

Unapproved Minutes of a Meeting of the Council of the Regional Municipality of Wood Buffalo held in the Council Chamber at the Municipal Offices in Fort McMurray, Alberta, on Tuesday, June 11, 2013, commencing at 6:00 p.m.

Present: M. Blake, Mayor
D. Blair, Councillor
C. Burton, Councillor
L. Flett, Councillor
S. Germain, Councillor
D. Kirschner, Councillor
P. Meagher, Councillor
J. Stroud, Councillor
C. Tatum, Councillor
R. Thomas, Councillor
A. Vinni, Councillor

Administration: Glen Laubenstein, Chief Administrative Officer
Surekha Kanzig, Chief Legislative Officer
Anita Hawkins, Legislative Officer
Jade Brown, Supervisor, Legislative and Administrative Support

Call To Order

Mayor Blake called the meeting to order at 6:16 p.m.

Opening Prayer

Mayor Blake invited those so inclined to join her in Prayer.

Adoption of Agenda

Moved by Councillor P. Meagher that the agenda be adopted as presented.

CARRIED UNANIMOUSLY

Minutes of Previous Meetings

1. Minutes of May 28, 2013

Moved by Councillor R. Thomas that the minutes from the May 28, 2013 Council meeting be approved as presented.

CARRIED UNANIMOUSLY

Delegations

Jim Rogers, resident, came forward and raised a concern regarding the report - Utility Agreement for Electrical Services noting that the agreement may provide preferential treatment to the utility company involved.

Moved by Councillor P. Meagher that the presentation be accepted as information.

CARRIED UNANIMOUSLY

Public Hearings and Related Reports

**2. Closure of Undeveloped Government Road Allowance - Proposed Conklin Multi-use Community Centre Site - Bylaw No. 13/021
-Public Hearing**

Moved by Councillor R. Thomas that the Public Hearing for Bylaw No. 13/021 be opened.

CARRIED UNANIMOUSLY

Marcel Ulliac, land administration introduced the matter, noting that once the Public Hearing is closed, ministerial approval is required prior to the bylaw coming forward for second and third readings. He further explained that practice in closure of undeveloped road allowances is to close only the portion required for a specific development.

Moved by Councillor P. Meagher that the Public Hearing for Bylaw No. 13/021 be closed.

CARRIED UNANIMOUSLY

The Public Hearing was held between 6:24 p.m. and 6:30 p.m.

**3. Land Use Bylaw Amendment – Election Sign Provisions – Bylaw No. 13/018
- Public Hearing
- 2nd and 3rd readings**

Moved by Councillor J. Stroud that the Public Hearing for Bylaw No. 13/018 be opened.

CARRIED UNANIMOUSLY

Audrey Rogers, Senior Legislative Officer provided an overview of the proposed amendment submitted for consideration.

Moved by Councillor R. Thomas that the Public Hearing for Bylaw No. 13/018 be closed.

CARRIED UNANIMOUSLY

The Public Hearing was held between 6:31 p.m. and 6:40 p.m.

Councillor P. Meagher put forward the following recommendation: that Bylaw No. 13/018, being an amendment to the Land Use Bylaw specific to Election Sign Provisions, be read a second time.

Moved by Councillor S. Germain to limit the number of signs per candidate to ten.

Concern was raised that limiting the number of signs may bring forth a challenge based on a breach of the Charter of Rights.

DEFEATED

For: D. Blair, L. Flett, S. Germain, D. Kirschner, P. Meagher

Opposed: M. Blake, C. Burton, J. Stroud, C. Tatum, R. Thomas, A. Vinni

Moved by Councillor A. Vinni that Bylaw No. 13/018 be amended by inserting the following: (d) iii be a minimum height of 1 m or a minimum width of 1 m.

Discussion occurred regarding what the intent of the bylaw is with respect to size and how this could be best identified within the bylaw for ease of interpretation.

MOTION WITHDRAWN

Moved by Councillor A. Vinni that Bylaw No. 13/018 be referred back to Administration for clarification on sign size.

CARRIED

For: M. Blake, D. Blair, C. Burton, L. Flett, S. Germain, D. Kirschner, P. Meagher, J. Stroud, R. Thomas, A. Vinni

Opposed: C. Tatum

Bylaws

4. Utility Agreement for Electrical Services - Bylaw No. 12/038 -2nd and 3rd readings

Councillor R. Thomas put forward the following recommendation for consideration: that Bylaw No. 12/038, being a bylaw to enter into a utility agreement granting ATCO Electric Ltd. the exclusive right to provide electric distribution access services within the Urban Service Area, be read a second time.

