

**MINUTES OF THE REGULAR MEETING OF THE TOWN OF STETTLER COUNCIL
HELD ON TUESDAY, AUGUST 6, 2013 IN THE MUNICIPAL OFFICE,
COUNCIL CHAMBERS**

Present: Mayor Dick Richards

Councillors A. Campbell, D. Bachman, P. Simons, L. Thorogood &
S. Wildeboer

Assistant CAO G. Switenky
Planning & Development Officer L. Graham
Director of Operational Services M. Robbins

Press (2)

Absent: Councillor M. Fischer & CAO R. Stoutenberg

Call to Order: Mayor D. Richards called the meeting to order at 6:30 p.m.

1/2. **Agenda Additions/Approval:**

Motion 13:08:01 Moved by Councillor Wildeboer to approve the agenda as presented.

MOTION CARRIED
Unanimous

3. **Confirmation of Minutes:**

(a) Minutes of the Regular Meeting of Council held July 16, 2013

Motion 13:08:02 Moved by Councillor Simons that the Minutes of the Regular Meeting of Council held on July 16, 2013 be approved as presented.

MOTION CARRIED
Unanimous

(b) Business Arising from the July 16, 2013 Meeting Minutes

None

4. **Citizen's Forum:** (a) No one was present at the Citizen's Forum

5. **Delegations:** (a) 7:30 P.M. – Dave Dittrick, Zap Consulting
Re: Northeast Industrial Area Structure Plan (NE ASP)

This Item was dealt with later in the meeting.

(a) 7:45 P.M. – Dave Dittrick, Zap Consulting
Re: Municipal Development Plan (MDP)

This item was dealt with later in the meeting.

6. **Administration:** (a) Memo re: 2013 Wheel Loader

Assistant CAO G. Switenky advised that in the 2013 Capital Budget, Council approved \$200,000 to purchase a new Wheel Loader.

Public Works staff demoed various units at the shop and requested tenders for a 2013 150hp 4 wheel drive articulating wheel loader with Z bar link style boom with WBM quick attach. The following tenders were received on June 25, 2013 from three dealerships. All tenders met required specifications. All prices exclude GST.

Strongco (2013 Volvo)	\$177,462.00
Rocky Mountain Equipment (2013 Case)	\$185,460.00
SMS Equipment (2013 Komatsu)	\$208,389.00

As the lowest tender is well within the budgeted amount, Administration would like to purchase the 5 year extended warranty for \$4,466 and one set of forks and frame at \$7,825.

Discussion ensued regarding the extended warranty and servicing of the loader. It was noted that the basic services will be done by our mechanics at the Town shop and if any warranty work is required a mechanic would come out to repair on location.

Motion 13:08:03

Moved by Councillor Bachman that the Town of Stettler Council award the tender to Strongco and approves the purchase of the warranty and forks for a total purchase price of \$189,753 excluding GST.

MOTION CARRIED
Unanimous

(b) Memo re: Tax Public Auction Date

Assistant CAO G. Switenky advised that the following shows the timeline that has to be followed in order for the Town of Stettler to hold the Tax Public Auction for the remaining properties in the tax recovery process:

Date	Action
March 26/12	Prepared Tax Arrears List and sent notification to owners
Aug. 6/13	Council to set Reserve Bid and sale conditions
Aug. 12/13	Send ad to Alberta Gazette (send in 10 working days before ad)
Aug. 31/13	Advertise Public Auction in the Alberta Gazette
Sept. 2/13	Send copy of ad to registered property owners and all parties having an interest in the property
Sept 25/13	Advertise Public Auction in the Stettler Independent
Oct. 15/13	Public Auction at the Town Office at 1:00 p.m.

- Section 418 of the MGA states that the Public Auction must be held between April 1, 2013 and March 31, 2014.
- Under Section 419 of the MGA Council must set a reserve bid that is as close as reasonably possible to the market value of the parcel and any conditions that apply to the sale.
- The tax recovery process can be stopped by payment of all tax arrears prior to the sale.
- The Town may apply for ownership of the property if it is not sold at the public auction.

- After the Town takes title to the property the property owner can regain title to the property if all taxes are paid before the Town sells the property.
- The following property will go to the Public Auction on October 15, 2013 unless taxes are paid prior to the sale:

Lot/Block/Plan	Civic Address	Land	Improvements	Total
25A&26A-6-8120341	6018 – 52 Avenue	83,560	236,740	320,300
C-26-5299HW	5914 – 51 Avenue	51,260	94,840	146,100

Motion 13:08:04

Moved by Councillor Thorogood that the Town of Stettler Council set the 2013 Tax Public Auction date as October 15, 2013 and approve using the 2013 assessment values as the reserve bids for all 2013 tax sale properties and that the terms for the sale be cash or certified cheque.

MOTION CARRIED
 Unanimous

(c) Memo re: Pavement Local Improvement 50 Avenue from 42 Street to 38 Street

Assistant CAO G. Switenky advised that this standard local improvement for pavement on 50 Avenue from 38-42 Street (roadway in front of the new ATCO Electric building) was included in the Town’s 2013 Capital Budget.

