### MINUTES (SC 2001-21)

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<th>Faculty/Position</th>
<th>Name</th>
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<td>VP Academic</td>
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<td>Kory Zwack</td>
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<td>BoG Undergrad Rep.</td>
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<td>Agric/Forest/HomeEc</td>
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<td>Anand Sharma</td>
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<td>Carla Webb</td>
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<td>Lisa Clyburn</td>
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<td>Chamila Adhihetty</td>
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<td>President Athletics</td>
<td>Ryan Schula</td>
<td>Present</td>
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<tr>
<td>Gateway / Editor in Chief</td>
<td>Dave Alexander</td>
<td>Present</td>
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</table>
General Manager | Bill Smith | Absent
---|---|---
Speaker | Gregory Harlow | Present
Recording Secretary | Sarah Kelly | Present

Observers
Brenda Jorgensen
Randall Barrett
Robin Light
 Gregg Cooper
Melanie Klingbeil
Sara Snyder
Urmi Bardhan
Peter Ryan
Carolyn Harrison
Christopher Boutet, *The Gateway*
Barrie Satcliffe
Steve Osadetz
Adam Rozenhart
Tiffany Brown Olsen, CJSR
Steve Lillebuen, *The Gateway*
Stella Varvis
David Ziebin, *The Gateway*
Kail Ross
Alex Ragan, Chief Returning Officer
Mike Reid

**Secretary’s Note:** These minutes, in all of their irreproachable splendor and perfection, would not have been remotely possible without the generous and capable aid of Helen McGraw, representative for the Faculty of Science, who rather grandly took the keyboard when the Secretary was forced to otherwise
collect her wits. A suitable *Huzzah!* should be enthusiastically forthcoming from all members of Council.

2001-21/1 **CALL TO ORDER**
The meeting was called to order at 6:12 p.m.

2001-21/2 **NATIONAL ANTHEM "O Canada:"**
Samuel led Council in the singing of the national anthem.

2001-21/3 **University of Alberta CHEER SONG "Ring Out a Cheer"**
Prediger led Council in the singing of the University of Alberta Cheer Song.

2001-21/4 **ROLL CALL**
Blankley resigned from Council due to a practicum.

Mendoza/Jones moved that Charlie Beamish be instated as an Education representative to replace Blankley.
Consensus

Nychka was suspended due to attendance.

Samuel/Jess moved to reinstate Nychka.
Consensus

2001-21/5 **APPROVAL OF THE AGENDA**
McGraw/Jess moved that the agenda of the SC2001-21 meeting be approved.

Late Additions
SC2001/21-6a
SC2001/21-6b
SC2001/21-6c
SC2001/21-6d
SC2001/21-12d
SC2001/21-12e
SC2001/21-12f
SC2001/21-12w
SC2001/21-12x
SC2001/21-12y

Zwack/Sharma moved that SC2001/21-12y be struck from the agenda.

Failed

Loewen: Students’ Council meetings should be subject to University policy, and as such none should be held during Midterm Week.

The agenda was carried with two dissents.

2001-21/6
2001-21/6a

PRESENTATION AND DISCUSSION

Literary Magazine Referendum Question

The University of Alberta departments of English and Comparative Literature are looking to create a literary magazine, for which it hopes to levy a student fee approved through referendum. This magazine would have a network base to other such publications, and would be a successful organization.

However, the petition for the magazine is currently lacking five hundred signatures, and looks now to Students’ Council to approve the question so that it might appear on this year’s ballot. The departments have promised their support.
Jess/Sharun moved to include this question on the 2002 election ballot.

Samuel: This group of people was aware of the timelines provided, and should have produced the requisite number of signatures. This request has come too late.

Loewen: Council has not been asked to judge the validity of the question itself, but whether or not it should be included on the ballot. Students should be empowered to make an informed decision regarding what they may wish or not wish.

27/16/0 Failed

2001/21-6a

Gateway Referendum Question

This presentation was conducted by Dan Lazin.

The referendum question regarding Gateway autonomy is unsatisfactory, as both the Chief Returning Officer and DIE Board agree. This meeting will hear an appeal of the wording of the question during a later motion.

