approval of the parking does not allow people to park extending onto the sidewalk or road and that if a vehicle is too large for the parking spot it needs to park elsewhere. He advised that the building owner has been notified of the issue and has been asked to notify their tenants. He added that Bylaw Enforcement would be monitoring the area for parking violations and that warnings would be issued to start. Alternatively, he advised that Council can reevaluate the approval of the diagonal parking for the building.



Administration provided an update on the timeline of the Water and Sewer Replacement Infrastructure Project. He advised that the project is split into six phases and that they are finished half of Phase 2 on Mercredi Avenue. He noted that the work on Mercredi Avenue was scheduled to be finished in four days and that the contractor is now on twenty-one days. Administration has been pressing for a schedule and advised that decisions will need to be made on how much progress can be anticipated this season.

- iv. Cr. Westwell – Cr. Westwell was pleased that Council approved working with the UNW on an all-candidates forum for the upcoming elections. He advised that Roaring Rapids Hall has been booked as the venue and requested that Councillors reach out with comments or ideas for questions. Cr. Couvrette advised that he had submitted suggestions for questions. Cr. Westwell noted that it was mentioned addressing candidates outside of Fort Smith. Cr. Westwell also requested support from Councillors to run tables. He is hoping Cr. Cox will moderate for the event. Cr. Westwell advised that he was approached by three residents that indicated they were pleased with the new four-way stop on Calder Avenue and Field Street. He added that one resident was concerned of a pothole at the intersection.
 - v. D/M Smith – D/M Smith gave his condolences to the Plamondon, Daniels and Nadary families. He advised of upcoming events including the Circus Camp Open House and Dark Sky Festival. Cr. McArthur advised that he would be out of town and unable to attend the new Corrections Facility Opening Ceremonies on August 30th.
- d. Administration – Administration advised that Cr. Westwell, who was Acting Mayor at the time, approached the Minister of Lands regarding how to advance Commissioner's land issues and that a response was received today from the Minister. He indicated that the Minister had provided a photocopy of how to complete the application form to transfer Commissioner's land. Administration clarified that the forms were already completed and submitted, although a response from the department was never received.

Administration advised that the Mayor sent a letter to the Minister of Lands requesting to meet with the Minister and necessary staff regarding the Commissioner's land transfers of the Snowboard Park lots and Riverside Park. An immediate response was received stating that the Town's application for the three lots where the Snowboard Park run is located have been transferred to the Town's ownership and that the applications to acquire the Riverside Park lot and adjacent washcar lot has been put on hold. The Minister also indicated that he was unavailable to meet but the Associate Deputy Minister (ADM) was available to meet that afternoon on August 19th.

Administration advised that he met with the ADM and Superintendent of Lands and discussed a variety of territorial land issues that are affecting all NWT communities. Administration has been corresponding with Yellowknife, Hay River, and Inuvik whom have all wrote letters to the Minister of Lands in regard to the updated Lands Act as they are having issues acquiring land. He noted that there is a lack of clarity in transferring Commissioner's land and that the department works arbitrarily. The department indicated two years prior that the Town owned the Snowboard Park run lots followed by recent correspondence that stated further consultations had to be performed before transferring. He noted that the department is lacking in policy support and clear direction.



Administration advised that they discussed land transfers and land stewardship within municipal boundaries. Administration asked why the GNWT wants the land and advised that they are best in the Town's ownership to administer. He also advised that Commissioner's land was originally transferred from the Federal Government to be transferred to municipalities for municipal use.

Administration advised with regard to land stewardship, that if the GNWT will not transfer the land to the municipality, the municipality would look to the GNWT as a private landowner with the expectation to manage their properties like any other landowner within the municipality. He would expect the GNWT to manage their properties, so they do not pose a public risk; to not allow unmonitored vehicular traffic in prohibiting zones; and perform fire abatement initiatives. Administration advised that the Town is preparing to issue multiple development violations against the GNWT. He clarified that college properties and Commissioner's land are unmaintained and added that the walking trail was widened for vehicular use increasing ATV traffic which is in violation of zoning. He advised that a stop work order was issued for the widening of the trail and there is a period to submit an application for development permit for the work. He noted that as the trail widening is in violation of the zoning and a development permit would be refused. He added that next step would be to appear in court.

