

**MINUTES OF THE REGULAR MEETING OF THE TOWN OF STETTLER COUNCIL
HELD ON TUESDAY, FEBRUARY 20, 2007 IN THE MUNICIPAL OFFICE,
COUNCIL CHAMBERS**

Present: Mayor J. Hunter

Councillors A. Campbell, G. Majeran, R. Peeples &
L. Thorogood

Town Manager R. Stoutenberg
Director of Finance & Administration G. Switenky

Press (2)

Absent: Councillors S. Hurley & D. Richards

Call to Order: Mayor J. Hunter called the meeting to order at 6:30 p.m.

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

Motion 07:02:26 Moved by Councillor Peeples to approve the agenda as presented with the following addition:

12(a) Shirley McClellan Retirement Party

MOTION CARRIED
Unanimous

3. **Confirmation of Minutes:**

(a) Minutes of the Regular Meeting of Council held February 6, 2007

Motion 07:02:27 Moved by Councillor Campbell that the Minutes of the Regular Meeting of Council held on February 6, 2007 be approved as presented.

MOTION CARRIED
Unanimous

(b) Business Arising from the February 6, 2007 Minutes

None

(c) Minutes of the Committee Meeting held February 13, 2007

Motion 07:02:28 Moved by Councillor Majeran that the Minutes of the Regular Meeting of Council held on February 13, 2007 be approved as presented.

MOTION CARRIED
Unanimous

Councillor L. Thorogood entered the meeting.

(d) Business Arising from the February 13, 2007 Committee Minutes

Town Manager, R. Stoutenberg clarified the "Pipe Bursting" installation method that will be used on the 57th Street Sanitary Sewer Replacement Project.

4. **Citizen's Forum:** (a) 7:00 P.M. – Doug Cumberland

This item was dealt with later in the meeting.

5. **Delegations:** (a) 7:30 P.M. – Ken Duncan re: Boomtown Trail Initiatives

This item was dealt with later in the meeting.

6. **Administration:** (a) Memo re: Canada Alberta Municipal Rural Infrastructure Funding (CAMRIF)

Town Manager, R. Stoutenberg reviewed the memorandum from Greg Switenky, Director of Finance & Administration.

The CAMRIF program directs the vast majority of investments (78%) towards projects that benefit smaller municipalities (populations less than 250,000). Projects will be selected on a competitive basis. Successful municipalities must contribute 1/3rd of the project costs with 2/3rds being funding by a Federal/Provincial grant. The second call deadline for submissions is July 31, 2007 (**Post Meeting Update: revised deadline is May 31, 2007**). Eligible projects include:

- Water and Wastewater Projects
- Public Transportation Project
- Local Roads, Bridges and Connectivity Projects
- Solid Waste
- Energy Improvement Projects
- Recreation Cultural and Tourism Projects

The Project Ranking Criteria states that the information presented in the required Business Case will influence the recommendation for each project, so it is important that a comprehensive and meaningful Business Case accompany each application. In the Business Case you are required to demonstrate how the project advances the municipalities development plans; how financial support is required to enable the implementation, enhance the scope or accelerate the timing of the proposed project; and how the project contributes to environmental, economic, community and innovation objectives specified in the Agreement.

Administration is recommending that growth related public utility projects be explored given the high costs associated with utility main extensions.

Discussion ensued regarding potential projects that would be eligible/qualify for funding under this program. It was stated that the Stettler Waste Management Authority may want to consider submitting a regional application to address capacity limitations at the landfill site.

Motion 07:02:29

Moved by Councillor Thorogood that the Town of Stettler Council authorizes Administration to engage a professional engineering firm to recommend growth related public utility projects for Council's consideration, and to prepare an application, with an appropriate business case, under the terms of the Canada Alberta Municipal Rural Infrastructure Funding (CAMRIF) program. And further, that the initial budget for professional services be set at \$20,000 with funding from the General Reserve.

MOTION CARRIED
Unanimous

(b) Memo re: Tower Road Improvements

Town Manager, R. Stoutenberg advised that at the December 6, 2006 Capital Budget Meeting it was noted that a long-term solution is required to address drainage issues for both sides of the Tower Road north of 57th Avenue. However, no cost estimates were included/approved in the 2007 Capital Budget.

Council reviewed the design criteria for the project to be examined, the scope of the Engineering required, and the estimated costs associated with Professional Engineering Services. It was stated that determining a preferred design is a logical first step followed by discussions on cost sharing/funding and then eventually construction taking place. If the project is to proceed, Council will need to fund such through the General Reserve. The initial cost for engineering services is estimated at \$19,440 excluding supporting costs like survey and geotechnical.

