

**MINUTES OF THE REGULAR MEETING OF THE TOWN OF STETTLER COUNCIL  
HELD ON TUESDAY, JULY 17, 2007 IN THE MUNICIPAL OFFICE,  
COUNCIL CHAMBERS**

**Present:** Deputy Mayor Councillor L. Thorogood  
  
Councillors A. Campbell, G. Majeran, R. Peeples  
& D. Richards  
  
Town Manager R. Stoutenberg  
Director of Finance & Administration G. Switenky  
  
Press (2)

**Absent:** Mayor J. Hunter & Councillor S. Hurley

**Call to Order:** Deputy Mayor Councillor Thorogood called the meeting to order at 6:30 p.m.

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

**Motion 07:07:18** Moved by Councillor Campbell to approve the agenda as presented with the following additions:

- 12(a) Memo re: 2007 Voting Procedures
- 12(b) Local Roads – Condition/Maintenance
- 13(a) In-Camera – Stettler Waste Management Authority
- 13(b) In-Camera - Land Matters/Lot Options

MOTION CARRIED  
Unanimous

3. **Confirmation of Minutes:**

- (a) Minutes of the Regular Meeting of Council held July 3, 2007

**Motion 07:07:19** Moved by Councillor Peeples that the Minutes of the Regular Meeting of Council held on July 3, 2007 be approved as presented.

MOTION CARRIED  
Unanimous

- (b) Business Arising from the July 3, 2007 Minutes

None

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

5. **Delegations:** (a) None

6. **Administration:** (a) Request for Subdivision re: 2007-09

Town Manager, R. Stoutenberg advised that the applicant (Fred Gueffroy) is proposing to create two lots on the East ½ of Block 14, Plan 1800U. The proposed subdivision is located at 5801 – 51 Avenue.

The proposed subdivision will create two equal sized lots of 404 m<sup>2</sup> requiring an 8% relaxation from the 440 m<sup>2</sup> minimum parcel size required for this Land Use District.

The Municipal Planning Commission, on June 13<sup>th</sup>, 2007 approved the proposed development of a Single Family Dwelling on the south lot including: a 34% front yard relaxation in order to align the proposed single family dwelling proposed for the south lot with the existing dwelling unit to the north; and on the condition that subdivision approval was received prior to the commencement of construction.

There were no concerns expressed or received from adjacent property owners or other referral agencies.

**Motion 07:07:20**

Moved by Councilor Campbell that Subdivision Application 2007-09 from Fred Gueffroy to create two (2) parcels on the East ½ of Block 14, Plan 1800U 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 landowner(s) submissions the Town of Stettler Council approves Subdivision Application 2007-09 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. No Municipal reserves are owing.

And that in accordance with Section 654 of the *Municipal Government Act* that the Town of Stettler Council/Subdivision Approval Authority grant an 8% relaxation on the minimum parcel size as prescribed in the Town's Land Use Bylaw for the newly created lots.

And further, in accordance with Sections 654 and 655 of the *Municipal Government Act*, the Town of Stettler Council/Subdivision Approval Authority approves Application 2007-09 subject to the following conditions:

1. Subdivision to be effected by a plan of Survey, pursuant to Section 657 of the *Municipal Government Act*.
2. That the developer supplies appropriate municipal services to each new parcel being created to the satisfaction of the Town of Stettler's Public Works Department.

MOTION CARRIED  
Unanimous

(b) Request for Decision re: Landscaping Tender Bid

Town Manager, R. Stoutenberg advised that the Landscaping Tender Bid submitted by Valley Green Landscaping for Emerson SWMF was under budget by \$1,660 and their bid for Meadowlands 44<sup>th</sup> Avenue exceeded the budget by \$2,117. It was noted that although only one bid was received it was within reasonable budget tolerances (combined net \$457 over the budget estimates).

Valley Green Landscaping's bid also included an optional quote to provide maintenance for a 5½ month period following completion. The additional cost of this service for both project locations would be \$19,925. In consultation with the Parks and Leisure Services Department it is felt that the initial maintenance of these projects can be sustained by the Town of Stettler.

Councillor Richards entered the meeting.

Discussion ensued regarding product warranties and the appropriateness of the types of trees being planted relative to the soil conditions at the sites.

**Motion 07:07:21**

Moved by Councillor Majeran that the Town of Stettler Council accept the bid from Valley Green Landscaping in the amount of \$81,198 (tax out) to perform quoted landscaping construction/services for Emerson SWMF and Meadowlands 44<sup>th</sup> Avenue with the following conditions:

1. That Valley Green Landscaping enters into an agreement with the Town of Stettler addressing general requirements and site work.
2. That the Town of Stettler will be responsible for the maintenance associated with the projects.