2001/21-6a

Don Carmichael, President, Association of Academic Staff: University of Alberta

Don Carmichael explained that he represents all 3000 of the University of Alberta’s academic staff, and is currently working to improve teaching on campus. Last year, Carmichael approached Council to ask how the academic staff could be better serving students, and came away with many good ideas; and is striving to improve still further.

However, there is an unfortunate situation ongoing regarding the salaries of academic staff. Carmichael articulated that he had not visited Council in order to ask that the Students’ Union take a particular stance partisan to the AASUA; nor does he want to position students against the academic staff. He came to Council only to inform students of the current situation.
The University of Alberta currently ranks 19th in Canada for median salaries, and 23rd in assistant professorial salaries. Rod Fraser, University President, is looking to be “indisputably recognized,” and it is the feeling of the academic staff that it should not be made to pay for others’ promises of grandeur. The academic staff has not made a habit of complaining about their lot, but it does deserve pay equal to its work. Carmichael emphasized that it is simply not fair to state that salaries are decent at the University of Alberta when such a claim is untrue.

The University’s salaries are not competitive, which results in the necessity to “pay people twice” with what is called a market supplement. These supplements are a sort of bonus, with an extremely wide range. The money spent on supplements could be dissolved to increase salaries throughout all departments. If this were done, the University of Alberta could be second only to the University of Toronto in terms of salaries.

The University has a tradition of merit, of equity, and of proper professional evaluation, but it is currently facing a fiscal crisis. Everyone works hard, as it is the universal goal of all staff and administration to make ours the best university in the country.

At this point, the floor was opened to questions from Council.

**Sharma:** The AASUA, the Students’ Union, and the Non-Academic Staff Association (NASA) should present a united front to combat this problem.

**Carmichael:** The AASUA executive is going to be told that Carmichael will refuse to meet with Administration without SU and GSA representatives. However, he is not allowed to speak at Academic Planning Committee meetings.

**Burrows:** What position has the AASUA taken with regard to these supplements?

**Carmichael:** The AASUA wishes the University to recognize the supplements as payments, and include them in pay negotiations.

**Burrows:** How do the professors who are receiving the bigger supplements react to such a stance?

**Carmichael:** This stance is universal, as the AASUA is not necessarily trying to reduce the supplements.
Baxter: Are the supplements common practice in other post-secondary institutions in Canada?
Carmichael: Yes, but very few institutions employ them to the same degree as the University of Alberta.

Brechtel: Why would the AASUA not simply go on strike?
Carmichael: The AASUA agrees that this would be a great injustice to students. Unfortunately, academic staff do not have the right to strike in any case, because it negotiated away such a right. This was a very naïve decision.

Dr. Carmichael was sincerely thanked for his time.

2001/21-6c

Shannon Moore, Residence Halls Association

Moore explained to Council that the University informed students in residence that there would be a 5.6 per cent rent increase last summer, and this was a figure that was agreed upon by all seven residences, but recently they have been informed that there would be a differential increase in its place, ranging from two to 14 per cent. The highest increase will go to Lister Hall, which is receiving a fourth tower and will be a construction zone next year in any case. The Residence Halls Association is very opposed to this differential, and is looking for means to convince the University to adhere to its original 5.6 per cent increase.

Nychka: Do the residences truly need the upgrades that were specified in the University’s letter?
Moore: The upgrades are a result of problems articulated by the residents, so yes.

Wanke: Is the differential an attempt to make up the shortfall caused by the renovations to Newton Place?
Moore: The differential results from several different concerns, including Newton Place’s shortfall. Other concerns include the construction of new residences and rising utility prices.

2001-21/7

APPROVAL OF THE MINUTES

The minutes for SC01-20 were not available at this time.
a) Christopher Samuel, President
   - Board Finance and Property Committee: There will be a deficit in the University’s budget over the next four years, which will dissolve, hopefully, incrementally. The University hopes to eliminate spending by up to $17 million. Elimination of the debt includes a forecasted $21 million in new revenue, through the government, research, tuition and other factors, which presents a flawed and nebulous picture.

b) Amy Salyzyn, Vice-President Academic
   - Awards Night: Prime Minister Jean Chretien has sent his official greetings to all Awards Night participants.
   - There is now a beta site for the University: www.creative.ualberta.ca/board/webde

c) Kory Zwack, Vice-President External
   - CASA Awareness Week is ongoing and travelling throughout campus.
   - Zwack attended a meeting with Student Finance Board Chair Doug Nelson.

