

**CITY OF IQALUIT  
CITY COUNCIL MEETING #20  
September 24, 2013 at 6:00 PM  
COUNCIL CHAMBERS**

**PRESENT FROM COUNCIL**

Deputy Mayor Mary Wilman  
Councillor Simon Nattaq  
Councillor Kenneth Bell  
Councillor Terry Dobbin  
Councillor Romeyn Stevenson

**ABSENT**

Mayor John Graham  
Councillor Joanasi Akumalik  
Councillor Mark Morrissey

**PRESENT FROM ADMINISTRATION**

John Hussey, Chief Administrative Officer  
Tracy Cooke, City Clerk  
John Mabberi-Mudonyi, Senior Director, Corporate Services  
Jennifer Catarino, A/Director, Planning and Development  
Eva Michael, Communications Officer  
Valerie Collin, Recorder  
Jeanie Eeseemailee, Senior Interpreter/Translator

**PRAYER**

Councillor Nattaq opened the meeting with a prayer at 6:00pm.

**SWEARING IN**

None

**ADOPTION OF AGENDA**

**Motion #13-273**

Moved by: Councillor Nattaq  
Seconded by: Councillor Stevenson

That the agenda be adopted as amended:

Delete (2) Awards and Recognitions

**Unanimously Carried**

1. **MINUTES**

- a) City Council Meeting Minutes #13 – June 25, 2013

**Motion #13-274**

Moved by: Councillor Bell

Seconded by: Councillor Stevenson

That City Council Meeting Minutes #13 dated June 25, 2013 be approved.

**Unanimously Carried**

- b) Public Hearing Minutes – July 10, 2013

**Motion #13-275**

Moved by: Councillor Nattaq

Seconded by: Councillor Stevenson

That Public Hearing Minutes dated July 10, 2013 be approved.

**Unanimously Carried**

- c) City Council Meeting Minutes #14 – July 10, 2013

**Motion #13-276**

Moved by: Councillor Nattaq

Seconded by: Councillor Stevenson

That City Council Meeting Minutes #14 dated July 10, 2013 be approved.

**Unanimously Carried**

- d) City Council Meeting Minutes #15 – July 23, 2013

**Motion #13-277**

Moved by: Councillor Stevenson

Seconded by: Councillor Dobbin

That City Council Meeting minutes #15 dated July 23, 2013 be approved.

**For – Dobbin, Nattaq, Stevenson  
Abstained – Bell  
Carried**

**Councillor Bell abstained to the motion as he was not in attendance.**

**2. DECLARATION OF INTEREST**

None

**3. DELEGATIONS**

- a) Joanasie Egeesiak  
Citizen at Large

Mr. Joanasie Egeesiak thanked Council for giving him the opportunity to speak and expressed his concern with drivers who text and talk on the cellular phones; children will get hit by a vehicle sooner or later. He believed that Council should address this issue as it has become very serious and he has often seen vehicles veering towards the ditch when texting and driving.

Councillor Bell advised that he requested a discussion item in relation to this matter and that it will be discussed later on in the agenda. He thanked Mr. Egeesiak for expressing his concern and stated that he will be requesting that a by-law be drafted to address this issue.

**4. AWARDS AND RECOGNITIONS**

None

**5. STATEMENTS**

Councillor Nattaq expressed his concern with the height of speed bumps that were recently installed; heavy equipment as well as water and sewer trucks seem to have difficulties driving over them and often seem like they are going to tip onto their sides. He believed that perhaps the city should decrease the speed limits in the areas where speed bumps have been installed to prevent larger vehicles stopping abruptly to go over the speed bumps. He stated that he would like to receive an update as to how the speed bumps have made a difference in the community.

Councillor Bell stated that he agreed with Councillor Nattaq regarding the size of the speed bumps, although he is very supportive of having them. Many residents have expressed their concern with the height of the speed bumps and the fact that they were not painted until recently, nor is there signage installed to warn

drivers that a speed bump is up ahead. These should have been addressed at the same time the speed bumps were installed. He asked that further clarification be provided to Council at the next council meeting as to what regulations or standards were used to install the speed bumps.