Administration advised that there was a landslide on Commissioner's land this spring due to increased unapproved ATV use. Administration advised that the intent is that the GNWT could be charged for this and for the court to state that the GNWT is responsible as the landowner and to set precedence in communities across the NWT. Administration added that the majority of land in the community is Commissioner's land whether developed or vacant, and that their land is unsafe, unsightly and unmanaged and would require groundskeepers, managers, etc. Administration advised that the ADM asked how the Town would manage the land. He responded that the Town has obtained Federal Climate Change funding for slope stabilization of the landslide area and indicated that the majority of land along the landslide is Commissioner's land.

The ADM indicated that the department was not comfortable transferring ownership of the Riverside Park lot and adjacent washcar lot to be developed on. Administration clarified that all developments on the property meet the zoning requirements as per the Community Plan and Zoning Bylaw. The ADM indicated that they would not move forward with lots until the washcar facility was moved. Administration advised that the direction from Council was not to move the building until there is documentation that the Town would receive the lots. Administration suggested a written commitment that the lots would be transferred after consultation. The ADM restated that the washcar building is in violation and that they cannot move forward until it is removed. Administration suggested that the department won't transfer fee simple and that only a lease would be provided placing controls on the use of the lots. Administration also discussed environmental liability of the sites, similar to the Landfill and Sewage Lagoon which are on Commissioner's land.

Cr. Westwell thanked Administration for the update and noted his displeasure in the Ministers response letter to his questions while Acting Mayor. He wasn't pleased with the photocopied form which had already been completed and submitted and didn't feel that the response was acceptable as a result of a productive conversation. Cr. Westwell advised that Fort Smith's assets were GNWT Regional Centres and the Aurora College which have become depreciated. He hopes to advance positively with the new government after elections.



Cr. McArthur and Cr. Couvrette agreed with Cr. Westwell's comments. Cr. Couvrette hopes the new government will be more responsive to the constituents they are representing. He agreed in filing violations to bring their lands to the standard that residents are expected to maintain. Administration replied that there are currently four immediate issues that could result in development orders being issued. He advised that the Department of Lands office had been grandfathered in the no development zone and that they have been developing the property without submitting applications for development permits. They have been quietly moving the developments from the property since. He also suggested revising the Unsightly Lands Bylaw to include wording that properties shall not pose a fire threat to adjacent properties. D/M Smith noted that the original motion was to meet with the Minister regarding Commissioner's land issues and suggested a response to the letter be sent.

I. ABSENCE OF COUNCIL MEMBERS

19-172 Moved By: Cr. Westwell
Seconded By: Cr. Campbell

That Cr. Beaulieu and Cr. McArthur be excused from the Corporate Services Standing Committee Meeting on August 6th, 2019.

CARRIED UNANIMOUSLY

19-173 Moved By: Cr. Westwell
Seconded By: Cr. McArthur

That Cr. Cox be excused from the Community and Municipal Services Standing Committee Meetings on August 13th, 2019.

CARRIED UNANIMOUSLY

19-174 Moved By: Cr. McArthur
Seconded By: Cr. Couvrette

That Mayor Napier, Cr. Cox and Cr. Beaulieu be excused from the Regular Meeting of Council on August 20th, 2019.

CARRIED UNANIMOUSLY

J. DATE OF NEXT COUNCIL MEETING

Corporate Services Standing Committee Meeting – September 3rd, 2019

Community and Municipal Services Standing Committee Meetings – September 10th, 2019

Council Meeting 09-19 – September 17th, 2019




K. **ADJOURNMENT**

19-175 Moved By: Cr. Couvrette
Seconded By: Cr. Pischinger

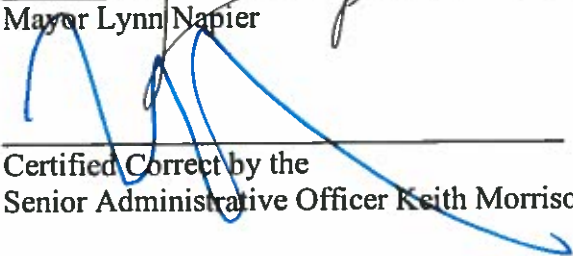
That the meeting be adjourned at 8:35 p.m.

CARRIED UNANIMOUSLY

Minutes adopted this 17th day of September, 2019.



Mayor Lynn Napier



Certified Correct by the
Senior Administrative Officer Keith Morrison

L. **QUESTION PERIOD**

A question period was offered in accordance with policy.