d) Jamie Speer, Vice-President Operations & Finance
   - The groundbreaking date for SUB expansion has been set for February 25.

e) Jennifer Wanke, Vice-President Student Life
   - Faculty Days have been postponed, as they fell during Midterm Week. CoFA will return a more appropriate date.
   - Feedback is needed for the hiring of a new director for Campus Security.
   - Wanke will be meeting with Moore to discuss ways of combating the proposed differential rent increase for residences.

f) Chris Burrows, Undergraduate Board of Governors Representative
   - A written report was provided at the meeting.
g) President Athletics Report
   - An oral report was provided by Schula.
   - Playoffs are beginning on campus.
   - Bears hockey will host its last regular season game against Calgary this coming weekend.
     Hockey, Volleyball, and Basketball teams will begin playoffs this coming weekend.
   - There will be a Pandas hockey fundraiser this coming Sunday.
     There have been funding problems that could prevent them being able to travel to national competitions, so Council was urged to attend.
   - Bears Volleyball is hosting Volleyball national competitions from February 28 to March 2 of this year. Student tournament passes are $13.00.

h) Arts Report
   - An oral report was provided by Melnyk.
   - Arts Students’ Association elections are upcoming.
   - There will be a Spring Concert at the end of March.
   - A charity event will also be taking place later in the year.
   - The Dean Selection Committee has almost reached its shortlist.

2001-21/9

QUESTION PERIOD
There were no questions at this meeting.

2001-21/10

LEGISLATION

2001-21/10a

SAMUEL/SALYZYN MOVED THAT Students’ Council, upon the recommendation of the Executive Committee, approve the proposed changes to Bylaw 100 respecting the Students’ Council (SECOND Reading).

Consensus

2001-21/10b

JONES/SHARUN MOVED THAT Students’ Council approve the proposed changes to Bylaw 2200 respecting the Elections to Students’ Council.

Consensus

2001-21/12

NEW BUSINESS
SPEER/SHARUN MOVED THAT Students’ Council, upon the recommendation of the Internal Review Board, approve the following as a referendum question for the 2002 Students’ Union General Elections:

Do you support the creation of a student-run newspaper that is self-governed that will:

1) Have a University of Alberta focus?

2. Receive approximately $125,000.00 per year collected directly from undergraduate students through an increase in the Students’ Union fees (Article VIII s.3 of the Constitution) of $2.50 per full-time student and $1.25 per part-time student for each of the Fall and Winter terms?

3. Enter into negotiations with the Students’ Union regarding:
   - the use of the name Gateway?
   - the transfer of assets that are predominantly and currently used by the Gateway?
   - the space and the rent arrangements of the newspaper?

The results of this referendum question will be binding on the Students’ Union as per Article V s.2 of the Students’ Union Constitution.

Speer: The concern from the Internal Review Board concerns how space and money will be allocated to The Gateway should this question pass. What exactly is the Gateway Journalism Society? The referendum question should be limited to a matter of principle. Logistics should be left to later negotiations.

Loewen: Someone without legal expertise should not raise such legal opinions as issues of fact.

Speer: Council cannot put a question to students that cannot be legally acted upon. Council must have administrative discretion, which this particular wording undermines. All dedicated fees should be operated on a cost-recovery basis. A dollar per year rental arrangement in perpetuity is not legally sound.
Sharun: In order for this discussion to work, Council must be open to everyone’s interpretation.

Salyzyn: IRB acted with all due diligence regarding this matter. The most important matter under discussion is the informed consent of students.

Sharma: The intent of the original question was very clear. Students can be trusted to understand what they support. The current incarnation distorts The Gateway’s original intent.

Loewen/Jones moved that the question proposed in this motion be struck, to be replaced by The Gateway’s original proposal for the question.

Samuel/Jess moved to suspend Standing Orders regarding adjournment.

Consensus

Lazin: The proposed question is similar to the one on the petition, but can be adjusted in some ways to address the expressed concerns of the Internal Review Board.