MOTION CARRIED  
Unanimous

(c) Memo re: Tax Public Auction Date

Director of Finance & Administration, G. Switenky reported that Section 418 of the *Municipal Government Act* states that the Public Auction must be held between April 1, 2007 and March 31, 2008. There is currently one residential property in the 2007 tax recovery process (having taxes outstanding since 2004).

Under Section 419 of the *Municipal Government Act* Council must set: a reserve bid that is as close as reasonably possible to the market value of the parcel, as well as any conditions that apply to the sale.

The tax recovery process can be stopped by payment of all tax arrears prior to the sale.

It was also noted that a municipality may enter into an agreement with the owner of a parcel of land shown on the Tax Arrears List providing for the payment of the tax arrears over a period not exceeding 3 years, and in that event the parcel need not be offered for sale, unless the agreement is breached. Additionally, current year taxes are required to be paid in full and kept in a current state or the agreement will be considered breached.

The Town may apply for ownership of the property if it is not sold at the public auction.

Should the Town take title to a property the property owner can regain the title if all taxes are paid before the Town sells the property.

**Motion 07:07:22**

Moved by Councillor Peeples that the Town of Stettler Council set the 2007 Tax Public Auction date as September 25, 2007 and approve using the 2007 assessment values as the reserve bids for all 2007 tax sale properties and that the terms for the sale be cash or certified cheque.

MOTION CARRIED  
Unanimous

(d) Memo re: Tax Public Auction Date for Designated Manufactured Homes

Director of Finance & Administration, G. Switenky noted that Section 436.09 of the *Municipal Government Act* states that the Public Auction must be held between April 1, 2007 and March 31, 2008. There is currently one mobile home in the 2007 tax recovery process for designated Manufactured Homes (having taxes outstanding since 2005).

Under Section 436.1 of the *Municipal Government Act* Council must set: a reserve bid that is as close as reasonably possible to the market value of the designated manufactured home, as well as any conditions that apply to the sale.

The tax recovery process can be stopped by payment of all tax arrears prior to the sale.

It was also noted that a municipality may enter into an agreement with the owner of a parcel of land shown on the Tax Arrears List providing for the payment of the tax arrears over a period not exceeding 3 years, and in that event the parcel need not be offered for sale, unless the agreement is breached. Additionally, current year taxes are required to be paid in full and kept in a current state or the agreement will be considered breached.

The Town may apply for ownership of the designated manufactured home if it is not sold at the public auction.

Should the Town take title to a designated manufactured home the property owner can regain the title if all taxes are paid before the Town sells the property.

**Motion 07:07:23**

Moved by Councillor Majeran that the Town of Stettler Council set the 2007 Tax Public Auction date as September 25, 2007 and approve using the 2007 assessment values as the reserve bids for all designated manufactured home Tax Public Auction properties and that the terms for the sale be cash or certified cheque.

MOTION CARRIED  
Unanimous

(e) Memo re: Site Furniture

Town Manager, R. Stoutenberg explained that Council previously requested the Parks & Leisure Services and UMA Engineering Ltd. to do some research to find lower cost furniture for Main Street.

Town Manager, R. Stoutenberg reviewed the memorandum from L. Penner, Director of Parks & Leisure Services. UMA Engineering is recommending the Kingsey Series from Wishbone Industries Ltd. of Langley, BC. with seating made from recycled plastic.

Discussion ensued regarding the durability of material being proposed, the furniture(s) characteristics and aesthetic appeal, negotiated pricing, the cost differential from concrete being relatively minor, shipping charges and alternative suppliers.

**Motion 07:07:24**

Moved by Councillor Majeran that the Town of Stettler Council accept the Director of Parks & Leisure Services recommendation to procure site furniture for the Downtown Streetscape as follows:

- \* To purchase the site furniture suggested by UMA Engineering Ltd. because of its durability, cold weather acceptability and aesthetic appeal for our Downtown Streetscape.
- \* To approve the budget figure of \$42,604.23 (tax in) for 2007 site furniture plan.

MOTION CARRIED (5 – 1)  
Opposed: Councillor Richards

(f) Senior Citizens' Drop-In Centre Association Lease Extension

Town Manager, R. Stoutenberg explained that the current 25 year lease with the Stettler & District Senior Citizen's Drop-In Centre Association has expired.