Motion 07:02:30

Moved by Councillor Peeples that the Town of Stettler Council authorizes Administration to engage Tagish Engineering Ltd. to examine the feasibility and cost to upgrade the Tower Road north from 57th Avenue for approximately 360m to the Town Boundary and in conjunction with the road design to examine the overall drainage along Tower Road. And further, that the associated costs are to be funded from the General Reserve.

MOTION CARRIED
Unanimous

(c) Memo re: Regional Water Reservoir

Town Manager, R. Stoutenberg advised that a meeting was held to discuss the need for and ownership of the proposed water reservoir west of Stettler. In attendance were Alberta Infrastructure Staff, Associated Engineering, Stantec Engineering and representatives from the Shirley McClellan Regional Water Commission (SMRWC).

It was noted that the SMRWC was formerly known as the East Central Alberta Regional Water Services Commission.

Both the Town and the SMRWC would like to own and operate the proposed reservoir. Provincial representatives reported that if a reservoir is to be funded, it will be a regional reservoir.

Stantec (SMRWC) and Associated Engineering (Town) agreed to work together to formulate and present a case for a regional reservoir. They will start the work when given the approval of both parties.

Motion 07:02:31

Moved by Councillor Peeples that the Town of Stettler Council direct Administration to draft a letter to the Shirley McClellan Regional Water Commission (SMRWC) suggesting that the Town and Commission work together towards obtaining approval from the Province to fund a joint regional water reservoir.

MOTION CARRIED
Unanimous

4. Citizen's Forum: (a) 7:00 P.M. – Doug Cumberland

Doug Cumberland entered the meeting at 7:00 p.m.

Mayor Hunter declared a possible conflict of interest and by departing the meeting excused himself from discussion and voting on this matter.

Deputy Mayor Councillor Majeran assumed the chair.

D. Cumberland explained his purpose for attending the Council Meeting. He informed Council that earlier in the year he had obtained a development permit costing \$125 to replace a mobile home. He also acknowledged that he did not execute/finalize the application for a Building Permit because he does not believe that he has constructed anything requiring a Building Permit.

Subsequently the Town informed him that he is required to have a building inspection performed by Alberta Permit Pro in accordance with the *Safety Codes Act*. He refused to pay for a Building Permit and the Town informed him that the utility services to the site would be disconnected unless he complied. Recently Town public works staff tried to disconnect his services however were apparently unsuccessful.

D. Cumberland then contacted the Mayor because he disagrees with the Town's requirement for a Building Permit costing \$426.80 given his circumstances:

- He has a Development Permit that was issued by the Town to replace a mobile home with another one in the exact location (approved by MPC as a discretionary use on September 13, 2006). His opinion is that the Town's development permit process should be the only authorization that is necessary,
- His opinion is that by definition, he did not construct anything,
- His opinion is that the cost of the Building Permit does not justify the work/value.

Town Manager, R. Stoutenberg informed Council that the Town requires a Building Permit for the move-in of a mobile home irregardless of whether it is a new or used unit.

Discussion ensued regarding the general purpose and legislative authority for a safety code inspection, the recognized qualifications of an Alberta Permit Pro inspector and the potential for municipal liability exposure given non-compliance with the code.

Deputy Mayor Councilor Majeran summarized that D. Cumberland is effectively requesting that the Building Permit and associated fee for the replacement of his mobile home in Stettler be cancelled because a building permit/inspection to verify compliance with the *Safety Codes Act* is not necessary or required.

D. Cumberland departed the meeting at 7:15 p.m.

Discussion ensued regarding possible Council actions.

Motion 07:02:32

Moved by Councillor Peebles that the matter regarding D. Cumberland's outstanding Building Permit fee be referred to Committee of the Whole for further review respecting the administrative process.

MOTION DECLARED DEFEATED
(2 – 2 tied vote per s.186 MGA)
Opposed: Councillors Majeran & Thorogood

Given the time, Mayor Hunter returned to the meeting and reassumed the chair. Mayor Hunter suspended further discussion on this matter in order to continue with Citizen's Forum.

(b) 7:15 P.M. – Ken Gabriel

Ken Gabriel entered the meeting at 7:15 p.m.