A lengthy discussion occurred regarding how the agreement came about and the process involved. Concern was raised about Council's lack of opportunity to provide input in the agreement as such.

Specific reference was made to the requirement for the company to repair damage caused to municipal property while the document does not address repair damage caused to a third party or private property. It was explained that if a third party property was damaged, they do have the civil rights to pursue remedy from the Company, the Municipality would not be in a position to enforce restoration.

The Chief Administrative Officer referred to the municipal practice to return private property to its original state when doing underground work and suggested a written agreement be obtained with the Company that they would comply with the same remediation practice.

Moved by Councillor A. Vinni that Bylaw No. 12/038 be referred to Administration for negotiation of restoration of underground services work.

CARRIED UNANIMOUSLY

Bylaw No. 12/038 to be brought back for consideration within the next 6 weeks.

5. Special Events
Bylaw No. 13/014 - Land Use Bylaw Amendment
Council Policy - PRL-130 - Special Event Policy for Municipal Parks and Public Open Spaces

Councillor R. Thomas put forward the following recommendation: that Bylaw No. 13/014, being a Land Use Bylaw Amendment to define, regulate, and add Special Events as a use within the Land Use Bylaw of the Regional Municipality of Wood Buffalo, be read a second time.

Mayor Blake stated that Councillors Flett, Kirschner and Stroud are unable to vote today on the matter of Bylaw 13/014 as they were not in attendance during the Public Hearing held in this regard.

Moved by Councillor A. Vinni that Bylaw No. 13/014 be amended by deleting out of section (c) thirty (30) cumulative days and inserting fifteen (15) cumulative days.

CARRIED

For: M. Blake, D. Blair, C. Burton, S. Germain, R. Thomas, A. Vinni

Opposed: P. Meagher, C. Tatum

Moved by Councillor R. Thomas that Bylaw No. 13/014, being a Land Use Bylaw Amendment to define, regulate, and add Special Events as a use within the Land Use Bylaw of the Regional Municipality of Wood Buffalo, be read a second time.

CARRIED

For: M. Blake, D. Blair, C. Burton, S. Germain, P. Meagher, R. Thomas, A. Vinni

Opposed: C. Tatum

Councillor A. Vinni put forward the following recommendation: that Bylaw No. 13/014 be amended by: a) Replacing Section 20.1 (dd) with the following: "A Special Event with event attendance of less than 150 persons at any one time"; b) Adding the following to Section 20.1: (ff) A Special Event that is a school event held within school facilities, or if outside, on school-owned properties; (gg) A Special Event that is held by a religious assembly on a property owned by the religious assembly."; and c) Replacing Part 4 of the Bylaw with the following: "This bylaw shall be passed and become effective on September 11, 2013.

Moved by Councillor A. Vinni that Bylaw No. 13/014 be amended by removing 150 people in section 20.1(dd) and inserting 111 people.

DEFEATED

For: A. Vinni

Opposed: M. Blake, D. Blair, C. Burton, S. Germain, P. Meagher, C. Tatum, R. Thomas

Moved by Councillor R. Thomas that Bylaw No. 13/014 be amended by:

a) Replacing Section 20.1 (dd) with the following: “A Special Event with event attendance of less than 150 persons at any one time”;

b) Adding the following to Section 20.1:

(ff) A Special Event that is a school event held within school facilities, or if outside, on school-owned properties;

(gg) A Special Event that is held by a religious assembly on a property owned by the religious assembly.

c) Replacing Part 4 of the Bylaw with the following: “This bylaw when passed shall become effective on September 11, 2013.”

CARRIED

For: M. Blake, D. Blair, C. Burton, S. Germain, P. Meagher, R. Thomas

Opposed: C. Tatum, A. Vinni

Moved by Councillor P. Meagher that Bylaw No. 13/014, as amended, be read a third and final time.

CARRIED

For: M. Blake, D. Blair, C. Burton, S. Germain, P. Meagher, R. Thomas

Opposed: C. Tatum, A. Vinni

Moved by Councillor P. Meagher that Policy PRL-130, Special Event Policy for Municipal Parks and Public Open Spaces dated May 28, 2013 be approved.