Administration recommends that the existing lease terms and conditions remain appropriate under the circumstances and that a lease extension for a further 25 years should be ratified.

This building lease is a tri-party agreement between the Association (as Tenants), and the Town of Stettler & the County of Stettler (as joint Lessors). It was noted that the rental fee is nominal at \$1 per year.

Discussion ensued regarding the appropriateness of a further 25 year lease renewal (length) and the lack of a termination notice clause. It was stated that the Association is responsible for all operating expenses and any capital improvements, therefore early termination would have to be mutually agreed upon by all parties to the agreement.

**Motion 07:07:25**

Moved by Councillor Peeples that the Town of Stettler Council accept the Senior Citizens' Drop-In Centre Association Lease Extension for a term of twenty-five (25) years from and including the 1<sup>st</sup> day of October 2006 to and including the 30<sup>th</sup> day of September 2031 all subject to the same rentals, terms and conditions as contained in the lease dated the 23 day of September 1981.

MOTION CARRIED (3 – 2)  
Opposed: Councillors Richards  
& Campbell

- (g) August Newsletter Items  
- Back To School – Children Safety  
- Committee of the Whole Meetings – September 11  
- Stettler's Annual Fly-In Breakfast  
- Movie in the Park – August 14

(h) Town Manager's Report

Town Manager, R. Stoutenberg informed Council that Dr. Maree (and family) of South Africa has accepted the community's invitation to relocate to Stettler.

**Motion 07:07:26**

Moved by Councillor Peeples that the Town Manager's Report for June be accepted as presented.

MOTION CARRIED  
Unanimous

(i) Taxes Receivable as of June 30, 2007

Town Manager, R. Stoutenberg explained that the 2007 current year taxes on properties were due, without penalty, prior to 4:30 PM on Friday June 29<sup>th</sup>. The Town's property owners responded with 94.73% of taxes being paid (including those on the installment plan) on or before the due date. This compares to 95.44% in 2006 and 96.11% in 2005.

On June 30<sup>th</sup>, 2007 net current taxes outstanding (2007 taxes only) was \$263,734.45 (2006 - \$211,251.93). Previous history shows that substantially all of these taxes, plus penalties will be paid prior to year-end.

The Town's annual tax penalties were highlighted:  
If paid after June 29<sup>th</sup>, 2007 +3% Current penalty  
If paid after July 31<sup>st</sup>, 2007 +9% Current penalty  
If paid after Dec. 31<sup>st</sup>, 2007 +12% Arrears penalty

The *Municipal Government Act* prescribes tax sale provision when property taxes and penalties remain unpaid for three years (2 years in arrears plus current).

**Motion 07:07:27**

Moved by Councillor Campbell that the Town of Stettler Council accept for information purposes the comparative analysis of taxes receivable at June 30, 2007.

MOTION CARRIED  
Unanimous

(j) Statement of Revenue & Expenses as of June 30, 2007

**Motion 07:07:28**

Moved by Councillor Richards that the Statement of Revenue & Expenses as of June 30, 2007 be accepted as presented.

MOTION CARRIED  
Unanimous

(k) Statement of Capital Activity as of June 30, 2007

**Motion 07:07:29**

Moved by Councillor Majeran that the Statement of Capital Activity as of June 30, 2007 be accepted as presented.

MOTION CARRIED  
Unanimous

(l) Accounts Payable in the amount of \$251,802.09

**Motion 07:07:30**

Moved by Councillor Richards that Accounts Payable for the period ending July 11, 2007 in the amount of \$251,802.09 having been paid, be accepted as presented.

MOTION CARRIED  
Unanimous

7. **Council:**

Mayor and Councillors outlined highlights of meetings they attended.

(a) Mayor Hunter

-No report – absent from meeting.

(b) Councillor Campbell

-July 9 - Rotary Club Farmer's Night.

-July 13 - Brought greetings on behalf of the Town to the Alberta Provincial Finals for the Girls Bantam Softball.

(c) Councillor Hurley

-No report – absent from meeting.

(d) Councillor Majeran

-July 4 - Ambulance Meeting.

-July 13 - Stettler Housing Authority re: CAO interviews.

(e) Councillor Peeples

-July 4 - Special Meeting of Council.

-July 16 - Regional Water Meeting at County Office with Stantec Engineering, Associated Engineering, Land Solutions Company & Government.

-July 16 - Meeting with Town Manager & Associated Engineering re: Stettler WTP, etc.

(f) Councillor Richards

-July 6 - Joint School Board/Town Office Meeting re: Final Drawings.