K. Gabriel suggested that he has been in preliminary discussions with a private marketing company having the experience and skills necessary to prepare a promotional package (based upon cattle and Swiss heritage) for the Stettler Agricultural Grounds.

Mayor Hunter informed K. Gabriel that Council cannot be associated with the promotion of future development on the Ag Society's private property clearly cautioning K. Gabriel that any promotional endeavor undertaken by him would be at his own expense. Mayor Hunter invited K. Gabriel to meet with him in the Town Office on Friday mornings to keep him (Council) abreast of this initiative.

Mayor Hunter thanked K. Gabriel for attending the meeting and sharing his ideas with Council. K. Gabriel departed the meeting at 7:29 p.m.

5. **Delegations:**

(a) 7:30 P.M. – Ken Duncan re: Boomtown Trail Initiatives

Ken Duncan, Boomtown Trail Manager entered the meeting at 7:30 p.m.

K. Duncan updated Council on Boomtown Trail initiatives:

1. The Historic and Main Street Project for smaller municipalities.
2. Events Management System on the Boomtown Trail website.
3. Shared vision for signage on the Boomtown Trail.
4. Boomtown Bucks Program.

The 2005 and 2006 Boomtown Trail promotional brochures/maps were circulated for information purposes.

It was stated that the Stettler Board of Trade contributes the maximum membership fee of \$500 per year to participate in the Association.

Mayor Hunter thanked K. Duncan for attending the meeting and presenting the Boomtown Trail's organizational initiatives and plans to Council.

K. Duncan departed the meeting at 7:45 p.m.

4. **Citizen's Forum Con't:** (a) 7:00 P.M. – Doug Cumberland

Mayor Hunter resumed discussion on the request from D. Cumberland to have his Building Permit/Fee cancelled. Mayor Hunter refrained from discussion on this matter.

Discussion ensued regarding the appropriateness of a Building Permit for the moving-in of a mobile home.

In an attempt to better understand and substantiate the entire administrative process in relation to D. Cumberland's request/concerns, Council directed Administration to prepare a report identifying the chronological sequence of events which eventually resulted in the Town attempting to disconnect the utility services at D. Cumberland's mobile home site.

6. **Administration Con't:** (d) Request for Subdivision 2007-02 re: Gra-Rock Investments

Town Manager, R. Stoutenberg advised that the applicant (Gra-Rock Investments) is proposing to create two lots to accommodate a duplex on Lot 20, Block 4, Plan 2442AE. The proposed subdivision is located at 5023 – 45 Street.

Council reviewed the Key Issues as follows:

Subdividing the existing lot as shown on the proposed plan only allows for parcel sizes of 275 square meters, and 265 meters. The minimum parcel size in this Land Use District as per the Town's Land Use Bylaw is 330 square meters for duplexes on corner lots. This has been a continuing issue for the development of corner lots in older neighborhoods.

East Lot – 20% variance is required
West Lot- 17% variance is required

As the Town's Subdivision Authority Council may approve this application for subdivision even though it does not meet the Town's Land Use Bylaw. In accordance with Section 654(2) of the *Municipal Government Act* the subdivision may be approved if in Council's opinion,

- a. The proposed subdivision would not:
 - i. unduly interfere with the amenities of the neighborhood, or
 - ii. materially interfere with or affect the use, enjoyment or value of neighboring parcels of land, and
- b. The proposed subdivision conforms with the use prescribed for that land in the Land Use Bylaw.

Discussion ensued regarding the suitability of duplexes on corner lots.

It was stated that Minimum parcel sizes, and in conjunction maximum parcel coverage should be addressed as the Land Use Bylaw is reviewed and amended in the future.

Motion 07:03:33

Moved by Councillor Peeples that Subdivision Application 2007-02 from Gra-Rock Investments to create two (2) parcels to accommodate a duplex on Lot 20, Block 46, Plan 2442AE has been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 of the *Subdivision and Development Regulations* and having considered adjacent landowners submissions the Town of Stettler Council approves Subdivision Application 2007-02 as per the tentative plan for the following reasons:

1. That the application is consistent with Section 7 of the *Subdivision and Development Regulations*.
2. The application is consistent with the Municipal Development Plan.
3. There are no major development constraints.
4. No Municipal reserves are owing.