He stated that while reading the *Cities, Towns and Villages Act* he identified that Council had not followed proper procedure to appoint the Deputy Mayor as the act states:

*“a council, on the recommendation of the mayor, shall appoint a councillor to the deputy mayor position.”*

He stated that Council had not received that recommendation from the Mayor and that Council should go back and redo the appointment of Deputy Mayor, following proper procedures. He advised that he did not have an issue with the fact that Councillor Wilman was appointed and that he would make the motion to have her appointed once again but simply wants to ensure that Council is following the law.

Councillor Bell stated that Council passed motion 10-186 on May 25, 2010 which was moved by Councillor Knickelbein, seconded by Deputy Mayor Ell and carried unanimously and reads:

*“Council approves to extend the contract of John Hussey to December 31, 2013 and to meet at a later date with the CAO to review goals and objectives; including creation of an “Assistant CAO” for mentorship, and to review the evaluation process for the CAO.”*

He stated that this process has not been completed; this motion was passed by Council and should have been completed long ago. He stated that Council needs to move forward on the matter and suggested that Council have a meeting to this affect in two weeks.

Councillor Dobbin stated that he read a public service announcement released by the Government of Nunavut earlier that day regarding the declaration of Right to Know Week; he expressed his support for the declaration and believed that the city should as well.

Councillor Stevenson noted that the Trade Show is being held this week as well as a conference relating to sport development in Nunavut which was held last weekend. In addition to those events, the teachers' union is also meeting this week and a soccer tournament is scheduled for next weekend at the Arctic Winter Games Complex.

**6. DEFERRED BUSINESS AND TABLED ITEMS**

None

**7. BYLAWS**

**a) First Reading of By-law (s)**

None

**b) Second Reading of By-law (s)**

None

**c) Third and Final Reading of By-law (s)**

None

**8. OLD BUSINESS**

- a) Update – Rock and Post Removal  
John Mabberi-Mudonyi, A/Director, Public Works

Administration noted that the rocks and posts were installed based on the coroner's report. The city is currently seeking legal advice on the removal of the rocks and posts as directed by Council; the advice should be ready and presented to Council in the near future.

Councillor Bell did not believe that the coroner's report indicating that roads needed to be barricaded but to install something to differentiate between the road and the walkways. The previous Council passed a motion to install rocks and posts; Council has since then requested that they be removed and that a legal opinion be sought on the matter. He stated that some of the rocks have been moved but is unsure whether or not this is temporary or permanent.

Councillor Dobbin believed that the posts created difficulties when public works is clearing snow during the winter and sometimes damaged the equipment. Some of the posts are broken and left with a metal pole sticking out of the ground; this is not safe and an effort should be made to replace the broken poles as soon as possible. The city could potentially be faced with a lawsuit if someone were to get hurt or if a vehicle were to have an accident and hit a pole. He stated that many residents believe that the rocks and posts are ridiculous and should be removed; the only positive aspect of having them is that they protect pedestrians from vehicles.

**9. NEW BUSINESS**

- a) Request for Variances - Lot 170, Plan 674 (Lower Base) – NCC  
Triplex Addition  
Jennifer Catarino, A/Director, Planning and Development

Administration stated that the applicant, Nunavut Construction Corporation, has applied for a development permit to build a two-storey, two-unit addition to a single-detached dwelling on Lot 170, Plan 674. The proposal requires the following three variances to Zoning By-law No. 704:

- minimum lot frontage: to permit a decrease in the minimum lot frontage from thirty (30) metres to twenty four point six (24.6) metres
- minimum front yard: to permit a decrease in the minimum permitted front rear setback from six (6.0) metres to five point four (5.4) metres
- minimum rear yard: to permit a decrease in the minimum permitted rear setback from six (6.0) metres to five point seven (5.7) metres

Councillor Stevenson asked if notification would be posted in the area of development to advise neighboring lots of the variances, and if so, how long will the notice be posted for?

