



MINUTES OF DISTRICT OF KITIMAT  
**REGULAR MEETING**

MEETING HELD IN THE COUNCIL CHAMBERS,  
606 MOUNTAINVIEW SQUARE, MONDAY, JANUARY 22, 2024, AT 7:00 PM

Present:	Mayor:	P. Germuth
Present:	Councillors:	E. Empinado, M. Feldhoff, G. Leibel, T. Marleau, G. Pitzel
Absent:	Councillor:	M. Martins
Present:	Staff:	W. Waycheshen, Chief Administrative Officer K. Enders, Deputy Chief Administrative Officer T. Tavares, Director of Corporate Administration J. Stevenson, Deputy Director of Corporate Administration A. Ramos-Espinoza, Director of Engineering Services M. Gould, Director of Leisure Services J. Dave, IT Technician W. Tenshak, Director of Economic Development A. Anand, Planner J. Almeida, Director of Finance Via WebEx C. McCulley, Director of Operations Via WebEx F. Sinclair, Interim Director of Planning Via WebEx M. Penner, Director of Human Resources and Labour Relations Via WebEx T. Bossence, Fire Chief

**1. Call to Order**

Mayor Germuth called the Regular Meeting of Council to order.

**2. Message from the Mayor**

Mayor Germuth provided a message on recent Council activities.

**3. Delegations/Presentations**

**1. Kitimat RCMP Detachment - October, November and December 2023 Monthly Policing Reports (8.3.2.3.1)**

Kitimat RCMP Detachment Staff Sergeant Graham Morgan and Sergeant Rob Gardner presented the RCMP monthly reports to Council.

**2. Kitimat Valley Naturalists – Comments on the Cedar LNG Covenant (7.13.3.6)**

Kitimat Valley Naturalists Directors Peter Ponter and Gillian Mullins made a presentation to Council on the disposition of lands to Cedar LNG.

**4. Public Input / Questions on Agenda Items**

Mayor Germuth called for public input on the Agenda Items.

Laurel D'Andrea, Executive Director of the Kitimat Chamber of Commerce, provided comments on Consent Agenda Item 7.10 – Correspondence letter dated January 2, 2024, from B. Abugov regarding the potential removal of trees at site of future McDonalds.

Matthew DeSousa provided comments on the Consent Agenda Item 7.10 – Correspondence letter dated January 2, 2024, from B. Abugov regarding the potential removal of trees at site of future McDonalds.

Peter Ponter provided comments on Consent Agenda Item 7.10 – Correspondence letter dated January 2, 2024, from B. Abugov regarding the potential removal of trees at site of future McDonalds.

Bruce Abugov provided comments on Consent Agenda Item 7.10 – Correspondence letter dated January 2, 2024, from B. Abugov regarding the potential removal of trees at site of future McDonalds.

**5. Media Inquiries - For Clarification Only**

Mayor Germuth called for any media inquiries on the agenda items.

There were no media inquiries.

**6. Call for New Business / Adoption of the Agenda**

Councillor Pitzel –Consent Agenda, Item 7.10 - Correspondence letter dated January 2, 2024, from B. Abugov regarding the potential removal of trees at site of future McDonalds.

Moved and Seconded,  
*THAT the January 22, 2024, supplemental agenda be received, and the Regular Council Agenda be adopted as amended.*

Motion Carried Unanimously  
Motion: R24-009

**7. Consent Agenda**

Moved and Seconded,  
*THAT the Consent Agenda for January 22, 2024, be approved as amended.*

Motion Carried Unanimously  
Motion: R24-010

All correspondence was received and filed.

The following Minutes were adopted:

January 2, 2024, Regular Meeting of Council  
January 8, 2024, Committee of the Whole  
January 11, 2024, Special Meeting of Council

**8. Notice of Motion**

There were no Notice of Motion.

## 9. Bylaws

There were no Bylaws.

