

Present: Mayor B. Young, Councillors B. Beckett, G. Finstad, B. Hamilton, L. Hansen, T. Lazowski and L. Tillack

Also Present: P. Benedetto, City Manager, and S. Davis, City Clerk

Mayor B. Young called the meeting to order at 7:03 pm.

I. ADOPTION OF AGENDA

MOVED by Councillor B. Beckett that the Agenda be adopted with the following additions:

XI. IN-CAMERA ITEMS

b) City Lease Discussion
FOIP s. 16, 24 & 25

c) Tenders
FOIP s.16, 24 & 25

Motion Carried Unanimously

II. ITEMS FOR DISCUSSION AND RELATED BUSINESS

A. Selected Items for Debate

The following items were selected for debate:

VIII. BUSINESS

- A. Introduction of Sgt. D. Kendall, Acting OIC
- B. RCMP Annual Update

B. Vote on Items not Selected for Debate

Votes recorded under item headings.

III. ADOPTION OF PREVIOUS MINUTES

A. Approval of Minutes of the Regular Council Meeting held Monday, April 9, 2018

MOVED by Councillor L. Hansen that the minutes of the Regular Council Meeting held Monday, April 9, 2018, be approved as presented.

Motion Carried Unanimously

IV. RECOGNITION ITEMS

There were no recognition items.

V. PUBLIC COMMENTARY

J. Gagnon, a resident of Leduc, read a letter (Attached) to Council outlining her concerns with:

- the development of the Multi-way that is to be constructed in the front of two rental properties, and
- the removal of trees in the North Telford area.

Administration from Infrastructure and Planning and Community and Protective Services will meet with J. Gagnon to discuss her concerns.

VI. PUBLIC HEARING

There were no public hearings.

VII. PRESENTATIONS**A. Mayor's Poetry City Challenge – Poetry Reading**

Councillor B. Beckett introduced C. Klooster, a grade 7 student at Covenant Christian School who has won a number of awards and this year has been invited to compete in the Provincial Music Festival.

C. Klooster recited two pieces: *About Notebooks* by J. Little and *A Winter Ride* by A. Lowell.

VIII. BUSINESS**A. Introduction of Sgt. D. Kendall, Acting OIC**

Insp. K. Kunezki introduced Sgt. D. Kendall who will be acting Officer In Charge with the departure of Insp. K. Kunezki for Regina. Sgt. D. Kendall provided some information on her policing background and expressed that she is looking forward to her time in Leduc.

Mayor B. Young, on behalf of Council, welcomed Sgt. D. Kendall.

B. RCMP Annual Update

Insp. K. Kunezki spoke to the written report provided in the agenda and advised that 2017 was the busiest year so far with the two main issues being vehicle theft and fentanyl.

Council presented Insp. K. Kunezki with a picture as a token of appreciation from City Council, Administration and the residents of the City of Leduc for his service to the community, and wished him well on his new appointment in Regina.

C. Municipal Grant – Leduc Arts Foundry

MOVED by Councillor L. Hansen that Council awards a grant to Leduc Arts Foundry for an amount not to exceed \$5,000, which is to be funded from Council Community Grants to help offset expenses related to hosting the annual Leduc Art Walk on Main Street on July 14, 2018.

Motion Carried Unanimously

IX. BYLAWS

A. Bylaw No. 975-2018 – 2018 Property Tax Rate Bylaw (2nd & 3rd Readings)

Administration recommends Bylaw No. 975-2018 receive second and third readings.

MOVED by Councillor L. Hansen that Council give Bylaw No. 975-2018 Second Reading.

Motion Carried Unanimously

MOVED by Councillor L. Hansen that Council give Bylaw No. 975-2018 Third Reading.

Motion Carried Unanimously

B. Bylaw No. 970-2017 – Amendment to Bylaw No. 809-2013 Land Use Bylaw (1st Reading)

Administration recommends Bylaw No. 970-2017 receive first reading.

MOVED by Councillor L. Hansen that Council give Bylaw No. 970-2017 First Reading.

Motion Carried Unanimously

C. Bylaw No. 971-2017 – Amendment to Bylaw No. 767-2011 Business Licence Bylaw (1st Reading)

Administration recommends Bylaw No. 971-2017 receive first reading.

MOVED by Councillor L. Hansen that Council give Bylaw No. 971-2017 First Reading.

Motion Carried Unanimously

D. Bylaw No. 981-2018 – Amendment to the Community Standards Bylaw No. 711-2008 (1st Reading)

Administration recommends Bylaw No. 981-2018 receive first reading.