Sharun: What is the Gateway Journalism Society?
Ziebin: There has been an application to the Province for the establishment of such a society in a very general form, and it is still awaiting approval. The information is available, however: The Gateway used the University of Calgary Gauntlet’s constitution as a general model.

Sharun: When will approval come?
Lazin: It will be ready by the time the referendum is on the ballot.

Wanke opposed the amendment. The proposed wording changes the intent and the process.

Samuel: Over fifteen hours of discussion in the Internal Review Board, the petition was examined, and some of its elements were questionable. IRB sought to preserve its intent by keeping the valid portions and changing the invalid ones. The current proposal is appropriate and will provide students the option of voting for what they wish. Some items in the original proposal are best left to post-referendum negotiation. The actual question should only address the broadest intent of the proposal.
Taher opposed the amendment. Council should discuss the merits or principles of such a proposal, rather than its specific elements. This is the purview of IRB, which has done its job.

Jess/Nychka moved that Mr. Harris and Ms. Varvis, legal counsel for The Gateway, be allowed to speak as designated guests of Students’ Council.

Carried

Harris: “Real property” as outlined in the Universities Act refers to actual land, rather than anything mutable. As such, nothing in The Gateway’s original proposal is out of order.

Speer: Differences of opinion go far to suggest that the proposed amendment is legally ambiguous, and thus exposes the weaknesses of the original petition.

Salyzyn: Council should not run the risk of entering into a specific relationship on an indefinite basis.

Samuel (councilor): This is not permanent, or even indefinite. Matters can be negotiated and changed, either after the time required by the bylaws, or with another referendum. Council is supposed to be discussing whether or not this should appear on the ballot, not the merits of the proposal itself.

Harriman: The intent is more important than specific clauses for the moment, and the Internal Review Board proposal does not encompass the intent of the original petition.
Wanke: On the contrary, the IRB proposal is perfectly sound. The one issued by The Gateway is too detailed in some areas and too vague in others.

Loewen: This debate should be about principle. If there are legal opinions, Council should be wholly privy to them.

Jess/Jones moved to amend the Students’ Union Constitution to include the provision that the Gateway referendum, as passed, would be subject to renewal by referendum every five (5) years. This provision would apply only to The Gateway, and not to other referendum-dictated fees.

Jess: The principal problem arising in this debate is the issue of binding the Students’ Union in perpetuity, and such a clause would solve this problem. The needs of the student body change with time, and five years is a reasonable space.

Lazin: The Gateway appreciates Council’s concern regarding leasing, but running a referendum every five years is perhaps putting an undue responsibility on our successors. The spirit of the proposal is that politics and student journalism should remain separate. This problem would be better solved by making the lease renewable over a specific period of time, and such a clause need not be included in the actual referendum question.

Samuel: This still fails to address the principal concern, which is that these are legally live issues. The portion of the proposal dealing with leasing and rent issues could easily be omitted, to be negotiated if the referendum passes.

Lazin: The concern to include this component is a fair one, because the APIRG referendum question did not address this problem, and as yet, the APIRG does not exist.

Smith: Could a “nominal fee” not be suggested in the question, rather than a specific amount?

Samuel: CJSR has an operating agreement based on rent per square foot, which does not demand market value; it is fair that The Gateway should be subject to the same standard.

McGraw: There is a presumption of bad faith coming from both sides at the moment, and negotiations will not be productive if they remain predatory.
Agur/Loewen moved to call the question.
Consensus
The amendment failed.

Salyzyn/Loewen moved to call the question on the main motion.
Failed

A roll call vote was requested.
14/20 Failed

Jones/Laffin moved to amend the motion by adding the words “and zero (0) dollars from off-campus students”.

Speer: Off-campus students still have full access to The Gateway online.

Burrows: This fee would not even pay for a pint of beer!

Wanke: If off-campus students are able to vote for the question, they should be willing to pay for it.

Harriman/Tobias moved to call the question.
Carried

The amendment failed.

Samuel/Burrows moved to call the question.
Harlow deemed the motion out of order.
Salyzyn challenged the Chair.
Harlow’s ruling was upheld.

Brechtel: If negotiations cannot be reached after the referendum, will The Gateway be published?
Wanke: As of May 1, 2002, they have autonomy. There are two months in which they are free to negotiate their assets as they wish.
Loewen: Why was this not the case with APIRG?
Wanke: The Gateway will follow an entirely different process.