## 10. Reports and/or Communications

### 10.1. Report – Disposition of Land to Cedar LNG

Moved and Seconded

*THAT Staff explore the addition of a sunset clause into the Covenant Modification Agreement, so that, if a Final Investment Decision is not made within a time frame, that the agreement expires, and the original covenant is restored without prejudice.*

Motion Carried Unanimously

Motion: R24-011

Disposition of Land to Cedar LNG (7.13.3.16)

### 10.2. Report – Development Permit 01-2024 Amendment Application

Moved and Seconded,

*THAT the Development Permit Amendment application for a proposed commercial development located at 36 Highway 37, be approved as per Development Permit No.01-2024;*

*AND THAT the landscape security deposit of \$47,937.50, received by the District on June 14, 2023, to meet the landscape conditions approved as part of Development Permit 01- 2023, be retained to meet the conditions set in Development Permit No.01-2024.*

Motion Carried Unanimously

Motion: R24-012

Development Permit 01-2024 Amendment Application (7.8.3.172.2)

**10.3. Report – Union of BC Municipalities Community Emergency Preparedness Fund Grant Application – Emergency Support Services, Equipment and Training**

Moved and Seconded,  
*THAT a grant application be approved for the 2024 Union of BC Municipalities (UBCM) Community Emergency Preparedness, Emergency Support Services Equipment and Training Program;*

*AND THAT, if successful, the District of Kitimat will be responsible for the overall management of any grant funding received from the Union of BC Municipalities, Community Emergency Preparedness, Emergency Support Services Equipment and Training Program.*

Motion Carried Unanimously

Motion: R24-013

UBCM Community Emergency Preparedness Fund Grant Application  
ESS Equipment and Training (11.7.0)

**10.4 Report – Solid Waste Management Policy, Residential Landfill Passes**

Moved and Seconded,  
*THAT the Solid Waste Disposal – Residential Landfill Free Pass Policy be amended to provide the four free landfill passes to each household participating in the Residential Collection Service.*

Motion Carried Unanimously

Motion: R24-014

Solid Waste Management Policy, Residential Landfill Passes (6.4.0.7)

Moved and Seconded,  
*THAT the Solid Waste Disposal – Residential Landfill Free Pass Policy be adopted as amended.*

Motion Carried Unanimously

Motion: R24-015

Solid Waste Management Policy, Residential Landfill Passes (6.4.0.7)

## 11. New Business

Councillor Pitzel - Consent Agenda, Item 7.10 – Correspondence letter dated January 2, 2024 from B. Abugov regarding the potential removal of trees at site of future McDonalds

Moved and Seconded,

*THAT approximately 20.8 m<sup>2</sup> of trees be removed from 2109 Forest Avenue as set out supplemental information agenda diagrams to consent agenda item 7.10;*

*THAT the applicant is responsible for all costs associated with the removal of trees;*

*THAT the cutting of the trees be contingent on the sign installation;*

*AND THAT the District is responsible for administering the removal.*

Amendment

Moved and Seconded,

*THAT the applicant be required to compensate the District in the amount of \$5000 to plant trees within the municipality in areas to be determined by the District.*

In favour: Councillors Leibel and Pitzel

Opposed: Mayor Germuth, Councillors Empinado, Feldhoff and Marleau

Amending Motion **Defeated**

Motion: R24-016

Potential removal of trees at site of future McDonalds (7.8.3.172)

Main Motion: **Carried** Unanimously

Motion: R24-017

Potential removal of trees at site of future McDonalds (7.8.3.172)

## 12. Council Reports

Councillors Empinado, Feldhoff, Leibel, Marleau and Pitzel provided a report on their activities since the last Regular Meeting of Council.

**Adjournment**

Moved and Seconded,  
*THAT the January 22, 2024, Regular Meeting of Council be adjourned.*

Motion Carried Unanimously  
Motion: R24-018

The Regular Meeting of Council adjourned at 8:45 p.m.

CERTIFIED TRUE AND CORRECT COPY of  
the minutes of the Regular Meeting of Council  
held Monday, January 22, 2024.

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Philip Germuth  
Mayor

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Tracy Tavares  
Corporate Officer