-July 9 - Affordable Housing re: Big Valley & Donalda. Councillor Richards informed Council that the Villages of Big Valley and Donalda are very appreciative that the Town of Stettler has reallocated part of its approved affordable housing grant to each of their communities.

- Rotary Farmer's Appreciation Night.

(g) Councillor Thorogood

-July 4 - Special Council Meeting.

-July 9 - Affordable Housing Meeting.  
- Brought Greetings on behalf of Town Council re: Rotary Agriculture Appreciation Night.

-July 13 - Deputy Mayor Town Office duties.

8. **Minutes:**

(a) Parkland Regional Library Board Meeting of May 31, 2007

(b) Stettler Affordable Housing Partnership Meeting of July 9, 2007

**Motion 07:07:31**

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

MOTION CARRIED  
Unanimous

9. **Public Hearing:**

(a) 8:00 P.M. – Bylaw 1956-07 re: Rezoning of Lot D, Plan 2891ET & Pt. of NW ¼ Sec 4-39-19-4 from "UR" Urban Reserve to "I" Industrial

This item was dealt with later in the meeting.

10. **Bylaws:**

(a) Bylaw 1956-07 re: re: Rezoning of Lot D, Plan 2891ET & Pt. of NW ¼ Sec 4-39-19-4 from "UR" Urban Reserve to "I" Industrial

This item was dealt with later in the meeting.

(b) Bylaw 1945-07 & Memo re: Proposed Unsightly Nuisance Bylaw

This item was dealt with later in the meeting.



Given the time, Deputy Mayor Councilor Thorogood with the mutual consent of Council varied the order of the agenda to consider Item 11 – Correspondence prior to the scheduled Public Hearing at 8:00 p.m.

11. **Correspondence:**
- (a) CFIB – Property Tax Inequities
  - (b) AUMA – Small Airports Strategy
  - (c) Minister of Municipal Affairs – MSI Consultation Sessions
  - (d) Costs Stall Queen E Pool Plan (Edmonton)

**Motion 07:07:32**

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

MOTION CARRIED  
Unanimous

9. **Public Hearing:**
- (a) 8:00 P.M. – Bylaw 1956-07 re: Rezoning of Lot D, Plan 2891ET & Pt. of NW ¼ Sec 4-39-19-4 from “UR” Urban Reserve to “I” Industrial

Deputy Mayor Councillor Thorogood declared the Public Hearing for Bylaw 1956-07 open at 8:05 p.m.

Present:

Councillors A. Campbell, G. Majeran, R. Peeples & D. Richards  
Town Manager R. Stoutenberg  
Director of Finance & Administration G. Switenky  
Press (1)  
Public (0)

Deputy Mayor Councillor Thorogood briefly outlined the process for the Public Hearing.

Deputy Mayor Councillor Thorogood explained that Bylaw 1956-07 is to amend Land Use Bylaw 1797-98 to rezone a large parcel of land in the northeast quadrant of Town from UR: Urban Reserve to I: Industrial to accommodate future industrial development (Greenlab Energy Canada Inc.).

Town Manager, R. Stoutenberg informed Council that the Public Hearing was advertised in accordance with the relevant provisions of the *Municipal Government Act* and there were no written or verbal submissions received for or against Bylaw 1956-07.

There were no other representations heard or made.

Deputy Mayor Councillor Thorogood declared the Public Hearing for Bylaw 1956-07 closed at 8:07 p.m.

Deputy Mayor Councillor Thorogood reconvened the regular Council Meeting at 8:07 p.m.

10. **Bylaws:**

- (a) Bylaw 1956-07 re: re: Rezoning of Lot D, Plan 2891ET & Pt. of NW ¼ Sec 4-39-19-4 from "UR" Urban Reserve to "I" Industrial

Deputy Mayor Councillor Thorogood explained that Bylaw 1956-07 is to amend Land Use Bylaw 1797-98 to rezone a large parcel of land in the northeast quadrant of Town from UR: Urban Reserve to I: Industrial to accommodate future industrial development (Greenlab Energy Canada Inc.).

**Motion 07:07:33**

Moved by Councillor Richards that the Town of Stettler Council give second reading to Bylaw 1956-07.

MOTION CARRIED  
Unanimous

**Motion 07:07:34**

Moved by Councillor Campbell that the Town of Stettler Council give third and final reading to Bylaw 1956-07.

MOTION CARRIED  
Unanimous

- (b) Bylaw 1945-07 & Memo re: Proposed Unsightly Nuisance Bylaw

Town Manager, R. Stoutenberg informed Council that Bylaw 1945-07 is a newly revised bylaw to regulate nuisances. The bylaw repeals the former Bylaw 1596 and all amendments thereto.