CARRIED

For: M. Blake, D. Blair, C. Burton, S. Germain, D. Kirschner, P. Meagher, J. Stroud, C. Tatum, R. Thomas

Opposed: L. Flett, A. Vinni

RECESS AND RECONVENE

A break occurred at 8:29 p.m. and the meeting reconvened at 8:45 p.m.

6. Bylaw No. 13/019 – Combative Sports Commission Bylaw

Moved by Councillor C. Tatum that Bylaw No. 13/019, being the Combative Sports Commission Bylaw, be given first reading, that a non-statutory public hearing be held on Tuesday, June 25, 2013 and that a resolution be prepared for submission to the Alberta Association of Municipal Districts and Counties and the Alberta Urban Municipalities Association requesting the creation of a provincial oversight body for combative sports.

CARRIED UNANIMOUSLY

7. Land Use Bylaw Amendment - Bylaw No. 13/022 Diversified Site - DC- Direct Control to C4 - Highway Commercial Suncor Card Lock - DC - Direct Control to BI - Business Industrial

- 1st reading (Proposed date for Public Hearing, 2nd and 3rd readings - June 25, 2013)

Moved by Councillor R. Thomas that Bylaw No. 13/022 being a Land Use Bylaw amendment for Lot 24, Block 1, Plan 112 5223 (Diversified bus operations), and Lot 7, Block 2, Plan 132 0966 (Suncor card lock), be read a first time; and that the required public hearing be held on June 25, 2013.

CARRIED UNANIMOUSLY

Reports

8. 2013 and Prior Capital Budget Amendments - Revised and New Projects

Moved by Councillor J. Stroud that the 2013 and Prior Capital Budget and the future cash flow of multi-year projects be amended as summarized on Attachments 1 and 3 (2013 and Prior Capital Budget Amendments – Revised Projects; Multi-Year Projects Cash Flow Summary), dated June 11, 2013.

A lengthy discussion ensued during which a number of questions were raised regarding the proposed amendments and cash flow summary. Clarification was requested in terms of how determination is made as to which funding or projects are being changed.

RECESS AND RECONVENE

A break occurred at 9:10 p.m. and the meeting reconvened at 9:18 p.m.

Further questions were raised relative to specific projects identified in the proposed amendments.

Concern was raised about council's involvement in setting priority levels to the capital projects as approved during the budget process and suggestion was put forward that Council may wish to look at establishing either a capital budget committee or an audit committee to allow council an opportunity to identify political priorities for administration to deal with, with a further suggestion that these sessions be public.

It was explained that the intent is that when future capital projects are being reviewed, the review includes not only the capital cost involved, but also a business case for subsequent operating cost.

Voting occurred on Councillor Stroud's motion:

CARRIED

For: M. Blake, D. Blair, C. Burton, L. Flett,
S. Germain, P. Meagher, J. Stroud, C.
Tatum, R. Thomas, A. Vinni

Opposed: D. Kirschner

Moved by Councillor R. Thomas that the 2013 new Capital Budget and the future cash flow of multi-year projects be approved as summarized on Attachments 2 and 4 (2013 Capital

Budget Amendments – New Capital Projects; New Capital Projects Cash Flow Summary), dated June 11, 2013.

CARRIED

For: M. Blake, D. Blair, C. Burton, L. Flett, S. Germain, J. Stroud, C. Tatum, R. Thomas, A. Vinni

Opposed: D. Kirschner, P. Meagher

EXTENSION OF MEETING

Moved by Councillor R. Thomas that the meeting be extended past the 10:00 p.m. deadline.

CARRIED UNANIMOUSLY

Moved by Councillor R. Thomas that the budget line item figures on Attachments 2, 4 and 6-39 remain confidential pursuant to Section 25 of the Freedom of Information and Protection of Privacy Act, R.S.A., 2000 c. F-25, as amended, until such time as the business risk is removed.

CARRIED UNANIMOUSLY

Reporting - Boards and Committees

- FCM Conference (Councillor Meagher)
- Congratulations to Councillor Burton as recipient of “Women of Inspiration Award” (Councillor Stroud)

Administrative Update

Chief Administrative Officer Laubenstein thanked all staff and community workers for their efforts in addressing the flooding event over the last two days. He further thanked the people affected by the event for their understanding as the municipality learns to deal with a totally new set of circumstances.

Adjournment

Moved by Councillor D. Blair that the meeting be adjourned.

CARRIED UNANIMOUSLY

The meeting adjourned at 10:21 p.m.

Mayor

Chief Legislative Officer