Administration confirmed that a notice would be posted, with detailed information regarding the development proposal, for a period of fourteen (14) days; further information can also be requested from the Planning and Development Department.

**Motion #13-278**

Moved by: Councillor Bell  
Seconded by: Councillor Stevenson

That Council approve a variance for Lot 170, Plan 674 to Section 13.9 of Zoning By-law No. 704 to permit the reduction of the minimum required lot frontage from thirty (30) metres to twenty four point six (24.6) metres and a variance for Lot 170, Plan 674 to Section 13.4 of Zoning By-law No. 704 to permit a decrease in the minimum permitted front yard setback from six (6) metres to five point four (5.4) metres and a variance for Lot 170, Plan 674 to Section 13.4 of Zoning By-law No. 704 to permit a decrease in the minimum permitted rear yard setback from six (6) metres to five point seven (5.7) metres.

**For – Dobbin, Stevenson, Bell  
Abstained – Nattaq  
Carried**

**Councillor Nattaq abstained to the motion as he was concerned with the proximity of the Waste Water Treatment Plant to the proposed development.**

- b) Request for Decision – Survey Sketch SK-IQAL-012-2013 Lot 174, Plan 3896 (Plateau Subdivision Phase 3)  
Jennifer Catarino, A/Director, Planning and Development

Administration stated that the applicant, Arctic Circle Construction and Development Ltd, is proposing to subdivide Lot 174, Plan 3896 into two (2) separate lots; the lot is developed with a semi-detached building (Building 5186). The survey will subdivide the lot so that each unit sits on its own lot.

**Motion #13-279**

Moved by: Councillor Bell  
Seconded by: Councillor Stevenson

That Council approve survey sketch SK-IQAL-012-2013 to subdivide Lot 174, Plan 3896 into two (2) lots so that each semi-detached unit sits on its own lot.  
**For – Dobbin, Nattaq, Stevenson**  
**Against – Bell**  
**Carried**

- c) Request for Decision – Survey Sketch SK-IQAL-013-2013 Lot 187, Plan 3896 (Plateau Subdivision Phase 3)  
Jennifer Catarino, A/Director, Planning and Development

Administration stated that the applicant, Arctic Circle Construction and Development Ltd, is proposing to subdivide Lot 187, Plan 3896 into six (6) separate lots; the lot is developed with a six-unit row building (Building 5187). The survey will subdivide the lot so that each unit sits on its own lot. The following variances are required for the lot frontage (Parcels A to E) and rear yard setback (Parcel F) to support the proposed survey:

- Parcel A: To reduce the lot frontage requirement from five (5.0) metres to two point seven (2.7) metres.
- Parcel B: To reduce the lot frontage requirement from five (5.0) metres to two point seven (2.7) metres.
- Parcel C: To reduce the lot frontage requirement from five (5.0) metres to two point seven (2.7) metres.
- Parcel D: To reduce the lot frontage requirement from five (5.0) metres to two point seven (2.7) metres.
- Parcel E: To reduce the lot frontage requirement from five (5.0) metres to two point seven (2.7) metres.
- Parcel F: To reduce the rear yard setback requirement from three (3.0) metres to zero (0) metres.

Councillor Bell asked if something could be installed to clearly divide the two lots so that the area does not become one large parking area.

Administration advised that this could be discussed with the applicant but there should not be an issue as the entrances to the two buildings are separate; this would not allow individuals to park in the same area.