And further, in accordance with Sections 654 and 655 of the *Municipal Government Act*, the Town of Stettler Council approves Application 2007-02 subject to the following conditions:

1. Subdivisions to be effected by a plan of Survey, pursuant to Section 657 of the *Municipal Government Act*.
2. That the developer supplies individual water & sanitary service to each new parcel(s) being created as per the Town of Stettler's Water Works Bylaw.
3. The developer is responsible for making suitable arrangements with the utility companies for provision of services and/or necessary easements.
4. That any outstanding property taxes on the land being subdivided are paid or satisfactory arrangements made thereto the Town of Stettler.
5. That the applicant is granted a minimum parcel size variance of 20% on the east lot to be created, and 17% variance on the west lot to be created.

MOTION CARRIED
Unanimous

(e) Request for Subdivision 2007-03 re: Kneeland & Sons Construction

Mayor Hunter declared a possible conflict of interest and by departing the meeting excused himself from discussion and voting on this matter.

Deputy Mayor Councillor Majeran assumed the chair.

Town Manager, R. Stoutenberg advised that the applicant (Kneeland & Sons Construction) is proposing to create two lots to accommodate a duplex on Lot 18, Block 40, Plan 2442AE. The proposed subdivision is located at 4917 – 46 Street.

The Municipal Planning Commission has previously approved this development however Town Council is the Subdivision Approving Authority and has exclusive jurisdiction to grant subdivisions.

The west lot to be created will be 278 square meters and the east lot to be created will be 278 square meters. The proposed subdivision is zoned R2 – General Residential and meets the minimum parcel size (for a non-corner lot) and lot coverage requirements for this Land Use District.

Access to each newly created parcel will be from the lane located between 46th & 45th Street.

Motion 07:03:34

Moved by Councillor Campbell that Subdivision Application 2007-03 from Kneeland & Sons Construction to create two (2) parcels to accommodate a duplex on Lot 18, Block 40, Plan 2442AE has been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 of the *Subdivision and Development Regulations* and having considered adjacent landowners submissions the Town of Stettler Council approves Subdivision Application 2007-03 as per the tentative plan for the following reasons:

1. That the application is consistent with Section 7 of the *Subdivision and Development Regulations*.
2. The application is consistent with the Municipal Development Plan.
3. There are no major development constraints.
4. No Municipal reserves are owing.

And further, in accordance with Sections 654 and 655 of the *Municipal Government Act*, the Town of Stettler Council approves Application 2007-03 subject to the following conditions:

1. Subdivisions to be effected by a plan of Survey, pursuant to Section 657 of the *Municipal Government Act*.
2. That the developer supplies individual water & sanitary service to each new parcel(s) being created as per the Town of Stettler's Water Works Bylaw.
3. The developer is responsible for making suitable arrangements with the utility companies for provision of services and/or necessary easements.
4. That any outstanding property taxes on the land being subdivided are paid or satisfactory arrangements made thereto the Town of Stettler.

MOTION CARRIED
Unanimous with the abstention of
Mayor Hunter

Mayor Hunter returned to the meeting and reassumed the chair.

(f) Committee Recommendation - 2007 Downtown Beautification

Town Manager, R. Stoutenberg advised that the Committee of the Whole's recommendation is a priority listing only and the amount of work that can be undertaken is limited to the combined 2007 Capital Budget approval of \$750,000.

The Phase I Element cost estimates proposed by UMA Engineering Ltd. totals \$826,150 and together with a 30% contingency results in a revised total of \$1,073,995.

Motion 07:02:35

Moved by Councillor Thorogood that the Town of Stettler Council approve that the Phase 1 Elements proposed by UMA Engineering Ltd. for Downtown Streetscape enhancements be prioritized in the 2007 Capital Budget as follows:

- | | |
|---|-----------|
| 1. Town Entrance features (timing concerns) | \$100,000 |
| 2. Parking Lot on 51 st Street
(Battle River Credit Union parking adjacent) | \$176,350 |
| 3. Mid-block crossing at north end | \$110,525 |
| 4. New Town Office Streetscape
(timing concerns) | \$237,050 |
| 5. Paint existing light standards | \$ 11,400 |
| 6. Parking Lot on 51 Street Streetscape
(Potential local improvement on entire block) | \$ 40,375 |
| 7. Connector to Parking Lot on 51 Street
(TD Bank property) | \$ 37,250 |
| 8. Site furniture, review cost estimates
(Whole area verses partial implementation) | \$113,200 |

MOTION CARRIED (4 – 1)
Opposed: Councillor Peeples

(g) Memo re: Fitness Centre Policy

Town Manager, R. Stoutenberg reviewed the memorandum from Lee Penner, Director of Parks & Leisure Services.