Town Manager, R. Stoutenberg reviewed the primary differences from the existing bylaw.

Discussion ensued regarding whether the minimum fine of \$300 was too excessive for a first offence. Town Manager R. Stoutenberg explained that this amount is prescribed in the *Municipal Government Act* (Section 566).

It was noted that as per Section 3.2.3. of the proposed bylaw referring to the length of grass or weeds exceeding ten (10) centimeters is too low and therefore unreasonable. It was mutually determined that approximately 8 inches or 20 centimeters would be a more appropriate length to trigger an enforcement action.

**Motion 07:07:35**

Moved by Councillor Richards that the Town of Stettler Council amend proposed Bylaw 1945-07 respecting Section 3.2.3. to read as follows:

Section 3.2.3 – grass or weeds in excess of twenty (20) centimeters in length.

MOTION CARRIED  
Unanimous

**Motion 07:07:36**

Moved by Councillor Majeran that the Town of Stettler Council give first reading to Bylaw 1945-07 as amended.

MOTION CARRIED  
Unanimous

**Motion 07:07:37**

Moved by Councillor Richards that the Town of Stettler Council give second reading to Bylaw 1945-07 as amended.

MOTION CARRIED  
Unanimous

**Motion 07:07:38**

Moved by Councillor Campbell that the Town of Stettler Council give permission for third and final reading to Bylaw 1945-07 as amended

MOTION CARRIED  
Unanimous

**Motion 07:07:39**

Moved by Councillor Majeran that the Town of Stettler Council give third and final reading to Bylaw 1945-07 as amended.

MOTION CARRIED (4 – 1)  
Opposed: Councillor Peeples

12. **Items Added:**

(a) Memo re: 2007 Voting Procedures

Town Manager, R. Stoutenberg reviewed the Memorandum from G. Switenky Director of Finance and Administration which advises that in accordance with the *Local Authorities Election Act* Town Council has the option to appoint a Returning Officer for the 2007 General Municipal Election. Town Council also has the authority to vary certain procedures relating to a general election (with advanced notice).

Discussion ensued regarding various election procedural options presented. It was mutually agreed that the six institutional voting stations noted in recommendation #3 should be mandated as the minimum number of locations.

**Motion 07:07:40**

Moved by Councillor Peeples that in accordance with the *Local Authorities Election Act*, the Town of Stettler Council approves the appointment of Greg Switenky to be the Returning Officer for the Town of Stettler 2007 General Election, and further approves the following procedural items permitted under the *Local Authorities Election Act* for the Town of Stettler 2007 General Election process:

1. Provide for the holding of an advanced vote. The Returning Officer must determine the day(s) and hours when the advanced vote is to be held.

2. Provide for the attendance of 2 deputies at the residence of an elector, during the hours an advanced voting station is open or at other times as may be fixed by resolution, in order to take the votes of an elector who, because of physical incapacity, is unable to attend a voting station or an advanced voting station to vote.
3. Authorize the Returning Officer to designate the following locations for institutional voting stations: Willow Creek, Heart Haven, Paragon Place, the Stettler Health Centre (Hospital), Auxiliary Hospital and the Hospital Nursing Home and any other location determined necessary by the Returning Officer.

MOTION CARRIED  
Unanimous

(b) Local Roads – Conditions/Maintenance

The condition of local roads at a couple of locations was questioned. Town Manager, R. Stoutenberg will assess road conditions at various locations with the Director of Operational Services J. Keith.

13. **In-Camera Session:**
- (a) Stettler Waste Management Authority
  - (b) Land Matters/Lot Options

**Motion 07:07:41**

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 items as presented on the In-Camera Agenda.

MOTION CARRIED  
Unanimous at 8:40 p.m.

Deputy Mayor Councillor Thorogood declared a possible conflict of interest respecting the In-Camera item relating to Lot Options and by departing the meeting excused herself from any discussion or voting on the item.

Deputy Mayor Councillor Thorogood with the mutual understanding of Council advised that given this is the final item on the Agenda she will not return to the remainder of the meeting.

Acting Deputy Mayor Councillor Richards assumed the Chair.

**Motion 07:07:42**

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

MOTION CARRIED  
Unanimous at 9:05 p.m.

14. Adjournment:

**Motion 07:07:43**

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

MOTION CARRIED  
Unanimous at 9:05 p.m.

---

Mayor

---

Director of Finance & Administration