**Motion #13-280**

Moved by: Councillor Nattaq  
Seconded by: Councillor Stevenson

That Council approve survey sketch SK-IQAL-013-2013 to subdivide Lot 187, Plan 3896 into six (6) lots so that each row dwelling sits on its own lot and approves a variance for Parcels A-E on SK-IQAL-013-2013 to Section 10.6 of Zoning By-law no. 704 to permit a reduction of the minimum required lot frontage from five (5) metres to two point seven (2.7) metres and approves a variance for Parcel F on SK-IQAL-013-2013 to Section 10.6 of Zoning By-law no. 704 to permit a reduction of the minimum required rear yard setback from three (3) metres to zero (0) metres

**Unanimously Carried**

d) Discussion Item – Loose Animals  
Councillor Bell

Councillor Bell noted that an additional Animal Control Officer position was approved during the 2013 budget deliberations but the position remains vacant; this position should be staffed as soon as possible to address the issue of loose dogs as many residents are complaining.

Administration advised that the job description for the new position is currently being worked on; the Human Resources Department is having difficulties identifying sufficient duties and responsibilities for the position.

Councillor Stevenson agreed with Councillor Bell that this position needed to be staffed as soon as possible and did not understand why there are difficulties identifying duties for the position; the current staff members are very busy and often cannot respond to dog calls immediately.

Administration noted that they want to ensure that the position will clearly identify what roles and responsibilities it has as a pound keeper as the Animal Control Officer is responsible for picking up loose dogs as well as enforcing municipal by-laws as the other Municipal Enforcement Officer; the pound keeper would be responsible for the maintenance of the pound and caring of the dogs.



Councillor Stevenson believed that this position was very important and needed to be staffed as soon as possible.

Councillor Bell asked how far into the job description drafting they currently are.

Administration advised that the draft job description is being worked on as much as possible as there is also a shortage of staff in the Human Resources Department.

Councillor Dobbin stated that the issue of loose dogs has been ongoing for many years; many people have been bitten or attacked by loose dogs in Iqaluit. No solution has been identified to address the issue and the Municipal Enforcement Department has often said that they do the best they can with what they have. Perhaps the department does not have the proper resources to address this issue and the city should ensure that they have what they need to properly carry out their duties. He asked how many additional positions were approved during the 2013 budget deliberations.

Administration confirmed that two additional positions were approved for the department during the 2013 budget deliberations; a pound keeper position and a lieutenant/sergeant position.

Councillor Bell asked how many positions currently existed within the department.

Administration advised that there are currently five positions in the department including the Chief Municipal Enforcement Officer.

Councillor Nattaq believed that this was a serious matter and that it needed to be addressed as soon as possible; perhaps Council could have further discussions with the Municipal Enforcement Department.

Councillor Stevenson asked what the Municipal Enforcement Department's opinion was on the matter and why there are so many loose dogs. He also asked if there were other reasons why the position had not yet been staffed.

Administration agreed that there is a serious issue with loose dogs and the statistics prove it; the issue is irresponsible pet owners. Many residents have dogs and do not properly care for them; they go home after work and open the door to let the dog out without tying it on a leash. Municipal Enforcement receives complaints and picks up the loose dogs, impound them and often send them south as the owners no longer want the dog or do not want to pay the impound fee to release their dog. Residents then often buy another dog to replace the one they chose not to release from the pound. The department could release a public service announcement again to ask residents that dogs be on a leash at all times but many residents do not respect that regulation and continuously let their dog run free.

Councillor Stevenson agreed with Administration that the main issue was irresponsible pet owners and that the department does the best they can to reduce the number of dogs at large. Not all dogs are vicious and more often than not, the loose dogs are pets that are simply not properly taken care of. He did not believe that the department should dedicate all their time to dogs at large and that perhaps additional animal control officers should be hired.

Councillor Dobbin believed that the city should hold an education campaign to educate pet owners and reduce the number of dogs at large; he asked if the department felt that they had all the necessary resources to properly carry out their duties and if they had a solution to address the issue.