MOVED by Councillor L. Hansen that Council give Bylaw No. 981-2018 First Reading.

Motion Carried Unanimously

E. Bylaw No. 957-2017 – Council Code of Conduct Bylaw (2nd & 3rd Readings)

Administration recommends Bylaw No. 957-2017 receive second and third readings.

MOVED by Councillor L. Hansen that Council amend Bylaw No. 957-2017 – Council of Conduct Bylaw to comply with the Code of Conduct for Elected Officials Regulation as follows:

- a) In Part II: Purpose and Definitions, addition of the following definitions:
 3. *Act: Municipal Government Act*
 6. City Solicitor: the Solicitor for the City
 8. Council Remuneration Committee: a committee of Council with the mandate to review the compensation paid to members of Council and recommend reasonable changes as required
 9. Relative: a Council member's spouse, child, parent, sibling, grandparent, grandchild, guardian, aunt, uncle, niece, nephew, or legal dependent, including in-laws, common law, and step relations.
- b) Sections 3 & 4 are renumbered to Sections 4 & 5 and Section 5 is renumbered to Section 7.
- c) In Part III: Application
 - I. Section 6 is renumbered to Section 10.
- d) In Part IV: Council Conduct:
 - I. Sections 7, 8, 9, 10, 11, 12, 13, 14, and 15 are renumbered to Sections 11, 12, 13, 14, 15, 16, 17, 18 & 19
 - II. The following sections are added after section 19:

Employment of Relatives

20. In the event that a relative of a member of Council is being considered for employment:
 - a. Administration will maintain sound hiring practices ensuring the recruitment process has been followed and has not been unduly influenced. Nor will there be an opportunity to jeopardize financial control(s).
 - b. Members of Council are responsible for disclosing any existing or potential conflicts to the City Manager as soon as they become aware of the conflict.
 - c. Administration is committed to disclosing to Council, any potential conflicts that may arise as part of the recruitment process.

Improper Use of Influence

21. Members of Council should be committed to performing their functions with integrity and to avoiding the improper use of the influence of their office, both apparent and

real. No member of Council shall use the influence of their office for any purpose other than for the exercise of their official duties.

- III. Sections 16 & 17 are renumbered to Sections 22 & 23.
- IV. Section 18 has been deleted.
- V. Sections 19, 20, 21 are renumbers to Sections 24 & 25.
- VI. Section 21 is amended as follows and is renumbered to Section 27:

Expenses

- 27. The Council Remuneration Committee will complete an in depth review of the compensation paid to members of Council following each municipal election, and an annual review in each of the three years between municipal elections. After each review, the Council Remuneration Committee will recommend reasonable changes to Council remuneration ensuring the highest standards of fairness and transparency are maintained.
- VII. Section 23 is renumbered to Section 28 and following sections are added after Section 28:

Complaint System

29. Any individual who reasonably believes, in good faith, that a member of Council has contravened the Bylaw may make complaint. It is recognized that complaints may vary in severity, complexity and whether they are admitted or denied. As a result, Complainants are given the option of an informal, or formal, complaint process.

30. **Informal Complaint:**

- a. An informal complaint is appropriate for quick problem solving where the parties can seek agreement and shared understanding of how to avoid problems in the future.
- b. Any individual who reasonably believes, in good faith, that a member of Council has contravened the Bylaw may wish to address the prohibited conduct by:
 - i. of advising the member of Council that the behaviour or activity contravenes the Code of Conduct;
 - ii. encourage the member of Council to stop the prohibited behaviour or activity;
 - iii. keep a written record of the incident(s), including dates, times, locations, other persons present, and any other relevant information;
 - iv. request that the Mayor assist in informal discussions with the member Council in an attempt to resolve the issue. In the event the Mayor is the subject, or is implicated in a complaint, request the assistance from the Deputy Mayor;
 - v. if applicable, confirm to the member of Council their satisfaction with the response of the member of Council, or, if applicable, their dissatisfaction with the response; and

- c. Individuals are encouraged to pursue this informal complaint procedure as the first means of remedying conduct that they believe violates this Bylaw. However, an individual is not required to complete this informal complaint procedure prior to pursuing the formal complaint procedure outlined below.