The estimated total cost (for intent purposes) has been calculated at \$385,825 however, property owners will pay the actual cost once determined. A summary of the estimated financial impact(s) upon abutting affected properties was attached.

Of specific note, two properties are being charged 25% of their flankage which is the standard way local improvements have been charged in the past. Administration also supports that there should be two exceptions to the financial payment plan as follows:

1. The Town will pay the annual local improvement charges related to flankage on 520430007 until the usage of this property changes from residential to non-residential.
2. The Town will pay the annual local improvement charges specifically related to this piece of raw land on 402058009 until the property is subdivided.

Should Council approve initiating this Local Improvement Plan, then letters of intent will be mailed to abutting affected property owners who will have 30 days to petition against this work being undertaken by the municipality. If a valid petition is not received against this project, it is planned that the paving will be undertaken this year.

Property owners will have the option of prepaying their share of the project without ACFA financing charges or including them annually on their property tax bill over 20 years with ACFA financing charges (estimated at 3.424%).

Discussion ensued regarding the potential of a petition against the local improvement and it was noted that for a petition against the work to be successful it must be valid and include 2/3 of the property owners representing at least 50% of the assessed value.

Motion 13:08:05

Moved by Councillor Campbell that the Town of Stettler Council approve the Local Improvement Plan for Pavement works on 42nd Street from 49th Avenue to 50th Avenue and on 50th Avenue from 42nd Street to 38th Street in the amount of \$385,825 as presented. And further authorize Administration to proceed in accordance with the relevant local improvement provisions under the *Municipal Government Act*

MOTION CARRIED
Unanimous

(d) Letter of Recommendation re: SRC Updates Tender Results

Assistant CAO G. Switenky advised that the SRC Update tenders closed August 1, 2013 with three competent firms bidding on the project. Timcon, Lear and Shunda were the three bidders with the low bid of \$1,810,675 plus GST submitted by Shunda as a "Stipulated Sum".

He noted that although the low bid is very close (+ \$11,395) to the total construction budget previously presented to Council of \$1,799,280, that budget included \$71,400 as a construction contingency, and Shunda's bid does not. John Hull Architect recommends that the Town consider establishing an additional project contingency of 4-5% for any unseen conditions or changes during construction.

Discussion ensued regarding the potential for a change/reduction to the library ceiling and whether a cost savings differential could be quantified from this stipulated bid price.

It was noted that John Hull Architect would be available to attend a possible Special Council Meeting next Tuesday should Council desire to table this tender award to allow for further information.

Discussion continued regarding the timing of this tender award given the scope/magnitude of the project. Members of Council mutually agreed that the project needs to proceed as soon as possible.

It was noted that any desired changes could be negotiated as "Change Orders" to the contract following the award.

Motion 13:08:06

Moved by Councillor Thorogood that the Town of Stettler Council approve the tender for SRC Updates to the low bidder Shunda in the amount of \$1,810,675 plus GST with an option to negotiate a Change Order to reconsider the library ceiling cost and design.

MOTION CARRIED
Unanimous

(e) CAO Report

Motion 13:08:07

Moved by Councillor Simons that the Town of Stettler Council accept the CAO Report for the month of July as presented.

MOTION CARRIED
Unanimous

(f) Bank Reconciliation as of July 31, 2013

Motion 13:08:08

Moved by Councillor Wildeboer that the Town of Stettler Council accept the Bank Reconciliation as of July 31, 2013 as presented.

MOTION CARRIED
Unanimous

(g) Accounts Payable in the amount of \$500,001.85

Motion 13:08:09

Moved by Councillor Campbell that Accounts Payable in the amounts of \$196,586.97, \$108,983.70 & \$194,431.18 for the period ending August 3, 2013 for a total amount of \$500,001.85 having been paid, be accepted as presented.

MOTION CARRIED
Unanimous

7. Council:

Mayor and Councillors outlined highlights of meetings they attended.

(a) Mayor Richards

- July 26 - Pre Meeting for Joint Town County Council Meeting
- July 26 - Town Office
- July 29 - Joint Town County Council Meeting
- Aug 2 - Meeting with Reeve Nixon
- Aug 2 - Town Office

(b) Councillor Bachman

- July 26 - Communities in Bloom
- July 26 - Pre Meeting for Joint Town County Council Meeting
- July 29 - Joint Town County Council Meeting

(c) Councillor Campbell

- July 18 - RDRMUG
- July 24 - Rodeo Meeting
- July 26 - Pre Meeting for Joint Town County Council Meeting
- July 29 - Joint Town County Council Meeting
- July 31 - Rodeo Meeting

(d) Councillor Fischer

No Report – absent from meeting

(e) Councillor Simons

- July 24 - County of Stettler Housing Authority Grievance Hearing
- July 26 - Pre Meeting for Joint Town County Council Meeting
- July 29 - Joint Town County Council Meeting

(f) Councillor Thorogood

- July 15 - SHSF
- July 17 - Rummage Sale Meeting
- July 18 - Tagish Engineering Golf
- July 29 - Joint Town County Council Meeting

(g) Councillor Wildeboer

- July 23 - Meeting with Potential Physicians
- July 25 - Communities in Bloom Judges
- July 26 - Pre Meeting for Joint Town County Council Meeting
- July 29 - Joint Town County Council Meeting
- July 30 - Museum Meeting

8. Minutes: (a) None

9. Public Hearing: (a) None

10. Bylaws: (a) 2041-13 Municipal Development Plan

This item was dealt with later in the meeting.