Administration advised that every department experiences staff turnover and is often left short staffed; one officer is dedicated for animal control per shift. The city has grown very quickly over the years and has also seen an increase in dogs. The department does the best it can with the staff and resources available and can only hope that individuals will become more responsible for their pets. Spaying and neutering of pets could also help reduce the number of dogs at large but not everyone is interested in spaying or neutering their pets.

Councillor Bell believed that the Municipal Enforcement Department could change how they enforce the by-law and address the issue of loose animals.

**Motion #13-281**

Moved by: Councillor Bell

Seconded by: Councillor Stevenson

That Council refer the matter of an education campaign on Responsible Dog Ownership to the Public Safety Committee for further research and review.

**Unanimously Carried**

e) Discussion Item – Speeding Complaints  
Councillor Bell

Councillor Bell stated that he has received several complaints regarding individuals who often speed; the additional position approved during the 2013 budget deliberations for the Municipal Enforcement Department remains vacant leaving the department short staffed. Although the department does a good job at issuing tickets and decreasing the number of speeders, it could be even better. He asked when the department anticipates staffing the position.

Administration advised that the job description is being drafted and then must be presented to the union for approval; this is taking longer than anticipated due to the shortage of staff in the Human Resources Department.

f) Discussion Item – Distracted Driving By-law  
Councillor Bell

Councillor Bell expressed his concern with distracted driving and believed that a by-law should be drafted to address this issue. Even with low speed limits one can have an accident in a matter of seconds when texting or talking on a cellular phone as it is distracting.

Councillor Stevenson asked if it would be more beneficial to have a municipal by-law to this effect or to ask the Government of Nunavut that it be included in their *Motor Vehicles Act*.

Administration advised that most provinces in Canada have a distracted driver law as a provincial law; it could also be in the form of a by-law as it is a matter of public safety. The department did have discussions with the Government of Nunavut on the matter and the proposed law was in the draft stages; it would then be presented to the Public Safety Committee to receive their input on the matter.

Councillor Stevenson expressed his support for the creation of such a by-law or that a new proposed law is included in the *Motor Vehicles Act*.

g) Discussion Item – Service Delivery to Building 1560  
Councillor Bell

Councillor Bell noted that building 1560 is located at the end of Federal Road and is being serviced by the public works staff on a regular basis; the road is currently unsurveyed. He believed that a legal opinion should be sought to determine whether or not the city should be permitting staff to service a building located on an unsurveyed road.

Councillor Stevenson expressed his support for seeking a legal opinion on the matter.

Administration noted that the public works staff only provides snow clearing services to the end of Federal Road and does not remove snow from the unsurveyed road; the owner of building 1560 removes the snow on the unsurveyed road. The public works department uses the unsurveyed road to service the building, as any other driveway in the community; should the road not be accessible, a notice would be left indicating that services could not be provided as the road was not cleared.

Councillor Bell asked if water and sewer services are being provided to building 1560.

Administration confirmed that water and sewer services are being provided.

Councillor Bell expressed his concern for permitting staff to deliver water and sewer services on an unsurveyed road and requested that a legal opinion be obtained.

**Motion #13-282**

Moved by: Councillor Bell  
Seconded by: Councillor Stevenson

That Council obtain a legal opinion regarding municipal services delivery to building 1560.  
**Unanimously Carried**

- h) Discussion Item – Potential NAM AGM Agenda Items

**Motion #13-283**

Moved by: Councillor Bell  
Seconded by: Councillor Stevenson

That Administration present the Nunavut Association of Municipalities with the following matters for consideration at NAM's Annual General Meeting:

- Amending the Motor Vehicles Act to include a provision regarding distracted driving
- Lack of mental health facilities and addiction treatment programs and facilities in Iqaluit and the territory
- Small craft harbor development and more and better improvements to current ones
- Government of Nunavut enter into joint user agreements with all communities for the use of GN assets and other buildings in order to facilitate and promote recreational activities
- Government of Nunavut to impose collection procedures for unpaid traffic violation fines and subsequent court rulings

**Unanimously Carried**

**10. COMMITTEE REPORTS**

- a) Finance Committee of the Whole Report  
Councillor Stevenson, Chairperson
- i) Metis – NHC Tax Penalty (FIN13-18)  
Councillor Stevenson, Chairperson

**Motion #13-284**

Moved by: Councillor Stevenson  
Seconded by: Councillor Bell

That Administration advise the Nunavut Housing Corporation that the full amount of tax arrears are payable for Portion of Lot 646, Plan 1626 and that the City is unable to forgive the tax arrears as per legislation.