31. Formal Complaint:

- a. Any individual who reasonably believes, in good faith, a Member has contravened the Bylaw may make a formal complaint as follows:
 - i. All complaints shall be made in writing. The Complainant may complete a Statement of Complaint document (Attachment "A") which can be obtained from the Office of the City Clerk.
 - ii. The Complaint must:
 - set out reasonable grounds and probable grounds for the allegation;
 - provide a detailed account of the facts as the Complainant understands them;
 - provide information on witnesses, if any and if known.
 - iii. The completed Statement of Complaint must be addressed to the Office of the City Clerk.

32. Review of Complaint

- a. The Office of the City Clerk shall forward the Complaint, without added comment, to the City Solicitor ("Solicitor") OR a Complainant may file the completed Complaint in a sealed envelope, with the Office of the City Clerk, and the Complaint shall be forwarded, unopened, to the Solicitor.
- b. A Complaint shall not be made available to the public except as may be required and authorized under the *Freedom of Information and Protection of Privacy Act*, the provisions of this By-law or any other applicable law.
- c. Upon receiving a Complaint filed in accordance with this By-law, the Solicitor shall notify the member(s) of Council to whom the Complaint is directed of the fact and nature of the complaint.
- d. The Solicitor shall conduct a preliminary review of the Complaint as follows to determine whether to proceed to investigation or dispose of the Complaint:
 - i. The Solicitor may request further information from the Complainant as part of the preliminary review.
 - ii. If the Complaint is not, on its face, a complaint relative to the Code of Conduct or the complaint is covered by other legislation or a complaint procedure under another Council policy, the Solicitor shall advise the Complainant, in writing, that the matter is not within the jurisdiction of the Solicitor. The advice will provide reasons and referrals to the appropriate authority as the Solicitor considers appropriate.

- iii. If the Solicitor considered the Complaint to be frivolous or vexatious, that it is not made in good faith or that there are no grounds, or insufficient grounds, for conducting an investigation the Solicitor may choose not to conduct an investigation, terminate the investigation or may dispose of the Complaint in a summary manner. The Solicitor's decision will be provided in writing to the Complainant and Council.

33. Inquiry into a Complaint Regarding a Member of Council:

- a. If the complaint was not dismissed, the Solicitor shall take such steps as is considered appropriate to investigate and may attempt to settle the Complaint. Steps to investigate may include having a third party ("third party") certified to handle such matters, investigate the Complaint. All proceedings of the Solicitor and/or the third party regarding the investigation shall be confidential.
- b. The Solicitor and/or third party shall, upon conclusion of the investigation, provide Council and the member of Council who is the subject of the Complaint, the results of the investigation.
- c. A member of Council who is the subject of an investigation shall be afforded procedural fairness, including the opportunity to respond to the allegations before Council deliberates and make any decision or any sanction is imposed.
- d. A member of Council who is the subject of an investigation is entitled to be represented by legal counsel, at the member of Council's sole expense.

VIII. Section 24 is renumbered to Section 34

IX. The following sections are added after section 34:

- 35. Members of Council agree to uphold this Bylaw and govern themselves accordingly, in order to enhance ethical conduct and the credibility and integrity of Council in the Community.
- 36. During Council Orientation, which is conducted after every municipal election, each member of Council will be provided with a copy of the Council Code of Conduct and will be requested to sign the Statement of Commitment (Attachment "B") acknowledging that he or she has read the Council Code of Conduct and supports it.
- 37. No member of Council shall:
 - a. Undertake any act of reprisal or threaten reprisal against a Complainant or any other person for providing relevant information to Council or to any other person.
 - b. Obstruct Council, the Solicitor, the third party, or any other person, in carrying out the objectives or requirements of this Bylaw.

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- X. Section 25 is renumbered to Section 38 and amended as follows:
- 38. Should a member of Council breach the Council Code of Conduct, the possible course of action available to Council include, but are not limited to:
 - a. A letter of reprimand addressed to the member of Council
 - b. Requesting the member of Council issue a letter of apology to the impacted individual(s)
 - c. Suspension or removal from Council Committees and bodies to which Council has a right to appoint members
 - d. Suspension or removal from a position of Deputy Chief Elected Official or Chairperson of a Committee under section 152 of the *Act*
 - e. Suspension or removal of the Chief Elected Official's presiding duties under section 154 of the *Act*
 - f. Educational training on ethical and respectful conduct provided by a 3rd party
 - g. Any other sanction Council deems reasonable and appropriate in the circumstances provided that the sanction does not prevent a member of Council from fulfilling the legislated duties of a Councillor and the sanction is not contrary to the *Act*.

XI. Section 26 is deleted.

Motion Carried Unanimously

MOVED by Councillor L. Hansen that Council give Bylaw No. 957-2017 Second Reading, as amended.