Discussion ensued regarding the additional services proposed to be offered at the Fitness Centre on a trial basis.

Town Manager R. Stoutenberg informed Council that Schedule G (bottom of page 46 in the Agenda package) should be revised to state that, "Trial programs may be run at a fee to be approved by the Town Manager." This will expedite the approval process administratively allowing a new fitness service to be introduced on a trial basis.

Discussion continued primarily regarding customized fitness consultations and corporate membership package discounts.

Motion 07:02:36

Moved by Councillor Peeples that the Town of Stettler Council approves the revision to Schedule G of the Recreation Centre Rental Rates Policy as presented, including rates for Additional Services offered through the Fitness Centre and Membership Discounts for Corporate Packages.

MOTION CARRIED
Unanimous

- (h) March Newsletter Items
 - Stettler 2007 Trade Show
 - Recreation Centre Schedule (March/April)
- (i) Bank Reconciliation as of January 31, 2007

Motion 07:02:37

Moved by Councillor Thorogood that the Bank Reconciliation as of January 31, 2007 be accepted as presented.

MOTION CARRIED
Unanimous

- (j) Accounts Payable in the amount of \$403,712.54

Motion 07:02:38

Moved by Councillor Thorogood that Accounts Payable for the period ending February 15, 2007 in the amount of \$403,712.54 having been paid, be accepted as presented.

MOTION CARRIED
Unanimous

7. **Council:**

Mayor and Councillors outlined highlights of meetings they attended.

(a) Mayor Hunter

- Feb 5 - Attended Rotary re: Update on the Town.
- Feb 8 - Trail of the Buffalo luncheon.
- Feb 9 - Town Office duties.
 - Meeting with County of Stettler re: Growth Study.
- Feb 13 - Committee of the Whole Meeting.
- Feb 16 - Town Office duties.
 - Joint Building Meeting.

(b) Councillor Campbell

- Jan 18 - Downtown Streetscape presentation.
- Jan 23 - Strategic Planning Session.
- Feb 13 - Committee of the Whole Meeting.

(c) Councillor Hurley

- No report – absent from meeting.

(d) Councillor Majeran

- Feb 9 - Meeting with County of Stettler re: Growth Study.
- Feb 12 - FCSS Meeting.
- Feb 13 - Committee of the Whole Meeting.
- Feb 15 - County of Stettler Housing Authority.

(e) Councillor Peeples

- Feb 13 - Committee of the Whole Meeting.

(f) Councillor Richards

- No report – absent from meeting.

(g) Councillor Thorogood

- Feb 7 - Meeting with Castor, Consort & Veteran representatives re: Stettler Ambulance staffing planning.
- Feb 13 - Committee of the Whole Meeting.

8. **Minutes:**

(a) Heartland Beautification Meeting of February 1, 2007

(b) Stettler Recycling Committee Meeting of January 17, 2007

Motion 07:02:39

Moved by Councillor Peeples that the Minutes, items 8(a) & 8(b) be accepted for information.

MOTION CARRIED
Unanimous

9. **Public Hearing:**

(a) None

10. **Bylaws:**

(a) None

11. **Correspondence:**

(a) AUMA Important Notice

Motion 07:02:40

Moved by Councillor Thorogood that correspondence item 11(a) be accepted for information.

MOTION CARRIED
Unanimous

12. **Items Added:**

(a) Shirley McClellan Retirement Party

Town Manager, R. Stoutenberg advised that Special Areas is organizing an event to honor Shirley McClellan on Sunday, March 4, 2007 at the Hanna Community Centre. Mayor Hunter stated that he will organize a contingent to attend the event.

Also, it was stated that there is a luncheon to be held in Drumheller on February 26th, 2007 to recognize Shirley's accomplishments. Interested Town representatives could attend this event as well.

13. **In-Camera Session:** (a) Memo re: Purchase of Public Parking Lot

Motion 07:02:41

Moved by Councillor Campbell that the Town of Stettler Council proceed into an In-Camera Session with the Town Manager and Director of Finance & Administration present to discuss the item as presented on the In-Camera Agenda.

MOTION CARRIED
Unanimous at 8:50 p.m.

Motion 07:02:42

Moved by Councillor Majeran that the Town of Stettler Council return to the regular meeting.

MOTION CARRIED
Unanimous at 9:25 p.m.

14. **Adjournment:**

Motion 07:02:43

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

MOTION CARRIED
Unanimous at 9:25 p.m.

Mayor

Director of Finance & Administration