Coles: What negotiation structure would The Gateway like to see if the referendum is passed, to ensure that the newspaper begins publishing in accordance with the question’s terms?
Lazin: Negotiations should be conducted in good faith and dispatched with fairness.
Brechtel/Kotovych moved that (measures be taken to ensure that *The Gateway* continues to publish while referendum negotiations are ongoing).

Samuel: The spirit of such an amendment is unnecessary and assumes bad faith. All parties want an operational newspaper as soon as possible. The bylaws require that the Students’ Union publish a newspaper in any case.

Sharma: ‘Good faith’ is a contentious issue at the moment. Council should err on the side of caution.

Wanke: The Executive Committee has been acting in good faith, and this amendment takes this issue out of Council’s purview. It should be defeated, as it challenges the authority of this body.

Alexander: The precedent is that negotiations of this sort take a long time, which makes this amendment necessary.

Speer: The spirit of the amendment is already implied in the Students’ Union’s bylaws.

Darling: Is it possible, during this time, for the SU to begin publishing a separate newspaper called *The Gateway*? Wanke: Technically yes, until the bylaws are changed. But the SU would not undertake such a thing.

Brechtel: The intention of the amendment is for *The Gateway* to effectively publish while the details of the negotiations are ongoing. As it stands, the question implies that the newspaper will automatically become self-governing.

Harlow: Referenda are adopted with the understanding that their terms will be operational as soon as is reasonably possible.

Salyzyn: The amendment offers more confusion than clarity.
At this point, Brechtel withdrew the amendment.

McGraw/Hoffman moved that the word “negotiation” be struck from the motion, to be replaced by the words “binding arbitration to be completed by June 15”, as well as to add “The Gateway will be lent these assets until such time as this binding arbitration is completed and implemented”.

McGraw/Jones moved that the word “negotiation” be struck, to be replaced by the words “binding arbitration to be completed by June 15”.

Salyzyn opposed the amendment, and the corresponding amendment to the amendment.

Samuel: Negotiation should come before binding arbitration is deemed necessary.

The amendment to the amendment was carried.

Jess/Jones moved to call the question.

Carried

Carried

Ragan (sponsored): The Executive Committee should either honor The Gateway’s original petition or admit that it does not mean to adhere to its spirit.

Samuel: Unfortunately, a valid petition has not been submitted. The Executive Committee is trying to work with Council to amend the flaws in the proposal, but it must exercise discretion.

Tobias/Jess moved that Section 3b of the main motion be struck, and negotiation over the name The Gateway not be undertaken.

Jones/Harriman moved that Council deal with items SC2001-21/10a and SC2001-21/10b be discussed before proceeding with this motion.

Carried

At this point, discussion moved to Legislation before returning to this motion.
The amendment on the table was carried.

**Hoffman/Burrows** moved to call the question.
Failed

**Jones**: The motion, as it is currently worded, does not adequately address the petition originally signed by students. It is not for Council to determine the legality of the question.

**Salyzyn**: The Internal Review Board’s responsibility was to create a question that is appropriate and feasible. There are many items in the petition that preclude the informed consent necessary to such questions. The question proposed by the Internal Review Board is a responsible one.

**Speer**: The question IRB crafted was in accordance with the regulations articulated by the Chief Returning Officer.

**Burrows/Samuel** moved to call the question.
Failed

**Harriman/Gorton moved that** the question proposed by the Internal Review Board be replaced by the original petition signed by students.

**Harlow** ruled this motion out of order.

**Harriman** challenged the Chair.

The Chair’s ruling was upheld.

**Sharun**: What additional provisions would satisfy *The Gateway*?

**Alexander**: *The Gateway* requires that the question include the words “independent of the Students’ Union,” and that *The Gateway* retain its current right to distribute in the Students’ Union Building.
Sharun/Hoffman moved that
1) The Gateway retain the right to offer advertising discounts to student groups and other such bodies;
2) A portion of The Gateway’s budgetary surplus be allocated to student scholarships;
3) The Gateway retain its current right to distribute in the Students’ Union Building; and
4) The words “self-governed and independent of the Students’ Union” be included to describe The Gateway’s status.