Motion Carried Unanimously

MOVED by Councillor L. Hansen that Council give Bylaw No. 957-2017 Third Reading, as amended.

Motion Carried Unanimously

MOVED by Councillor L. Hansen that Council repeal Policy No. 11.00:05 – Ethical Guidelines of Conduct for Elected Local Government Officials.

Motion Carried Unanimously

X. PUBLIC COMMENTARY

N. Abdellatif, a reporter with the Leduc Representative, advised that she has accepted another position and that this would be her last Council meeting. Council members wished her well.

A member of the Black Gold Citizens on Patrol “Nighthawks” presented Insp. K. Kunezki with a token of appreciation for all the support provided to the Nighthawks during his time in the City of Leduc.

XI. IN-CAMERA ITEMS

MOVED by Councillor B. Beckett that Council move In-Camera at 7:59 pm to discuss:

- b) City Lease Discussion
FOIP s. 16, 24 & 25
- c) Tenders
FOIP s. 16, 24 & 25

Motion Carried Unanimously

MOVED by Councillor T. Lazowski that Council move In-Public at 8:20 pm.

Motion Carried Unanimously

XII. RISE AND REPORT FROM IN-CAMERA ITEMS

A. Council Appointment of a Public Member to the Assessment Review Board
FOIP s. 24 & 29

MOVED by Councillor L. Hansen that Council appoints Richard Samotej as a Public Member to the Assessment Review Board to fulfill a term from May 1, 2018 to December 31, 2020.

Motion Carried Unanimously

B. City Lease Discussion
FOIP s. 16, 24 & 25

Councillor B. Hamilton made a presentation.

Councillor B. Hamilton, Mayor B. Young, S. Losier, Manager, Current Planning, B. Loewen, City Solicitor, and P. Benedetto, City Manager, answered Council's questions.

C. Tenders
FOIP s. 16, 24 & 25

S. Olson, Director, Engineering, made a presentation and answered Council's questions.

XIII. INFORMATION REPORTS

A. Mayor's Report

There was no discussion.

XIV. ADJOURNMENT

The Council meeting adjourned at 8:21 pm.

"Original Signed"

B. Young
MAYOR

"Original Signed"

S. Davis
CITY CLERK

April 23/18

FOIP S. 17

Good evening Mayor Young and council members,

My name is Jo Ann Gagnon and I have lived in the city of Leduc for over forty-five years and have paid property taxes. The properties that I own in the North Telford area are **FOIP S. 17** (2 lots), my mailing address is **FOIP S. 17** *on 53 Ave* I am here tonight to address the intended multiway and the 132 trees that were cut down. *in the North Telford area*

Multiway

Although we were not informed until recently the city has now disclosed it intends to replace our sidewalk with a multiway. I realize this has been discussed for some time and I have inquired more than once what the intention of the plan was regarding to where this multiway would go when it arrived at 53 Ave. On March 12 Community Development took it to City Council, at which time council approved and Community Development proceeded to send out letters to residents on March 26, advising them of the decision that was made. I do not know of any other residential property located in the city that has a 3-meter multiway running past the front of their property, this will create many issues.

Questions

1. Why does the plan call for a 3-meter standard multiway, there are numerous multiway designs in Leduc that are only 2 meters wide? The existing homes are already very close to the sidewalk that is now there.
2. Stated in the letter sent out from community development, "as it presents the safest and most effective option for North Telford residents and trail users". How does this sentence relate to 53 Ave residents?
3. Regarding the sentence in your letter, "although the multiway will cross several driveways, visibility along property lines will provide ample uninterrupted view of the trail". Does this mean that I as a property owner will be regulated about what I can plant on my property?
4. Will it be resident only parking on both sides of 53 Ave to accommodate the people who live on the street? Driveways are extremely narrow, it and the district is very old. Unless parking is restricted to residents only this will cause extreme concern for home owner or tenants. This will be even more of an extreme hazard to the elderly community. This path will undoubtedly become an issue of safety if parking considerations are not taken into account. How will I as a homeowner be able to host friends and family if there is no place for guests to park due to increased traffic that the multiway surely will bring.
5. Will there be a sign put on corner of 46 St and 53 Ave, with the direction to Tedford's Northlands parking lot.
6. Will residents be assured that the cement blocks that are preventing through traffic on 43 street are not temporary and that this is a permanent closure? Are residents to be assured that a modification of plans will not be required to be dealt with in the future?

Trees