**Unanimously Carried**

- ii) Monthly Financial Statements (FIN13-19)  
Councillor Stevenson, Chairperson

**Motion #13-285**

Moved by: Councillor Stevenson  
Seconded by: Councillor Bell

That Council accept the monthly financial statements dated June 30, 2013.

**Unanimously Carried**

- iii) 2013 Budget Amendments (FIN13-20)  
Councillor Stevenson, Chairperson

**Motion #13-286**

Moved by: Councillor Stevenson  
Seconded by: Councillor Nattaq

That Council approve the following budget amendments:

- increase of fifty five thousand three hundred (\$55,300.00) dollars to Buildings-Administration General
- increase of ten thousand two hundred (\$10,200.00) dollars to Buildings-EMS/Fire
- increase of eighteen thousand three hundred (\$18,300.00) dollars to Machinery & Equipment-EMS/Fire
- increase of thirty thousand five hundred (\$30,500.00) dollars to Vehicles-EMS/Fire
- decrease of one hundred and ninety three thousand seven hundred (\$193,700.00) dollars to Public Works-Water & Sewer-Trucked-Vehicles
- increase of twenty two thousand seven hundred (\$22,700.00) dollars to Public Works-Water & Trucked-Infrastructure
- increase of two hundred and twenty seven thousand (\$227,000.00) dollars to Public Works-Water & Sewer-Utilidor-Infrastructure

-increase of one hundred and twenty three thousand seven hundred (\$123,700.00) dollars to Public Works-Roads

**Unanimously Carried**

- iv) Planning Support Services (FIN13-23)  
Councillor Stevenson, Chairperson

**Motion #13-287**

Moved by: Councillor Stevenson  
Seconded by: Councillor Nattaq

That Council approve the proposal from Fotenn Consultants Inc. to provide in house planning support services for the period commencing Monday, September 23, 2013 and ending Friday, October 18, 2013 and enter into a contract for that term. The contract is to include a weekly professional fee of three thousand five hundred (\$3,500.00) dollars, overtime paid at a rate of one hundred (\$100.00) dollars per hour, excess baggage allowance of two hundred and fifty (\$250.00) dollars, per diem based on comparable Federal/Government of Nunavut rates, travel costs from Ottawa to Iqaluit return as well as accommodations. Administration shall issue a Call for Tender if an additional four weeks of support services are necessary.

**For – Dobbin, Nattaq, Stevenson**  
**Against – Bell**  
**Carried**

**11. CORRESPONDENCE**

- b) Application: “Social policy, the mixed economy, and livelihood experience in Cambridge Bay, Nunavut”

**Motion #13-288**

Moved by: Councillor Stevenson  
Seconded by: Councillor Dobbin

That the NRI application “Social policy, the mixed economy, and livelihood experience in Cambridge Bay, Nunavut” be approved.

**For – Dobbin, Nattaq, Stevenson**  
**Against – Bell**  
**Carried**

**12. IN CAMERA SESSION**

None

**13. ADJOURNMENT**

**Motion #13-289**

Moved by: Councillor Stevenson  
Seconded by: Councillor Bell

That the meeting be adjourned at 7:55pm.

**Unanimously Carried**

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Mary Wilman  
Deputy Mayor

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John Hussey  
Chief Administrative Officer

Approved by City Council on the **14<sup>th</sup>** day of **January**, 2014, AD.