11. Correspondence: (a) AltaGas Utilities re: Renewal of Natural Gas Distribution System Franchise Agreement

(b) News Release re: Government Acts to Support Homeowners' Rebuilding Choices

(c) Town Governed "Improperly and Irregularly"

(d) Lower income Edmonton Household Subsidies Cut \$50/Month

Motion 13:08:10

Moved by Councillor Campbell that correspondence items 11(a) to 11(d) inclusive be accepted for information.

MOTION CARRIED
Unanimous

5. Delegations: (a) 7:30 P.M. – Dave Dittrick, Zap Consulting
Re: Northeast Industrial Area Structure Plan (NE ASP)

Contract Planner Dave Dittrick entered the meeting at approximately 7:30 p.m.

Mayor Richards welcomed Dave Dittrick to the meeting.

D. Dittrick presented background information respecting the need for a new NE ASP.

- The existing ASP was adopted in 1980 and it needs to be amended to reflect changes which have occurred within the community.

- The majority of the ASP plan area is in agriculture use. The current zoning map designates the area as Industrial, as does the Municipal Development Plan.
- The adjacent lands within the Town are generally used for industrial purposes. The adjoining lands within the County are used for multiple purposes, including agricultural, industrial (auto wrecker), and institutional (solid waste transfer station).

The ASP will address:

- Distribution of overall development into 4 stages.
- Transportation improvements including connections to existing industrial area and internal road networks
- Water, wastewater and storm water servicing requirements.
- Location and alignment of shallow (electricity, gas, telephone).
- Short and long term servicing plan and phasing.
- Existing storm retention (snow dump) facility and the possible need for expansion and/or relocation.
- Budget data for servicing of all phases and strategies for protecting natural capital.

Discussion ensued regarding the 4 concept options as presented for roadway connections within the area, to the south and to the ring road, as well as the amount of developable land versus road lengths.

It was noted that overall developmental and servicing costs are unknown at this point in the process.

Discussion continued regarding individual Council Members preferred options. Concept option 2 had majority support from Council Members present however, concept option 4 also had some support.

Motion 13:08:11

Moved by Councillor Thorogood that Town of Stettler Council directs Administration to proceed with the North East Area Structure Plan and approves concept 2 as the preferred option with further consideration being given to incorporating a South connection to our existing industrial area.

MOTION CARRIED (6-1)

Opposed: Councillor S. Wildeboer

- (a) 7:45 P.M. – Dave Dittrick, Zap Consulting
Re: Municipal Development Plan (MDP)

Dave Dittrick presented an overview of a proposed new Municipal Development Plan for the Town of Stettler. He further highlighted that since last summer Administration has undertaken community consultations and has now prepared final amendments to a draft version for a new Municipal Development Plan.

Only 2 significant amendments have been made since the document was last at Council in October 2012:

1. The policy respecting development within the Floodway/Flood Fringe has been re-instated. The corresponding map, however, has not been included as it is suggested that the current map is outdated and does not reflect the changes to the built up environment that have occurred.
2. The Transportation Map has been amended, identifying the Trucking and Dangerous Goods Route (removing 46 Street), and identifying the future Highway 56 (north) alignment.

Discussion ensued regarding the truck route and the need to begin the education process of changing the existing 46 Street route.

The Plan is before Council to receive 1st Reading, so that it can ultimately be adopted prior to the elections this fall. The next steps following the 1st Reading are to advertise and hold a Public Hearing, followed by the 2nd and 3rd Readings.

Mayor Richards thanked D. Dittrick for his valuable presentation.

Dave Dittrick departed the meeting at 8:10 p.m.

10. **Bylaws:** (a) 2041-13 Municipal Development Plan

Mayor Richards explained that Bylaw 2041-13 is:

A bylaw of the Town of Stettler, in the province of Alberta, being a bylaw to enact the Town of Stettler Municipal Development Plan.

1. That this bylaw may be cited as "the Town of Stettler Municipal Development Plan".
2. The document attached is hereby adopted as the Town of Stettler municipal development plan.
3. This bylaw hereby repeals bylaw no. 1599 and all amendments thereto.
4. This bylaw shall take effect on the date of its final passing.

Motion 13:08:12

Moved by Councillor Campbell that the Town of Stettler Council give first reading to Bylaw 2041-13 as presented.

MOTION CARRIED
Unanimous

12. **Items Added:** (a) None
13. **In-Camera Session:** (a) None

14. Adjournment:

Motion 13:08:13

Moved by Councillor Campbell that this regular meeting of the Town of Stettler Council be adjourned.

MOTION CARRIED
Unanimous at 8:17 p.m.

Mayor

Assistant CAO