Wanke rose on a Point of Order.

Harlow ruled the amendment out of order.

Samuel (councilor) challenged the Chair.

The Chair’s ruling was defeated.

Ziebin (sponsored): Why does the amendment not include the name of the Gateway Journalism Society?
Sharun: Because technically, such a society does not yet exist.

Samuel: The status of “independent of the Students’ Union” would include financial audits, which would exclude The Gateway from the dedicated fees bylaw currently under construction.

Samuel/Salyzyn moved that the words “independent of the Students’ Union” be struck from the amendment.

Salyzyn: The words “self-governed” are expressive enough of The Gateway’s desires.

Jess/Jones moved to call the question.
Carried

Carried

Lazin: The amendment as it now stands is insupportable by The Gateway.
The amendment was carried.

Wanke/Speer moved to Reconsider and Enter on the Minutes. Harlow declared this in order.

Salyzyn: The amendments just passed were not the controversial items earlier defeated. No power was abused.

The motion was withdrawn by consensus.

Wanke: Council, barely quorate, does not have the right to pass such amendments. Councilors who left believed these amendments to have been defeated.

Zwack/Jones moved that the words “June 15” be struck from the motion, to be replaced by the words “July 15.”

Jess/Sharma moved that the words “July 15” be struck from the amendment, to be replaced by the words “July 1.”

The amendment to the amendment was carried. The amendment was carried.

Salyzyn/Zwack moved to call the question. Failed

Gorton/Harriman moved that the words “not owned by the Students’ Union” be included in the main motion. Carried

Salyzyn/Tobias moved to call the question.

Harlow informed Council of his personal view that the debate, as well as the main question, had lost much of its legitimacy.

The call to question was carried.

Speer requested that his name be removed from the motion due to the substantive changes it has undergone. The motion was then moved by Samuel (councilor).

The main motion was carried.

Wanke’s abstention was noted.
Samuel/Salyzyn moved that the meeting be adjourned. Failed

2001-21/12b DARLING/MELNYK MOVED THAT Students’ Council approve an expense not to exceed $280.00 to cover the purchase of a microwave for Tory Atrium and a microwave for Humanities.

This motion was withdrawn by consensus.

2001-21/12c McGRAW / JONES MOVED THAT Students’ Council approve the proposed changes to the Standing Orders of the University of Alberta Students’ Council.

McGraw/Jones moved that this motion be postponed.
Consensus

2001-21/12d ZWACK / SAMUEL MOVED THAT Students’ Council approve a budgeted expenditure not to exceed $4490.00 to send the President and Vice-President External to Ottawa for the CASA Lobby Conference from March 17th through March 23rd, 2002.

Consensus

2001-21/12e ZWACK / SAMUEL MOVED THAT Students’ Council approve a budgeted expenditure not to exceed $2560.00 to send the President-Elect and Vice-President External Elect to Ottawa for a four-day portion of the CASA Lobby Conference.

Consensus

2001-21/12f THROUGH 2001-21/12w

Due to confidentiality, these motions will be presented to Council by Salyzyn. This motion was withdrawn by consensus.
JESS / TOBIAS MOVED THAT:
2) The Students’ Union, with its legal counsel, prepare a statement of defense in action 0203 02452 in the Court of Queen’s Bench of Alberta, Judicial District of Edmonton, to be served forthwith and in no case later than the 19th of February 2002.
3) Students’ Council strike an ad hoc committee of councilors to be elected from the floor to meet with legal counsel and be exclusively empowered on behalf of Students’ Council, until the next meeting of Students’ Council, to:
   - Direct legal counsel with respect to this action;
   - Explore settlement opportunities;
   - Report to Council at its next meeting with recommendations for action by Council.

This motion was withdrawn by consensus.

2001-21/12y SAMUEL / ZWACK MOVED THAT Students’ Council, upon the recommendation of the Eugene Brody Funding Committee, approve the expenditure of $720.00 for the Vagina Monologues.

Consensus

2001-21/14 ANNOUNCEMENTS
Agur thanked the Chair and the Secretary.
Samuel extended his best wishes and good luck to all the candidates running in the 2002 General Election.

2001-21/15 ADJOURNMENT
Tobias/Coles moved that the meeting be adjourned at 1:40 a.m.